


The Smyth County Board of Supervisors held a regular meeting on Tuesday, January 12, 2021. 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: Atkins District Supervisor Charles Atkins; Chilhowie District Supervisor Michael Sturgill; North Fork District Supervisor Phil Stevenson; Park District Supervisor Kris Ratliff; Royal Oak District Supervisor Judy Wyant; Rye Valley District Supervisor Lori Deel (electronically); Saltville District Supervisor Roscoe D Call (electronically) (7)


ABSENT: None (0)

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; County Attorney Scot Farthing; Emergency Services Coordinator Curtis Crawford; Administrative Assistant Christy Bise (5)

OTHERS: Smyth County Sheriff's Deputy, Smyth County News and Messenger, and citizens

 1/12/2021 5:00 PM Shawn Utt, County Administrator, called the meeting to order and welcomed everyone.

 1/12/2021 5:00 PM Heather Street, IT Department, led the Pledge of Allegiance and Rev. Daniel Hess, Ebenezer Lutheran Church, gave the invocation.

 1/12/2021 5:01 PM Mr. Utt opened the floor for discussion and nominations for the election of officers for calendar year 2021.

Park District Supervisor Kris Ratliff nominated Atkins District Supervisor Charles Atkins as Chairperson for calendar year 2021. The motion was seconded by Chilhowie District Supervisor Michael Sturgill.

Saltville District Supervisor Roscoe Call nominated Rye Valley District Supervisor Lori Deel as Chairperson for calendar year 2021. The motion was seconded by North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff made a motion to close the nominations for Chairperson. The motion was seconded by Saltville District Supervisor Roscoe Call.

After consideration, the motion PASSED by the following vote:

AYES: Royal Oak District Supervisor Judy Wyant,
Rye Valley District Supervisor Lori Deel,

*Saltville District Supervisor Roscoe D. Call,
North Fork District Supervisor Phil Stevenson,
Atkins District Supervisor Charles Atkins,
Park District Supervisor Kris Ratliff, and
Chilhowie District Supervisor Michael Sturgill*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Shawn Utt, County Administrator, called for a vote on Atkins District Supervisor Charles Atkins' nomination as Chairperson for calendar year 2021.

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

*AYES: Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff, and
Rye Valley District Supervisor Lori Deel*

*NAYS: North Fork District Supervisor Phil Stevenson,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

ABSTAINERS: None.

ABSENT: None.

Shawn Utt, County Administrator, called for a vote on Rye Valley District Supervisor Lori Deel's nomination as Chairperson for calendar year 2021.

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

*AYES: North Fork District Supervisor Phil Stevenson,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

*NAYS: Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff, and
Rye Valley District Supervisor Lori Deel*

ABSTAINERS: None.

ABSENT: None.

Mr. Utt turned the meeting over to Chair, Atkins District Supervisor Charles Atkins.

 1/12/2021 5:05 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for nominations for Vice Chairperson for calendar year 2021.

Park District Supervisor Kris Ratliff nominated Rye Valley District Supervisor Lori Deel as Vice Chairperson for calendar year 2021. Chilhowie District Supervisor Michael Sturgill seconded the motion.

Park District Supervisor Kris Ratliff made a motion to close the nominations for Vice Chairperson for calendar year 2021. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Rye Valley District Supervisor Lori Deel
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chair, Atkins District Supervisor Charles Atkins called for a vote on Rye Valley District Supervisor Lori Deel's nomination as Vice Chairperson for calendar year 2021.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Rye Valley District Supervisor Lori Deel
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chair, Atkins District Supervisor Charles Atkins opened the floor for nominations for Clerk for calendar year 2021.

Park District Supervisor Kris Ratliff nominated Shawn Utt, County Administrator, as Clerk for calendar year 2021 as specified in the Board's Rules of Procedures. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Rye Valley District Supervisor Lori Deel
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mr. Utt is recommending two Deputy Clerks for calendar year 2021 – Lisa Richardson, Assistant County Administrator and Christy Bise, Administrative Assistant.

North Fork District Supervisor Phil Stevenson made a motion to approve both Ms. Richardson and Ms. Bise as Deputy Clerks for calendar year 2021. Chilhowie District Supervisor Michael Sturgill seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 5:07 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for discussion regarding the Board's desired meeting schedule for calendar year 2021. The Board's bylaws currently call to meet at 5:00 PM on the second Tuesday of every month and, if needed, on the fourth Thursday of the month. November's regularly scheduled meeting is normally held on the second Wednesday due to the VACO conference. The Board unanimously agreed to continue with the same meeting schedule for calendar year 2021. Scot Farthing, County Attorney, asked for clarification on the second monthly meeting. The second meeting on the fourth Thursday will be automatically on the schedule each month and, if there is no business to discuss, then the meeting will be canceled. Mr. Utt noted that some holidays might interfere with the fourth Thursday meetings, but that will be addressed as it arises.



1/12/2021 5:09 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for discussion on the Board's Rules of Procedures. Park District Supervisor Kris Ratliff asked about the practice of voice voting versus signal voting and would like further clarification from Mr. Farthing. Mr. Farthing stated the Board is not in violation of any laws by signal voting; a voice vote is only required by law in instances of adopting or amending an ordinance. He added that the Board can change to all voice voting if they so choose, which Mr. Farthing noted would be his preference. Park District Supervisor Kris Ratliff also added concern about the specified 15-minute time limit for citizen's time. Mr. Farthing stated that Board meetings which take place on a monthly basis are not required to adopt the agenda as part of the meeting actions. By not adopting the agenda at the beginning of each meeting, the Chair can then control the order of business on the agenda and have more flexibility on setting time limits. After discussion, Park District Supervisor Kris Ratliff made a motion to continue under the current Rules of Procedures while allowing staff to review the rules and bring proposed changes back before the Board at the February meeting. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mr. Farthing asked for clarification on the Board's voting preference, either by hand or by voice. This matter will be reviewed at the next meeting along with other proposed changes to the rules.



1/12/2021 5:19 PM A motion was made by Saltville District Supervisor Roscoe Call to adopt the state holiday schedule as approved by the Governor and amended throughout the year. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:


*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,*

*Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 5:20 PM A motion was made by Chilhowie District Supervisor Michael Sturgill, seconded by Saltville District Supervisor Roscoe Call to adopt the agenda.


After consideration, the motion PASSED by the following vote:


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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 5:20 PM Mr. Utt reported that neither Ms. Schwartz or Ms. Spence were available to come to the meeting this evening for their retirement recognitions. Mr. Utt introduced Gabe Dempsey, the new Information Systems Director, to the Board.

 1/12/2021 5:21 PM minutes – Saltville District Supervisor Roscoe Call made a motion to approve the minutes of the December 8, 2020 meeting. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: North Fork District Supervisor Phil Stevenson

ABSENT: None.



1/12/2021 5:22 PM Public hearing for the VDOT secondary road six-year plan:

Public Hearing Notice

The Virginia Department of Transportation and the Board of Supervisors of Smyth County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the Board Meeting Room of the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia 24354 at **5:00 p.m., or as soon thereafter as possible, on January 12, 2021**. The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2020/21 through 2025/26 in Smyth County and on the Secondary System Construction Budget for Fiscal Year 2020/21. Copies of the proposed Plan and Budget may be reviewed by contacting the Abingdon Residency Office of the Virginia Department of Transportation at (276) 676-5582 or at the Smyth County Administration offices located at 121 Bagley Circle, Marion, Virginia 24354 or by calling (276) 783-3298.

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

All interested persons may express their views and opinions by emailing cbise@smythcounty.org prior to the meeting. Written comments may also be mailed to County Administrator, 121 Bagley Circle Suite 100, Marion, VA 24354; or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 PM Tuesday, January 12, 2021.

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

**BY ORDER OF THE BOARD OF SUPERVISORS
SMYTH COUNTY, VIRGINIA
Shawn Utt, County Administrator**



1/12/2021 5:22 PM Joshua Lewis and Rachel Brown from VDOT presented information on the recommended secondary road six-year plan for FY20-21 through FY25-26. The two approved candidates for the FY26 SSYP are Route 653, Tilson Hollow Road and Route 798, Hale Lake Road. The Board discussed with Mr. Lewis the review process and how the projects are determined. The Board agreed they would like to receive more frequent updates from VDOT at future meetings, preferably on a quarterly basis. Board Members provided Mr. Lewis with some specific areas they would like VDOT to take a look at for further evaluation.



1/12/2021 5:35 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing. North Fork District Supervisor Phil Stevenson

made a motion to waive the rules of public hearings. Park District Supervisor Kris Ratliff seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 5:36 PM North Fork District Supervisor Phil Stevenson made a motion to approve the VDOT Secondary Six Year Plan. Chilhowie District Supervisor Michael Sturgill seconded the motion.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION APPROVAL OF SECONDARY HIGHWAY SIX-YEAR PLAN (2020/21 THROUGH 2025/2026) AND CONSTRUCTION PRIORITY LIST (2020/21) SMYTH COUNTY, VIRGINIA

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan, and

WHEREAS, Smyth County Board of Supervisors had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2020/21 through 2025/26) as well as the Construction Priority List (2020/21) on January 12, 2021, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List, and

WHEREAS, Joshua S. Lewis, Assistant Resident Engineer, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2020/21 through 2025/26) and the Construction Priority List (2020/21) for Smyth County, Virginia, attached hereto at Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Smyth County, Virginia that since said Plan appears to be in the best interests of the Secondary Road System in Smyth County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2020/21 through 2025/26) and Construction Priority List (2020/21) are hereby approved as presented at the public hearing.

DONE this the 12th day of January, 2021.

Recorded Vote

Moved by: North Fork District Supervisor Phil Stevenson

Seconded by: Chilhowie District Supervisor Michael Sturgill

Yeas: 7

Nays: 0

A Copy Teste:

A handwritten signature in blue ink, appearing to read "S. Utt", is written over a horizontal line.

Shawn Utt, Clerk


After consideration, the motion PASSED by the following vote:


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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 5:36 PM Lisa Richardson, Assistant County Administrator, reviewed the County financial information through the end of December 2020.

 1/12/2021 5:42 PM Saltville District Supervisor Roscoe Call made a motion to approve the following payment of invoices:

General County	
Accounts Payable Listing:	\$1,044,728.25
Virginia Resources Authority (VRA) loan	\$20,146.97
BB&T Debt Service	\$11,125.00
Payroll:	\$745,000.00
Auto Draft Rural Development:	\$15,515.00
Utilities/Misc	\$30,000.00
County Administration Fund:	\$5,000.00
Total County Appropriation (Plus Carryover):	\$1,825,000.00

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/12/2021 5:43 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Social Services appropriations:

Social Services	
(January 13 – 31, 2021)	\$410,000.00
(February 1 – 9, 2021)	\$60,000.00
Total Social Services:	\$470,000.00

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



1/12/2021 5:43 PM Saltville District Supervisor Roscoe Call made a motion to approve the following School Board appropriations:

Schools-Operating Fund	
Instruction	\$2,750,000.00
Administration, Attendance, & Health	\$110,000.00
Transportation	\$160,000.00
Facilities	\$350,000.00
School Food Service	\$250,000.00
Technology	\$185,000.00
Total School Operating Fund:	\$3,805,000.00

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

After consideration, the motion PASSED by the following vote:


AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
North Fork District Supervisor Phil Stevenson,

*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: None.

 1/12/2021 5:44 PM Saltville District Supervisor Roscoe Call made a motion to approve the following School Debt and Capital Outlay appropriation:

School Debt and Capital Outlay	\$320,000.00
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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, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
North Fork District Supervisor Phil Stevenson,
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: None.

 1/12/2021 5:44 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Sheriff's Department fund 748 appropriation:

Sheriff Dept Fund 748	\$1,281.97
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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, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 5:44 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Recover Court fund 749 appropriation:

Recovery Court Fund 749	\$2,434.92
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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, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*


NAYS: None.


ABSTAINERS: None.

ABSENT: None.

 1/12/2021 5:45 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

 1/12/2021 5:45 PM Nathan Gary provided an update to the Board on the Saltville Rescue Squad. Mr. Gary reported calls were down last month, but funding is still in place. There were some unexpected truck repairs which cost \$3,000 but they are still ahead for the year. Mr. Gary also noted that he was moved from interim to full-time daily operations manager last week. On behalf of all the squad members, he thanked the Board for all of their support.

 1/12/2021 5:48 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

 1/12/2021 5:49 PM Tracy Thompson, Interim Director of the Lincoln Theatre, participated in the meeting electronically and provided the Board with information on an Appalachian Regional Commission (ARC) grant the Theatre is applying for. The theatre is looking to expand their offerings to include indoor films and this grant would aid in the purchase of a screen, sound system, digital projector, and a digital marquee. Ms. Thompson is asking the Board to sign a letter of support for this project to be submitted to the ARC grant review committee. Vice Chair, Rye Valley District Supervisor Lori Deel commended Ms. Thompson on the job she is doing as interim director and made a motion to provide a letter

of support from the Board for this project. Chilhowie District Supervisor Michael Sturgill seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 5:58 PM Mr. Utt reported that the new library director, Rose Likins, was unable to participate in tonight's meeting but has asked to be on the agenda for next month's meeting.

 1/12/2021 5:59 PM The following committee reports and recommendations were presented:

The Appointment Committee met December 30, 2020 and committee chair Royal Oak District Supervisor Judy Wyant presented the following recommendations:

- *A motion was made by Atkins District Supervisor Charles Atkins to approve all the appointments as presented. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.*

Area Beautification Committee

Recommend reappointing the following to 1-year terms:

- Phyllis Griffith (Rye Valley)
- Loretta Hogston (Saltville)
- Sherian Medley (Park)
- Tina Henderson (Royal Oak)
- Melissa Hall (Atkins)
- Rachel Beverly (Chilhowie)
- The North Fork District seat is still vacant and Mr. Utt is working with North Fork District Supervisor Phil Stevenson to make an appointment.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,*

*North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Community Policy Management Team (CPMT)

Recommend reappointing the following to 1-year terms:

- Chris Austin (DSS rep, Committee Chair)
- Darcy Janson (Juvenile Court Service)
- Amy Johnson & Kevin Downs (alternates)
- Lisa Bourne (Private Provider rep, TDT Director)
- Blake Frazier (Parent Representative)
- Kim Sturgill (SCSB rep)
- Julie Earp (Health Dept. rep)
- KJ Holbrook (Mt. Rogers CSB rep)
- Shawn Utt (Smyth Co rep)
- Morgan Greer (Mt. Rogers CSB alt.)

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Keep Southwest Virginia Beautiful

- Manuel Street reappointment to a 1-year term

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Board of Zoning Appeals – John Saunders, Park District BZA representative, will not be serving another term. Two current alternates, Willard “Bill” Moss (Atkins District) and Robert Shults (Park District), are willing to serve as full-time BZA members. Appointment recommendations will be made from the Board of Supervisors to the Circuit Court Judge for formal appointments. Three non-district specific alternates still need to be appointed to the BZA.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chamber of Commerce – Judy Wyant’s term expires on December 31, 2020 and she is not seeking reappointment. Mr. Utt will talk with Chilhowie District Supervisor Michael Sturgill about his possible appointment to the board*. (*Mr. Utt has since spoken with Mr. Sturgill and he is willing to serve on the Chamber board.)

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Emergency Management Coordinator - Mr. Utt is recommending Curtis Crawford’s formal appointment as the County’s Emergency Management Coordinator.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mount Rogers Community Service Board - The terms for the County's three representatives (Suzanne Jennings, Susan Snead, and Beverly Mountain) all expire on December 31, 2020. Ms. Jennings and Ms. Snead are both eligible for reappointments. In addition, Kris Ratliff has been approached about serving, which would be good since he is a BOS member and can report more readily to the BOS on items of interest. These terms are 3-year terms.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mount Rogers Planning District Commission - The term for the County's "member at-large", Bryant McVey, has expired and will need to be reappointed. In addition, the Town of Chilhowie is recommending John Clark, Town Manager, to be appointed as their representative (this appointment is done by the Board of Supervisors). We are waiting to hear from the Town of Saltville regarding their representative. These terms are 4-year terms.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Southwest Virginia Health Authority – Mr. Gardner Umbarger has contacted the County about his interest in serving on this board. Mr. Umbarger has offered to come before the appointment committee or the Board of Supervisors to discuss his qualifications. The committee concurred in recommending his appointment as Smyth County's representative.

Wytheville Community College – Mr. Atkins is recommending Shirley Pratt for the open seat on the Wytheville Community College board.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Budget Committee met on December 30, 2020 and committee chair Atkins District Supervisor Charles Atkins presented the following recommendations:

Food and Beverage Tax – Virginia Code has been amended to allow for a County to have a "County food and beverage tax" now without requiring a public referendum. This would allow for a tax up to 6% on prepared foods and beverages subject to some specific requirements.

- *A motion was made by Royal Oak District Supervisor Judy Wyant authorizing Mr. Utt to prepare a study on options for the food tax. The motion was seconded by Rye Valley District Supervisor Lori Deel and unanimously approved.*

Mr. Atkins noted the recommendation is for a study only at this time. Board members agreed they don't want to make things harder on small businesses, but implementing such a tax could be a way to alleviate other taxes.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,*

*Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Cigarette Tax – Effective July 2021, Counties in Virginia will be allowed to enact a tax on cigarettes up to \$0.02 per cigarette sold. This tax is more complex than the food and beverage tax and would likely not be an option for consideration until FY22-23.

- *After discussion, Rye Valley District Supervisor Lori Deel made a motion authorizing Mr. Utt to start the process of researching a cigarette tax for the County and to work with Tom Burkett and Jeff Richardson on the possible development of a regional tax authority. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

CDBG Food Pantry

- *Royal Oak District Supervisor Judy Wyant made a motion to approve a \$50,000 transfer from the general fund to the CDBG Food Pantry fund. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

CARES Act Utility Relief Funds

- *Royal Oak District Supervisor Judy Wyant made a motion to recommend approval of the proposed budget amendment for CARES Act utility relief funds in the amount of \$33,220.95. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Water Study Analysis

- *A motion was made by Royal Oak District Supervisor Judy Wyant authorizing Mr. Utt to contact Davenport about doing a utility fund analysis. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Building and Grounds Committee Chair Rye Valley District Supervisor Lori Deel reported the committee met on December 29, 2020 but made no recommendations to the Board at that meeting.

The Personnel Committee met on December 30, 2020 and committee chair Royal Oak District Supervisor Judy Wyant presented the following recommendations:

County Administrator Relocation Extension

- *Atkins District Supervisor Charles Atkins made a motion to exercise a 6-month extension for Mr. Utt to establish a permanent residence in Smyth County as outlined in his employment contract. Park District Supervisor Kris Ratliff seconded the motion and it was unanimously approved.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Waiver of Relocation for IT Director and Personnel Policy Review

- *Atkins District Supervisor Charles Atkins made a motion to exempt the newly hired IT Director from relocating his residence to Smyth County, and to do a full review of the personnel policy. Park District Supervisor Kris Ratliff seconded the motion and it was unanimously carried.*

Some Board members expressed concern about department heads residing and paying taxes in another county.

After consideration, the motion PASSED by the following vote:

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

*NAYS: North Fork District Supervisor Phil Stevenson,
Saltville District Supervisor Roscoe Call*

ABSTAINERS: None.

ABSENT: None

Mr. Utt added that the Personnel Committee also asked him to prepare a job description and proposed salary range for the additional Board Clerk/Administrative Assistant position. He noted that other positions are being reviewed as well.

Rye Valley District Supervisor Lori Deel reported that the Public Safety Committee met on January 5, 2021 at the Adwolfe Fire Department in cooperation with the County Chiefs' meeting.

The Surplus Committee met on December 29, 2020 and committee chair Saltville District Supervisor Roscoe Call presented the following recommendations:

Surplus Vehicle Sale

- *Chilhowie District Supervisor Michael Sturgill made a motion recommending the surplus and sale of all eleven vehicles as presented. Park District Supervisor Kris Ratliff seconded the motion and it was unanimously approved.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Surplus Property Value

- *After discussion, Chilhowie District Supervisor Michael Sturgill made a motion to allow Mr. Utt to surplus any future property with a value of less than \$500 without requiring committee/Board approval. Park District Supervisor Kris Ratliff seconded the motion and it was unanimously approved.*


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 6:39 PM Mr. Utt reported that no one was in attendance at tonight's meeting from the Blue Ridge Discovery Center to discuss their tax exemption request and he asks that

the matter be tabled until the February meeting. Vice Chair Rye Valley District Supervisor Lori Deel made a motion to table the Blue Ridge Discovery Center's request until February. Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 6:40 PM Mr. Utt provided information on a CSA budget amendment request that was not included on the budget committee's agenda at their last meeting. With the amount of expenses being unknown, CSA was funded \$600,000 less this year than the previous fiscal year and additional funds are needed to cover expenses. Mr. Utt is requesting \$99,437 be added to their budget to fund the month of January with additional action in February to provide the remaining funds. This would break out with \$23,228 being local funding and \$76,209 in state funding. Park District Supervisor Kris Ratliff made a motion to approve the budget amendment for CSA funding in the amount of \$99,437. Chilhowie District Supervisor Michael Sturgill seconded the motion.


After consideration, the motion PASSED by the following vote:

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


NAYS: None.


ABSTAINERS: None.

ABSENT: None.

 1/12/2021 6:42 PM Scot Farthing, County Attorney, reported he had reviewed the deed for Riverside School and the Cole's rights of first refusal was in place to be purchased from the School Board, but the School Board cannot sell property; it can only be declared as surplus and then sold by the County. The language does read that the property can be

purchased back at an agreed upon price, but Mr. Farthing will do further research and report back at the next meeting.

 1/12/2021 6:49 PM Mr. Utt asked Curtis Crawford, Emergency Services Coordinator, to present an update on the COVID 19 response plan and vaccinations. Mr. Crawford provided positive case numbers and vaccine information to the Board. Phase 1a of the vaccination has already begun for EMS, first responders, and nursing homes. Phase 1b just started and will include remaining first responders, the Department of Corrections, and those over age 75. Teachers will also be getting their vaccinations soon. Mr. Crawford is putting an essential worker list together for the County's vaccination plan.

 1/12/2021 6:57 PM Mr. Utt presented the Board with a draft budget calendar for FY21/22 which would put a balanced budget in place by May. He noted the calendar is subject to change, but asked the Board's consideration of adoption. Park District Supervisor Kris Ratliff made a motion to adopt the FY 21/22 budget calendar as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion.



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

County Administrator
Assistant County Administrator

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

Shawn M. Utt
Alicia Richardson

January 12, 2020

To: Members, Smyth County Board of Supervisors

CC: Smyth County Leadership Team

From: Shawn M. Utt, Smyth County Administrator

RE: FY21-22 Budget Calendar

Budget forms distributed to Departments	January 15, 2021
Budget request notification published in newspaper/websites	January 15, 2021
Budget requests due to County Administrator's Office from Departments	February 12, 2021
Budget requests due to County Administrator's Office from Agencies	February 12, 2021
Revenue Projections (County Admin., Treasurer, Commissioner)	February 26, 2021
First Budget Draft to Budget Committee / Budget Committee Work Session	March 2, 2021
Budget Committee Work Session (with School Board/Superintendent)	March 16, 2021
Budget Committee Work Session	March 23, 2021
Budget Committee Work Session	March 30, 2021
Budget Committee Work Session (if needed)	April 6, 2021
Present Full Budget to Board of Supervisors	April 13, 2021
Budget Committee Work Session (if needed)	April 20, 2021
Public Hearing(s)	May 11, 2021
Adopt County Budget for FY21/22	May 27, 2021
Adopt Tax Levy for FY21/22	May 27, 2021
Adopt CIP for FY21/22	May 27, 2021


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 6:59 PM Mr. Utt presented a draft agreement from Robinson, Farmer, Cox for the upcoming Cost Allocation Plan which is required annually for federal grants. The draft agreement includes a one-year term at the same cost as last year, or a three-year term at a discounted rate. Mr. Utt is recommending the one-year option because next year the County will be doing an RFP for auditing services as a whole. Chilhowie District Supervisor Michael Sturgill made a motion authorizing Mr. Utt to execute the one-year agreement with Robinson, Farmer, Cox. Park District Supervisor Kris Ratliff seconded the motion.



ROBINSON, FARMER, COX ASSOCIATES, PLLC
Certified Public Accountants

PROPOSAL FOR CENTRAL SERVICES COST ALLOCATION PLAN

County of Smyth

PROJECT PROPOSAL

Robinson, Farmer, Cox Associates hereby submits a proposed plan of action to provide consultative assistance to the County of Smyth in preparation of its annual Cost Allocation Plan. Said plan shall be based upon costs incurred by the County for the fiscal year ended June 30, 2020 or at the County's option for the fiscal years ending June 30, 2020 through 2022.

CONTEXT STATEMENT

The performance of Federal grants and/or contracts usually requires the expenditure of resources of various organizations of the County. Federal regulations permit the County to recover indirect costs that it has incurred in performing federally supported programs. An indirect cost is one that is incurred for the benefit of more than one program or objective and that cannot be readily or specifically identified with a particular program (e.g., overhead costs).

Based on the requirements of appropriate federal regulations and decisions of management, Robinson, Farmer, Cox Associates proposes to provide assistance to the County in preparing a cost allocation and reimbursement plan to include the following:

- o A Central Services Cost Allocation Plan detailing the cost of direct or indirect services provided by the County to any department or unit of the County that is performing Federal grants or contracts;
- o the most accurate and reasonable basis of indirect cost allocation based upon: the central service/beneficiary department relationships as they existed during the fiscal year, promulgated regulations and management's decisions;
- o aggregation of financial and other data from the County's records that are necessary to compute the allocations,
- o use of client data to compute allocations, and
- o assistance in preparing the necessary documents and forms required for submission to reviewing agencies.

TIME FRAME

Robinson, Farmer, Cox will provide assistance on a timely basis so that the County can submit the Cost Allocation Plan to appropriate State agencies for review and inclusion in that year's reimbursement plan.

EXPERIENCE

Robinson, Farmer, Cox Associates has been assisting Virginia localities in the preparation of Central Services Cost Allocation Plans for over thirty years. For the past several years Robinson, Farmer, Cox Associates has annually been engaged to assist over 60 Virginia jurisdictions in their Plan preparation.

COST

Robinson, Farmer, Cox Associates proposes to provide the above noted services in connection with the County's Central Services Cost Allocation Plan for costs incurred during the fiscal year ended June 30, 2020 for a fixed fee of \$4,750. Payment will be due and payable when the services outlined in this proposal are complete and accepted by the County.

As an alternative, Robinson, Farmer, Cox Associates proposes to provide the above noted services in connection with the County's Central Services Cost Allocation plans for costs incurred during the fiscal years 2020 through 2022 for the price of \$12,750, one-third of said fee shall be due and payable annually when the services outlined in this proposal are complete and accepted by the County.

Please check one option below:

- ☐ The County selects the one-year option.
- ☐ The County selects the three-year option with annual savings.

Respectfully submitted,

ROBINSON, FARMER, COX ASSOCIATES



Scott Wickham, CPA, CFE
Member
January 6, 2021

ACCEPTED:
For the County of Smyth

BY: _____
 Authorizing Official Title Date


After consideration, the motion PASSED by the following vote:


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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 7:00 PM Mr. Utt reported Amanda Livingston has been hired as the new Smyth County Tourism Director. Ms. Livingston will begin on January 25th and Mr. Utt will invite her to a future Board meeting to formally introduce herself.

 1/12/2021 7:01 PM Mr. Utt presented a turnkey proposal from Berry's to salvage the scrap metal from the excess items located at the landfill. These items include rusted roll-off containers, partial vehicles, and miscellaneous metal which total approximately 190,100 pounds. Chilhowie District Supervisor Michael Sturgill made a motion to approve the \$19,000 proposal from Berry's to salvage the scrap metal located at the landfill. Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:


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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mr. Utt added that he is currently working on recycling options for paper and plastic as well.

 1/12/2021 7:04 PM Mr. Utt presented information on snow schedule hours for the convenience stations. Opening would be delayed to allow enough time to get the snow removed at the busiest stations. Board Members noted they already get a lot of feedback from citizens related to the hours of the convenience stations and changing the hours on short-notice could create more issues. Ms. Deel also noted issues with the standing water at

the McMullen convenience station and Mr. Utt reported that a trench has been cut to help drain the water and other options are being looked at as part of the CIP for a long-term solution. Mr. Utt would like for the solid waste committee to look at the convenience station issues in more detail and bring some recommendations back to the Board.

 1/12/2021 7:15 PM Supervisor comment time

Saltville District Supervisor Roscoe Call discussed the survey of the salt company's property in Saltville. Originally, the survey was going to start around \$10,000 but now, considering all the property that needs to be surveyed, it's going to be closer to \$30,000. Supervisor Call is asking the Board's consideration to go ahead with the survey because it has the potential to produce a good investment return on taxes. He also congratulated Mr. Atkins on being voted Chairperson and encouraged everyone to be safe.

Vice Chair, Rye Valley District Supervisor Lori Deel appreciated Mr. Call's update on the salt properties and looks forward to moving ahead with that project. She appreciates the appointment of Vice Chair again this year and commends Royal Oak District Supervisor Judy Wyant for her leadership as Chair this past year. She congratulated Mr. Atkins on his role as Chairperson. Supervisor Deel reported she had received a complaint about the Treasurer's Office being closed on January 6, 2021 and Mr. Utt said he would follow-up on the reason for the closure. Ms. Deel commended Debbie Schwartz and Diane Spence on their retirements. Ms. Deel also had a question about extending Comcast cable to citizens in the Stoney Battery Road area and Mr. Utt said he would provide her with a local government relations contact. She also added that she would like more information on the free SpaceX internet service that was distributed in Wise County to see if it's an option for our County. Ms. Deel would also like to see a broadband/cellular committee created to look at these issues in comparison with other communities. She commended the CIP that the County has developed and looks forward to the upcoming Board retreat. She also commended the library and tourism boards for their newly hired directors. She encouraged everyone to stay safe and hopefully everyone can get vaccinated soon.

Park District Supervisor Kris Ratliff recognized Royal Oak District Supervisor Judy Wyant for her role at Chair this past year and thanks the Board for their continued growth. He thanked Mr. Utt and staff for their efforts and leadership. He appreciated the COVID information Mr. Crawford provided to the Board. He noted there are two other strains of the virus going and according to the CDC it will continue to mutate down the road. He reminded everyone the virus can be transmitted by direct contact, droplets, or airborne so he encouraged everyone to get the vaccine, use hand sanitizer, and wear a mask. He encouraged everyone to continue to live life and support local businesses and pay their bills.

Chilhowie District Supervisor Michael Sturgill thanked Royal Oak District Supervisor Judy Wyant for her leadership in 2020 and he looks forward to Atkins District Supervisor Charles Atkins and Rye Valley District Supervisor Lori Deel's leadership in 2021. He thanked Mr. Utt and staff along with his fellow Board members because together everyone achieves more. There will be challenges in 2021 and he hopes to make decisions to improve the lives of Smyth County citizens.

North Fork District Supervisor Phil Stevenson congratulated the new officers.

Royal Oak District Supervisor Judy Wyant congratulated Supervisors Atkins and Deel. She appreciates the team effort given in 2020 and she's thankful to be part of making the community better. She looks forward to some normalcy in 2021.

Chair, Atkins District Supervisor Charles Atkins thanked Supervisor Wyant for her leadership in 2020. He hopes we can get the virus behind us and have a better year. The Board is a team and he encouraged everyone to speak up and expression their opinions. He added that if anyone would like to be on a particular committee to please let him know.

North Fork District Supervisor Phil Stevenson made a motion to go ahead with the survey of the salt properties in Saltville. Park District Supervisor Kris Ratliff seconded the motion and added at a cost of \$30,000 or less.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Park District Supervisor Kris Ratliff made a motion to enter into closed session under Code of Virginia Section 2.2-3711(a)8 to discuss emergency services. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:


*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,*

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 1/12/2021 7:51 PM It was moved by Chilhowie District Supervisor Michael Sturgill, seconded by Vice Chair, Rye Valley District Supervisor Lori Deel, to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION
CERTIFICATION OF CLOSED SESSION

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The meeting was continued to January 28, 2021 at 4:00 PM at the General Francis Marion Hotel.

The Smyth County Board of Supervisors held a regular meeting on Tuesday, February 9, 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: Chair, Atkins District Supervisor Charles Atkins; Vice Chair, Rye Valley District Supervisor Lori Deel (electronically); Chilhowie District Supervisor Michael Sturgill; North Fork District Supervisor Phil Stevenson; Park District Supervisor Kris Ratliff; Royal Oak District Supervisor Judy Wyant; Saltville District Supervisor Roscoe D Call (electronically) (7)

ABSENT: None (0)


STAFF: County Administrator Shawn Utt; County Attorney Scot Farthing; Administrative Assistant Christy Bise (3)

OTHERS: Smyth County Sheriff Chip Shuler and Deputy, Smyth County News and Messenger, and citizens

 2/9/2021 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

Reverend Charles Stewart, Marion Baptist Church, gave the invocation.

Shawn Utt, County Administrator, led the Pledge of Allegiance

 2/9/2021 5:03 PM County Administrator Shawn Utt presented the following resolution in recognition of Debra Schwartz's retirement from the Smyth County Treasurer's Office.



SMYTH COUNTY BOARD OF SUPERVISORS

A RESOLUTION IN RECOGNITION OF DEBRA SCHWARTZ UPON HER RETIREMENT FROM THE SMYTH COUNTY TREASURER'S OFFICE

WHEREAS, Debra "Debbie" Schwartz began her journey with Smyth County as a part-time employee of the Treasurer's office in August 1977 and moved into a full-time position on January 1, 1979; and,

WHEREAS, Debbie has served as one of the constant faces in the Treasurer's office for over 40 years, serving the citizens of Smyth County with pride and honor; and,

WHEREAS, Debbie has served with three (3) Smyth County Treasurers over the course of her career, always providing a devotion to her work that has seldom been replicated and often appreciated; and,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF SMYTH COUNTY, VIRGINIA, that we hereby express our most sincere appreciation for the dedication, commitment and hard work provided by Ms. Debbie Schwartz to her fellow employees and the citizens of Smyth County; and,

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS OF SMYTH COUNTY, VIRGINIA, that the Board, County Administration and staff as a whole wish Ms. Schwartz a long, restful and well-deserved (and hard-earned) retirement.

Adopted this the 9th day of February, 2021

ATTEST:

A blue ink signature of Shawn M. Utt, written over a horizontal line.

Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

A blue ink signature of Charles E. Atkins, written over a horizontal line.

Charles E. Atkins, Chair

Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to adopt the resolution as presented. Royal Oak District Supervisor Judy Wyant seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Ms. Schwartz thanked the Board for their recognition and the opportunity that she had to work in the Treasurer's Office.



2/9/2021 5:08 PM Mr. Utt introduced the new Tourism Director, Amanda Livingston. Ms. Livingston spoke about the tourism opportunities the County has to offer and she looks forward to promoting those opportunities in her new role.



2/9/2021 5:11 PM Saltville District Supervisor Roscoe Call made a motion to adopt the agenda. Chilhowie District Supervisor Mike Sturgill seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



2/9/2021 5:12 PM The Board discussed the importance of consistent meeting times for the second Board meeting held on the fourth Thursday of every month. *A motion was made by Royal Oak District Supervisor Judy Wyant to approve the minutes of the January 12, 2021 meeting. Park District Supervisor Kris Ratliff seconded the motion.*

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


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


NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 2/9/2021 5:15 PM No public hearings were scheduled during tonight's meeting.

 2/9/2021 5:15 PM Mr. Utt stated that financial reports were not available from the Treasurer's Office due to issues with the accounting software. He added that funds are available to cover the appropriations presented at tonight's meeting.

 2/9/2021 5:17 PM *Royal Oak District Supervisor Judy Wyant made a motion to approve the following payment of invoices:*

General County	
Accounts Payable Listing:	\$1,056,126.02
Payroll:	\$740,000.00
Auto Draft Rural Development:	\$15,515.00
Utilities/Misc	\$30,000.00
County Administration Fund:	\$5,000.00
Total County Appropriation:	\$1,900,000.00

Saltville District Supervisor Roscoe Call seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Saltville District Supervisor Roscoe Call made a motion to approve the following Social Services appropriations:

Social Services	
(February 10 – 28, 2021)	\$310,000.00
(March 1 – 9, 2021)	\$60,000.00
Total Social Services:	\$370,000.00

Royal Oak District Supervisor Judy Wyant seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Saltville District Supervisor Roscoe Call made a motion to approve the following School Board appropriations:

Schools-Operating Fund	
Instruction	\$3,100,000.00
Administration, Attendance, & Health	\$120,000.00
Transportation	\$115,000.00
Facilities	\$450,000.00
School Food Service	\$315,000.00
Technology	\$60,000.00
Total School Operating Fund:	\$4,160,000.00
School Debt and Capital Outlay	\$0.00
School Textbook Fund	\$0.00

Park District Supervisor Kris Ratliff seconded the motion.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
North Fork District Supervisor Phil Stevenson,*

*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: None.

Saltville District Supervisor Roscoe Call made a motion to approve the following EDA Fund 4 appropriations:

EDA Fund 4	\$6,123.15
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Royal Oak District Supervisor Judy Wyant seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Saltville District Supervisor Roscoe Call made a motion to approve the following Sheriff's Department Fund 748 appropriations:

Sheriff Dept Fund 748 (Pg. 9-12)	\$5,179.74
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Royal Oak District Supervisor Judy Wyant seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Park District Supervisor Kris Ratliff made a motion to approve the following Recovery Court Fund 749 appropriations:

<i>Recovery Court Fund 749 (Pg. 13-17)</i>	<i>\$30,511.68</i>
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Saltville District Supervisor Roscoe Call seconded the motion.

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


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


NAYS: None.


ABSTAINERS: None.

ABSENT: None.

 2/9/2021 5:21 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

 2/9/2021 5:21 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

 2/9/2021 5:21 PM Mr. Utt welcomed Rose Likins, Director of the Smyth County Public Library, to the meeting. Ms. Likins reported to the Board that she began in her new role as director of the Library on December 1, 2020 and she is delighted to be leading the Library. She has been impressed by the strength of the system, along with the facilities and collections available to the citizens. She also recognized the devotion, dedication, and commitment of the Library staff and Library Board. She noted that the pandemic has been tough and she looks forward to reopening to the public. The Library has been doing curbside pick-up along with other various activities during the time of closure. She believes transparency is the key and looks forward to moving forward with County-wide learning opportunities for citizens of all ages. The Board welcomed Ms. Likins to her new role and looks forward to seeing what the Library has to offer.

 2/9/2021 5:30 PM Mr. Utt reviewed the proposed revisions to the Board's Rules of Procedures.

Mr. Utt asked for input on the fourth Thursday meeting schedule. *After discussion, North Fork District Supervisor Phil Stevenson made a motion to have a 7:00 p.m. start time for the second*

monthly Board meetings held on the fourth Thursday of the month. Royal Oak District Supervisor Judy Wyant seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

County Attorney Scot Farthing noted that adoption of the meeting agenda was mostly for Boards with 15+ members. By not adopting the agenda, this would allow for more flexibility and the Chair could move things around without having to request an amendment and take a vote. This would also allow for adjustment to time limits. Citizens speaking during citizen's time could follow the same Rules for Public Hearing guidelines.

After further discussion, Vice Chair, Rye Valley District Supervisor Lori Deel made a motion for Mr. Utt to present an updated final revision at the next meeting before voting. Chilhowie District Supervisor Mike Sturgill seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



2/9/2021 5:49 PM Committee reports and recommendations were presented.

Budget Committee – Chair, Atkins District Supervisor Charles Atkins read the minutes from the meeting on February 2, 2021.

1) Mr. Utt presented a budget amendment request from Social Services for CSA funds not included in the original budget for FY20-21. Foster care needs have increased which have

resulted in the budget shortfall. Mr. Utt is serving on the CPMT Board and they are working to identify cost-saving measures, but an additional \$943,974 is being requested to cover CSA expenses through the end of the fiscal year. Even though our auditors have said it isn't required, the committee would like County Attorney Scot Farthing to determine if a public hearing is necessary due to the budget amendment that was approved for CSA at the January Board Meeting in the amount of \$99,437 which, although done in two separate actions, totals more than 1% of the overall County budget.

Royal Oak District Supervisor Judy Wyant made a motion to recommend the approval of the budget amendment, pending public hearing determination by the County Attorney. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.

Mr. Atkins added County Attorney Scot Farthing determined that no public hearing was necessary so the Board can go ahead and vote on the budget amendment as recommended from the committee. It was noted by Mr. Utt that foster care has dramatically increased since December and these additional funds are needed to cover those costs. Cost saving measures are being reviewed. \$723,462 would be state money and the local general fund portion would be \$220,512.

After consideration, the budget committee recommendation PASSED by the following roll-call vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

2) Based on the County's original agreement with SWIFA, proceeds from any land sale were to be distributed on a 50/50 basis between Washington and Smyth Counties, but that has not happened over the years. At the most recent SWIFA Board Meeting, the Board authorized proceeds to be paid to Smyth County in the amount of \$268,880.15 for those land sales. Since these funds were originally intended for the expansion of economic development opportunities, Mr. Utt is recommending they be transferred to the County's EDA budget.

A motion was made by Rye Valley District Supervisor Lori Deel to recommend the transfer of the SWIFA land sale proceeds in the amount of \$268,880.15 to the

EDA's budget for economic development purposes. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.

After consideration, the budget committee recommendation PASSED by the following roll-call vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 2/9/2021 6:02 PM **Personnel Committee** – Committee Chair, Park District Supervisor Kris Ratliff read the minutes of the Personnel Committee meeting on February 2, 2021.

1) Mr. Utt presented a proposed job description and salary range for the Administrative Assistant/ Deputy Clerk position that was discussed at the January committee meeting. The position would serve as administrative support for the Board as well as other departments of the County that currently do not have administrative support. He noted the position would be housed within the County Administration office and Mr. Utt is recommending hiring the position as a grade 8.

After discussion, Chilhowie District Supervisor Mike Sturgill made a motion to approve the job description as presented and authorized the advertising and hiring of the position at a grade 8. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.

After discussion, the personnel committee recommendation PASSED by the following roll-call vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

*NAYS: North Fork District Supervisor Phil Stevenson,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

ABSTAINERS: None.

ABSENT: None.

2) Mr. Ratliff reviewed the proposed changes to the Personnel Policy.

- a) Section 2.1 Recruitment and Selection – Allow for a position to be posted internally if the County Administrator deems there are more than one viable candidate eligible for promotion to a vacancy.
- b) Section 2.2 Types of Appointments – Extend new employee probationary period to 6 months with a maximum extension of 90 days.
- c) Section 2.3 Nepotism – Grammatical change.
- d) Section 2.4 Residency Requirement – Managers of the following departments be allowed to live outside of Smyth County at the time of their initial employment with the stipulation that if he/she choose to move residences, he/she would be required to relocate to Smyth County. Those positions include: Animal Control, E911, Finance, Information Systems, Solid Waste, Maintenance and Utilities. This can help with recruitment of those positions should they ever become vacant.

After discussion, a motion was made by Atkins District Supervisor Charles Atkins to add Finance Director to the list of positions allowed to live outside Smyth County. Chilhowie District Supervisor Mike Sturgill seconded the motion and it was unanimously approved.

- e) Sections 2.5 through 5.1 – grammatical/clerical changes only.
- f) Section 6.9 Types of Leave – The committee discussed the option of moving to earning leave on a monthly basis instead of as a lump sum on the employee's anniversary. The number of days earned per year would remain the same based on years of service, but instead the time would be earned monthly instead of as a lump sum. Mr. Utt would also like to see the amount of hours that can be rolled over each year increased. After discussion, the committee unanimously agreed for Mr. Utt to draw up a new leave section for the policy based on suggestions discussed at this meeting and present it back to the committee for consideration.
- g) Section 7.12 Travel Policy – Mr. Utt added that tip reimbursement restrictions should be amended to allow for reimbursement up to 20% of the cost of the meal.

Mr. Utt also noted there were other areas of revision that largely included grammatical corrections.

Atkins District Supervisor Charles Atkins would like the secondary employment section to allow for an agricultural exemption. The committee would also like for annual evaluations to be completed again. Mr. Utt agreed to proceed with developing recommendations for the Committee to consider at one of their upcoming meetings.

A motion was made by Chilhowie District Supervisor Mike Sturgill to approve the changes as presented, with the exception of the annual leave section. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.

The Board discussed the proposed changes and recommendations from the committee. Some Board Members expressed concern about the residency requirement for department heads and believe that these positions should be hired from within the County to support the tax base. The Board also discussed response times and remote work options for department heads who have a long travel time from the office.

After further discussion, Personnel Committee Chair Park District Supervisor Kris Ratliff presented the following committee recommendation for consideration.

- *After discussion, a motion was made by Atkins District Supervisor Charles Atkins to add Finance Director to the list of positions allowed to live outside Smyth County. Chilhowie District Supervisor Mike Sturgill seconded the motion and it was unanimously approved.*

After discussion, the personnel committee recommendation FAILED by the following roll-call vote:

AYES: None

*NAYS: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff
North Fork District Supervisor Phil Stevenson,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

ABSTAINERS: None.

ABSENT: None.

A motion was then made by Vice Chair, Rye Valley District Supervisor Lori Deel to send Section 2.4 Residency Requirement back to the personnel committee for further discussion. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the personnel committee recommendation PASSED by the following roll-call vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Park District Supervisor Kris Ratliff made a motion to approve items a) Section 2.1 Recruitment and Selection, b) Section 2.2 Types of Appointments, and c) Section 2.3 Nepotism as recommended by the personnel committee. Royal Oak District Supervisor Judy Wyant seconded the motion.

After consideration, the personnel committee recommendation PASSED by the following roll-call vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Board also discussed f) Section 6.9 Types of Leave in further detail. This matter is still under further review by the personnel committee.

After discussion, Mr. Ratliff presented personnel committee recommendations for items e) Section 2.5 through 5.1, and g) for vote by the Board. Items d) Section 2.4 Resident Requirement, and f) Section 6.9 Types of Leave will be going back to the personnel committee for further discussion.

After consideration, the personnel committee recommendation PASSED by the following roll-call vote:


*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,*

*Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 2/9/2021 6:46 PM Public Safety Committee – Committee Chair, Rye Valley District Supervisor Lori Deel read the minutes from the public safety committee meeting on February 2, 2021.

- Curtis Crawford advised that one discussion point was moving looking into billing for Hazardous Material calls. This type calls pulls resources from localities for long periods of time and also can use expensive equipment. Billing will be another source of income to all departments and the county to improve the services we provide.

Park District Supervisor Kris Ratliff made a motion to move forward with the process to begin billing for Hazardous Material calls by Smyth County. Second was made by Chilhowie District Supervisor Mike Sturgill. Voice vote was unanimous.

After consideration, the public safety committee recommendation PASSED by the following roll-call vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- Mr. Crawford presented a resolution that was passed by the Saltville Town Council requesting 3 items of support from the Smyth County Board of Supervisors in establishing an Emergency Medical Service under the town. Mr. Crawford advised that discussions had begun in January and the town has moved quickly to provide their intent and a path to move forward. Mr. Martin advised that he believed it was in the best interest at this time and intends to keep open communications with Saltville Rescue Squad as well as the County Board of Supervisors. Ms. Deel advised that this is a step, but she wants to see a peaceful transition and that everyone continues to communicate. She believes this is the right move for the citizens; Mr. Ratliff and Mr. Sturgill agreed.

Mr. Sturgill made a motion to recommend that the Smyth County Board of Supervisors approve the request of support for the Town of Saltville and continue to assist the Town of Saltville. Second was made by Mr. Ratliff. Voice vote was unanimous.

OFFICERS:

TOWN MANAGER
BRIAN MARTIN

CLERK-TREASURER
STEVEN W. JOHNSON

CHIEF OF POLICE
ERIK C. PUCKETT

PUBLIC WORKS DIRECTOR
R.B. HENDERSON

TOWN ATTORNEY
CASSELL AND CREWE



Preserving history for over 30,000 years
217 Palmer Avenue
P.O. Box 730

Saltville, Virginia 24370

Council Meets Second Tuesday of Each Month

FAX (276) 496-4814

Telephone (276) 496-5342

Web: saltville.org

MAYOR:
C. TODD YOUNG

COUNCIL:
BRYAN MORRIS
HIRAM ROBINSON
EUGENE CALL
STEVE SURBER
MONICA JOHNSON
GARY CALL

EMERGENCY MEDICAL SERVICES RESOLUTION

WHEREAS, The Town Council of Saltville, Virginia strives to provide proper services to its' citizens and to the surrounding communities; and

WHEREAS, the Code of Virginia §15.2-955 states that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality; and

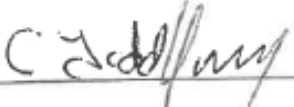
WHEREAS, The Town Council of Saltville, Virginia believes that it is in the best interest of all citizens that it establishes and maintains an Emergency Medical Services (EMS) department to provide advanced and consistent medical care to not only the citizens of the town, but the citizens of the unincorporated areas of Smyth County surrounding its boundaries with the following Emergency Service Numbers of 563, 565, 566, 567, and 568; and

WHEREAS, the Town Council of Saltville, Virginia looks to partner with the Smyth County Board of Supervisors to ensure that the citizens of Saltville, Pleasant Heights, McCready, Allison's Gap, Poor Valley, North Holston, Broadford, Rich Valley, Nebo, and Ceres and surrounding areas are provided advanced and consistent EMS care.

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Saltville, that in order to preserve the public health, safety and welfare, and in accordance with the Code of Virginia, are respectfully requesting the following actions:

1. The Town Council of Saltville Virginia is requesting the support of the Smyth County Board of Supervisors to become a combination (paid/volunteer) Emergency Medical Service Department.
2. The Town Council of Saltville Virginia is requesting the support of the Smyth County Board of Supervisors to become a *Designated Emergency Response Agency* as defined by the Administrative Code of Virginia 12VAC5-31-370.
3. The Town Council of Saltville Virginia is requesting to cultivate a partnership with the Smyth County Board of Supervisors and the Smyth County Administration Staff to ensure the provision of EMS coverage to the citizens of Saltville, Pleasant Heights, McCready, Allison's Gap, Poor Valley, North Holston, Broadford, Rich Valley, Nebo, and Ceres and surrounding areas.

MAY IT BE FURTHER RESOLVED, upon approval of this resolution, the request be submitted to the Smyth County Board of Supervisors for their prompt consideration and action.


C. Todd Young, Mayor

1/27/21
Date


Attest

Mr. Utt added the resolution designates Saltville as a Designated Emergency Response Agency (DERA) to establish and maintain an Emergency Medical Services department to provide its citizens with EMS care. The Town wants to ensure that every EMS call is answered. The designation does not obligate the County to any funding and, if any funding was to be provided, it would have to be done through the budget process. Mr. Deel stated that all parties have been involved in the discussions and she doesn't want anyone to feel left out. All meetings are open to the public.

After consideration, the public safety committee's recommendation PASSED by the following roll-call vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff, and
Royal Oak District Supervisor Judy Wyant*

NAYS: None.

ABSTAINERS: Saltville District Supervisor Roscoe Call

ABSENT: None.

Ms. Deel reported that the public safety service survey would be posted soon. It is available in both electronic and paper format.

Four mobile message boards will be displayed for community use beginning in February to display emergency messages. Notification software is still in the works.

Ms. Deel reported on the need for more local training opportunities for volunteer fire fighters. The training facility in Chilhowie is in need of an on-site classroom to allow for field training without having to travel to different facilities. The Town of Chilhowie is asking the County for \$5,000 to assist in paying for this cost. This would be paid out of the Board's supplemental appropriation line.

- *Mr. Sturgill made a motion to request the Board of Supervisors fund the \$5,000 request to assist in the purchase of a classroom. Second was made by Mr. Ratliff. Voice vote was unanimous.*

After consideration, the public safety committee recommendation PASSED by the following roll-call vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,*

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

NAYS: None.


ABSTAINERS: None.


ABSENT: None.

Ms. Deel added that Emergency Medical Dispatching and a radio systems agreement with Tannersville Fire and Rescue were discussed but there are no committee recommendations at this time.

 2/9/2021 7:22 PM Chair, Atkins District Supervisor Charles Atkins called for a 5 minute recess.

 2/9/2021 7:30 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.

 2/9/2021 7:31 PM Saltville District Supervisor Roscoe Call read the minutes of the solid waste committee meeting held on February 3, 2021. There are no committee recommendations at this time.

 2/9/2021 7:33 PM Mr. Utt presented information on a section of Piedmont Circle in Chilhowie that was vacated when Whitetop Road was built and is no longer in the VDOT Secondary Road Maintenance System. Citizens have approached Chilhowie District Supervisor Mike Sturgill about maintenance on that section of the road since a school bus runs along that portion. VDOT has recommended to do this as no-cost rural addition, but it would require adoption of a resolution by the Board. *A motion was made by North Fork District Supervisor Phil Stevenson to adopt the resolution as presented for the no-cost rural addition of Piedmont Circle. Royal Oak District Supervisor Judy Wyant seconded the motion.*



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION REQUESTING THE NO-COST RURAL ADDITION, PIEDMONT CIRCLE, SMYTH COUNTY, VIRGINIA

WHEREAS, the Abingdon Residency Office of the Virginia Department of Transportation recommends that the street(s) referenced in this Board's resolution be added to the secondary system of state highways as a no-cost rural addition pursuant to Section 33.2-705 and Commonwealth Transportation Board policy, because the street(s) meets current minimum standards, the condition of the existing hard surface is serviceable, the street(s) has provided continuous public service since its establishment in January 1975 and currently serves at least three occupied residential dwellings as well as providing a connecting link to Route 600; AND,

WHEREAS, the Abingdon Residency Office of the Virginia Department of Transportation confirms that no Department funds are required to improve the street(s) described on the attached addition sketch and form AM-4.3 to meet current minimum design or maintenance standards of the Department.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street described on the attached sketch and form AM-4.3 to the secondary system of state highways, pursuant to Section 33.2-705, Code of Virginia and the Rural Addition Policy of the Commonwealth Transportation Board of the Virginia Department of Transportation, and.

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right of way, as described on the attached form AM-4.3, and any necessary easements for cuts, fills and drainage, and

BE IT FINALLY RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation

DONE this the 9th day of February, 2021.

Recorded Vote

Moved by: North Fork District Supervisor Phil Stevenson

Seconded by: Royal Oak District Supervisor Judy Wyant

Yeas: 7

Nays: 0

A Copy Teste:

A handwritten signature in blue ink, appearing to read "S.M. Utt", is written over a horizontal line.

Shawn M. Utt, Clerk

2/8/2021

Posted Speed Limits

Posted Speed Limits

VirginiaRoads.org



<https://vdot.maps.arcgis.com/apps/webappviewer/index.html?id=0120adf2cd9342f8a31460df1bf82b19>

1/1


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 2/9/2021 7:36 PM **County Attorney Report** – Scot Farthing provided an update on the Riverside School property. The Coles originally owned the property that was conveyed to the School Board and had the first right of refusal to purchase the property back if it ceased being used as a school. When the Cole’s land was conveyed to the Catrons, the first right of refusal from the School Board on the 2.2 acres where the school sits was not conveyed to the Catrons, meaning the Cole family still has the first right of refusal. Mr. Farthing discussed various options with the Board on how to proceed and the Board unanimously agreed for Mr. Farthing to contact the Catrons and await their response.

 2/9/2021 7:50 PM **County Administrator Report**

1. Mr. Utt presented the latest information on COVID numbers in the County. A significant decrease is being seen in those numbers.
2. The Lincoln Theatre approached the County about a partnership to apply for the Creative Communities Grant through the Virginia Commission for the Arts. This is a \$4,500 match grant awarded to localities with the goal of enhancing performing arts organizations. Currently, the County is providing The Lincoln with a \$10,000 contribution from the budget and can either choose to allow the grant to subsidize that allocation or increase the allocation. *A motion was made by North Fork District Supervisor Phil Stevenson to move forward with the grant application for The Lincoln Theatre. Chilhowie District Supervisor Mike Sturgill seconded the motion.*

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3. Speed limit update – The County’s E-911 Coordinator has received a request from a resident on Matson Drive for a speed limit sign. The area is currently unposted and the default speed limit for residential areas in the County is 25 mph. A citizen who lives on Saltville Highway (Rt. 91) has requested to relocate a speed limit from the western side of his property to the east to continue the 45-mph speed limit past his property. Both items have been referred to VDOT’s Bristol residency office for further action and Mr. Utt will provide updates as they become available.

Ms. Deel added that she has received complaints about speeding on Red Hill Road/Route 655. No sign is posted so speeding can't be enforced by law. Mr. Utt said he would add this to the list for VDOT.

4. Mutual Aid Agreement – The mutual aid agreement between the County Sheriff's Department and the Town's Police Departments expired in December 2020 and needs to be renewed. The only item that has changed from previous versions is the expiration date (December 2024) and the Police Chiefs.

A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the agreement for extension to 2024. North Fork District Supervisor Phil Stevenson seconded the motion.

MUTUAL AID AGREEMENT

Whereas, the Towns of Chilhowie, Marion, and Saltville are contained within the County of Smyth and whereas the Sheriff's Office of Smyth county, and the Police Departments of the three Towns have determined that it would be advantageous to enter into a mutual aid agreement pursuant to Virginia Code §15.2-1736, in order that law enforcement officers of each department may better serve those areas of the County and Towns.

Whereas, the subscribed law enforcement agencies are so located in relations to each other that it is to the advantage of each to receive and extend Mutual Aid in the form of law enforcement services in intensive situations falling short of emergencies.

Whereas, it is the intent of this agreement that as a result of the existing and continuing possibility of intensive situations and other law enforcement problems, and in order to ensure that qualified personnel are available and will be adequate to deal with such activity, protect the public peace and safety, and preserve the lives and property of the people.

Whereas, it has been determined that the Sheriff and deputies with the Smyth County Sheriff's Office, and the Chiefs and officers with the Police Departments of the Towns of Chilhowie, Marion, and Saltville should have the authority pursuant to Virginia Code §15.2-1736 to request and render assistance in law enforcement situations.

Now, therefore, be it known that the governing bodies of Smyth County and the Towns of Chilhowie, Marion and Saltville, by proper resolutions entered into at their regular meetings, and with the agreement of the Sheriff of Smyth County and the Chiefs of Police of Chilhowie, Marion and Saltville, hereby approve and enter into this agreement whereby each of the officers may request and render law enforcement assistance to the other in situations in which assistance will be rendered, for example: Civil disturbances, large protest demonstrations, aircraft disasters, fires, natural or man-made disasters, sporting events, concerts, parades, patrol activities, backup services and investigations of crime that have crossed jurisdictional lines.

Now, therefore, the parties agree as follows:

SECTION I: Each agency will bear the liability arising from acts undertaken by its personnel pursuant to this agreement. All of the privileges and immunities from liability, exemption from laws, ordinances and rules, and all pension, insurance, relief, disability, workers compensation, salary, death and other benefits which apply to the activity of such officers, agents or employees of any such agency when performing their respective functions within the territorial limits of their respective public agencies shall apply to them to the same degree, manner, and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this mutual aid agreement.

SECTION II: Each party shall provide satisfactory proof of police professional liability insurance including public liability insurance in the minimum amount of \$1,000,000.00. Each party shall maintain worker's compensation insurance in the statutorily required amount for any person covered by this agreement. Should the coverage of any party be canceled or undergo material change, that party shall notify all parties to this agreement of such cancellation or change within ten (10) days of their receipt of notice of such change or cancellation.

After receiving such notice, the other parties to this agreement may provide a five (5) day written notice to the party which has had its insurance terminated or changes, unless the terminated or changed party furnishes proof of continuous insurance coverage as provided herein with this five (5) day period, this agreement may be terminated as to that party by written notice of any signatory to this agreement.

SECTION III: Whenever the employees of any law enforcement agency are rendering aid outside its jurisdiction and pursuant to the authority contained herein, or to any written agreement entered under, this part, such employees shall have the same powers, duties, rights, privileges, and immunities as if they were performing duties in the political subdivision in which they are normally employed or appointed.

SECTION IV: This agreement shall be in effect from January 1, 2016, through and including December 31, 2024. Under no circumstances may the agreement be renewed, modified or extended except in writing.

SECTION V: Any party may withdraw from this agreement upon written notice to all other parties.

Executed pursuant to resolution of the Smyth County Board of Supervisors at its regular meeting on December 8, 2015.

Executed pursuant to resolution of the Chilhowie Town Council at its regular meeting on December 10, 2015.

Executed pursuant to resolution of the Marion Town Council at its regular meeting on December 7, 2015.

Executed pursuant to resolution of the Saltville Town Council at its regular meeting on December 8, 2015.

In witness thereof, the parties hereto cause these presents to be signed by their duly authorized officers on the below mentioned date.

B.C. "Chip" Shuler, Sheriff
Smyth County Sheriff's Office

Date


Andrew Moss, Chief
Chilhowie Police Department

Date


John Clair, Chief
Marion Police Department

01/15/21
Date


Erik Puckett, Chief
Saltville Police Department


Date

Charles E. Atkins, Chairman
Smyth County Board of Supervisors

Date


Gary Heninger, Mayor
Town of Chilhowie

Date


David P. Helms, Mayor
Town of Marion

Date


C. Todd Young,
Town of Saltville

Date

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

5. Correction to Budget Amendment #2 Resolution – Mr. Utt reported the Treasurer’s Office had noted two minor errors on the resolution the Board approved for Budget Amendment #2 in October 2020. The first error was a statement that inadvertently said the resolution “the approval of this budget shall **not** constitute an appropriation of funds.” However, the word “**not**” was the error and therefore, the resolution didn’t provide for the anticipated appropriation of those funds. In addition, the School Board’s carry-over funds were placed in the Capital Outlay fund rather than the Facilities fund. Mr. Utt is requesting approval of the revised resolution for budget amendment #2 as presented.

A motion was made by Royal Oak District Supervisor Judy Wyant to approve the revised resolution for budget amendment #2.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION OF CORRECTION TO FISCAL YEAR 2020-2021 BUDGET AMENDMENT #2

WHEREAS, on October 13, 2020, the Smyth County Board of Supervisors amended the current fiscal year's budget (Amendment #2) by resolution; and

WHEREAS, resolution for the above-mentioned budget amendment contained a grammatical error regarding the constitution of an appropriation; and,

WHEREAS, the above-mentioned resolution should have contained the following statement – "The approval of this budget amendment shall constitute an appropriation of funds."; and,

WHEREAS, the above-mentioned resolution placed funds carried over from FY20 from the Smyth County School Board's budget in the School's Capital Outlay fund (5807) rather than the School's Facilities Fund (5804).

NOW, THEREFORE BE IT RESOLVED, that this resolution is intended to correct the grammatical error by appropriating the full amount of the budget amendment, and

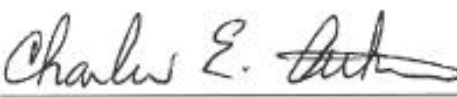
BE IT FURTHER RESOLVED, that this resolution is also intended to transfer the original Smyth County School carry-over funds in the amount of \$83,568 from Capital Outlay to Facilities.

Adopted this the 9th day of February, 2021

ATTEST:


Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**


Charles E. Atkins, Chair

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

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Mike Sturgill

ABSENT: None.

6. Comprehensive Plan RFP – As the Board discussed during the Board Retreat, Mr. Utt is requesting authorization to develop a Request for Proposals (RFP) for the proposed rewrite of the County's Comprehensive Plan, which would be led forward by the Smyth County Planning Commission. *A motion was made by Royal Oak District Supervisor Judy Wyant to approve development of an RFP for the proposed rewrite of the County's Comprehensive Plan. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.*

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

7. SWIFA annual report – Mr. Utt will provide a copy of the report at the next meeting.

 2/9/2021 8:03 PM Supervisor Comment Time

Saltville District Supervisor Roscoe Call apologized for not being at the meeting in person. He wishes everyone good health and God bless and to keep up the good work.

Vice Chair, Rye Valley District Supervisor Lori Deel stated she had respect for the other Board member and welcomes all thought and opinions. She also welcomed Ms. Livingston and commended the Tourism Board for hiring her. Ms. Deel presented information about a zoning issue at 4956 Sugar Grove Highway, the former Shirley's Market. The property is currently zoned as Agricultural/Rural (Rural Residential). The new owners want to add

things to the store but are unable until the property is rezoned as Commercial. Since this is an oversight by the County, she doesn't want the current property owners to be responsible for paying the rezoning fee. She is requesting a joint meeting with the Planning Commission to fast-track getting the property rezoned. Mr. Utt noted that advertising deadlines will allow for that joint meeting to be held on Thursday, February 25th at 7:00 p.m. *Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to initiate the rezoning request for the property located at 4956 Sugar Grove Highway and schedule a joint public hearing with the Planning Commission on February 25th at 7:00 p.m. Chilhowie District Supervisor Mike Sturgill seconded the motion.*

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Ms. Deel also noted she had a complaint about non-compliance for mask wearing at the Sugar Grove convenience station and asked Mr. Utt to follow-up on the matter. Ms. Deel concluded she would continue to join the meetings remotely as needed in order to allow for social distancing at the in-person meetings.

Park District Supervisor Kris Ratliff stated it had been an interesting twelve months. He believes a road map is starting to develop as to where the County is at and where it's going and he looks forward to seeing where it travels. He believes the County is poised to see economic growth in a good way. He thanked EMS Coordinator Curtis Crawford for the updates on the COVID happenings. He also reported he had attended his first Mount Rogers Community Services Board meeting and looks forward to bringing more information back to present at the next meeting. He also welcomed Ms. Livingston and Ms. Likins and congratulated Ms. Schwartz on her retirement.

Chilhowie District Supervisor Mike Sturgill felt the Board retreat was beneficial and he thanked Mr. Utt for putting it together. He feels better prepared to serve on the Board and believes the County is headed in a good direction. He also thanked Mr. Crawford for the job he is doing with EMS. He brought up the Board's action back in November on the revenue sharing road tax matter in Colecrest subdivision. The researcher missed the filing during a title search and was willing to pay the principle due, but had asked for a waiver on paying the interest that had accrued since 2015. The Board voted 6-0 (1 absent) to deny that request. *Chilhowie District Supervisor Mike Sturgill made a motion requesting this matter be*

referred back to the budget committee for reevaluation and presented back to the full Board. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

North Fork District Supervisor Phil Stevenson had no comment.

Royal Oak District Supervisor Judy Wyant recognized Ms. Schwartz for her service to the County and expressed appreciation to all the dedicated County employees. She is excited about the tourism and economic development coordinated efforts. She also supports Medflight insurance for all citizens of Smyth County and would like that issue to be researched further. Mr. Utt noted he has reached out multiple times to the company that made the first presentation to the Board on the insurance and has yet to get a response. Ms. Wyant also wants priority attention given to a speed study, maintenance, and signage issues on Scratch Gravel Road. She thanked everybody and looks forward to good things.

Chair, Atkins District Supervisor Charles Atkins commended the tourism and library on their new hires. He also got a lot from the retreat and looks forward to growing the County and increasing the individual tax base. He is proud that the Board can work together and express their own opinions.

Saltville District Supervisor Roscoe Call added that a new veterinary clinic is now open in Saltville.



2/9/2021 8:20 PM With no further business to discuss, the meeting was continued until February 25, 2021 at 7:00 p.m.

The Smyth County Board of Supervisors held its continued meeting on Thursday, February 25, 2021 at 7:00 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: Board of Supervisors: Chair, Atkins District Supervisor Charles Atkins; Vice Chair Lori H. Deel, Rye Valley District Supervisor (electronically); Kris Ratliff, Park District Supervisor (electronically); Michael Sturgill, Chilhowie District Supervisor; Roscoe Call, Saltville District Supervisor; Judy Wyant, Royal Oak District Supervisor (6)


Planning Commission: Joel Pugh, Chairman, Park District, Graham Davidson, Jr., Vice-Chairman Chilhowie District, Hazel Wagoner, Atkins District, Paul Shepherd, Rye Valley District, David Spence, Saltville District (5)


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

Planning Commission: Tony Dean, Royal Oak District; Robert Campbell, North Fork District (2)

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Building & Zoning Administrator Clegg Williams; Emergency Services Coordinator Curtis Crawford; Administrative Assistant Sarah Parris; Administrative Assistant Christy Bise; County Attorney Don Martin (7)

OTHERS PRESENT: Stephanie Porter Nichols, Smyth County News and Messenger, citizens

 02/25/2021 7:00 PM Charles Atkins, Chairman of the Board of Supervisors, and Joel Pugh, Chairman of the Planning Commission, called the joint public hearing to order.

 02/25/2021 7:02 PM Clegg Williams read the advertisement as placed in the Smyth County News and Messenger.

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, February 25, 2021, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application to the Zoning Ordinance of Smyth County, Virginia:

A recommendation from the Smyth County Board of Supervisors to consider rezoning a property in Sugar Grove, Virginia, addressed as 4956 Sugar Grove Highway, known as Shirley's Market, owned by AB Mullins Enterprises, LLC, and consisting of approximately .9 acres from Agricultural/Rural to Commercial. The Smyth County Comprehensive Plan does not identify a density range and the property is currently being used as a convenience store. It is further identified as Tax Map Nos. 71A-2-3, 71A-2-4, 71A-2-5, 71A-2-6, 71A-2-7, 71A-2-8, 71A-2-9, and 71A-2-10 and can be found in Grid No. 6435 of the State Plane Grid Index.


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


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


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


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

Shawn Utt, County Administrator
Joel Pugh, Chairman of the Planning Commission

 02/25/2021 7:04 PM Mr. Williams outlined the proposal to rezone AB Mullins Enterprises; LLC (also known as Shirley's Market). The property is located at 4956 Sugar Grove Highway in Sugar Grove. The proposal is to rezone from Agricultural/ Rural to Commercial. He also highlighted the code sections from the zoning ordinance and comprehensive plan for future land use.

 02/25/2021 7:05 PM Mr. Bobby Mullins, owner of Shirley's Market introduced himself to the Board and Commissioners. Mr. Mullins asked if they had any questions regarding the rezoning proposal. No questions were asked.

 02/25/2021 7:05 PM Mr. Atkins and Mr. Pugh closed the public hearing and Mr. Atkins recessed the Board of Supervisors.

 2/25/2021 7:11 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.

 2/25/2021 7:11 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to waive the rules of public hearing and vote on this rezoning request at tonight's meeting. Saltville District Supervisor Roscoe Call seconded the motion.


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 2/25/2021 7:12 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the rezoning request for 4956 Sugar Grove Highway from Agricultural/Rural to Commercial as recommended by the Planning Commission. Saltville District Supervisor Roscoe Call seconded the motion.


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 2/25/2021 7:12 PM Mr. Utt reported that the Smyth County Recovery Court had been awarded an additional three-year grant back in October and paperwork for the grant is in the process of being finalized. As part of the new grant requirement, a signed agreement must be in place naming the County as fiscal agent for the grant. Mr. Utt presented a draft memorandum of understanding between the County and Recovery Court for the Board's consideration. The wording in the draft agreement is pulled from the grant guidelines and Scot Farthing, County Attorney, has reviewed the document. A motion was made by Saltville District Supervisor Roscoe Call to approve the memorandum of understanding naming the County as the fiscal agent for the Smyth County Recovery Court grant and authorize Mr. Utt to execute it on the County's behalf. Chilhowie District Supervisor Michael Sturgill seconded the motion.

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


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

Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 2/25/2021 7:15 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following appropriation for Recovery Court Fund 749:

- Recovery Court Fund 749 \$1,719.12

Royal Oak District Supervisor Judy Wyant seconded the motion.


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


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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 2/25/2021 7:16 PM Curtis Crawford presented an update on COVID numbers and vaccine data for the County. The Board commended Mr. Crawford and all parties involved for doing a great job with the roll-out of the vaccine in the County.

 2/25/2021 7:22 PM A motion was made by Chilhowie District Supervisor Michael Sturgill, seconded by Saltville District Supervisor Roscoe Call to enter into closed session under Code of Virginia Section 2.2-3711-A(7) for consultation with legal counsel and briefing by staff for the discussion of specific legal matters subject to probable litigation regarding 1) Currin Valley Road, 2) Jericho tax assessment challenge case, and 3) public safety services.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.



2/25/2021 8:39 PM A motion was made by Chilhowie District Supervisor Michael Sturgill, 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 roll-call vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.



2/25/2021 8:40 PM With no further business to discuss, 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 roll-call vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

The Smyth County Board of Supervisors held its regular meeting on Tuesday, March 9, 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: Chair, Atkins District Supervisor Charles Atkins; Vice Chair Lori H. Deel, Rye Valley District Supervisor (electronically); Kris Ratliff, Park District Supervisor (electronically); Michael Sturgill, Chilhowie District Supervisor; Roscoe Call, Saltville District Supervisor (electronically); Judy Wyant, Royal Oak 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; Administrative Assistant Christy Bise (4)

OTHERS: Smyth County Sheriff's Deputy, Smyth County News and Messenger, and citizens

 3/9/2021 5:02 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 3/9/2021 5:02 PM Shannon Williams, 911 Coordinator, led the Pledge of Allegiance. Pastor Lance Turner, Mt. Zion Temple Family Worship Center, gave the invocation.

 3/9/2021 5:03 PM No amendments were made to the meeting agenda.

 3/9/2021 5:04 PM *A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the minutes from the February 9th and February 25th, 2021 meetings. Royal Oak District Supervisor Judy Wyant seconded the motion.*


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


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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 5:04 PM Lisa Richardson, Assistant County Administrator, reviewed the County financial information.

 3/9/2021 5:09 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following payment of invoices:

General County	
Accounts Payable Listing:	\$1,182,623.52
Payroll:	\$745,000.00
Auto Draft Rural Development:	\$15,515.00
Utilities/Misc	\$30,000.00
County Administration Fund:	\$5,000.00
Total County Appropriation:	\$1,940,000.00

Chilhowie District Supervisor Michael Sturgill seconded the motion.


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 5:10 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Social Services appropriations:

Social Services	
(March 10 – 31, 2021)	\$385,000.00
(April 1 – 13, 2021)	\$60,000.00
Total Social Services:	\$445,000.00

Chilhowie District Supervisor Michael Sturgill seconded the motion.

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


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

Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 5:11 PM Saltville District Supervisor Roscoe Call made a motion to approve the following School Board appropriations:

Schools-Operating Fund	
Instruction	\$3,250,000.00
Administration, Attendance, & Health	\$112,000.00
Transportation	\$140,000.00
Facilities	\$400,000.00
School Food Service	\$275,000.00
Technology	\$30,000.00
Total School Operating Fund:	\$4,207,000.00
School Debt and Capital Outlay	\$0.00
School Textbook Fund	\$0.00

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


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

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

 3/9/2021 5:12 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Sheriff's Department Fund 748 appropriations:

Sheriff Fund 748	\$7,818.76
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Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

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


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

Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 5:12 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Recovery Court Fund 749 appropriations:

Recovery Court Fund 749	\$31,662.09
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Chilhowie District Supervisor Michael Sturgill seconded the motion.


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 5:13 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Circuit Court Fund 770 appropriations:

Circuit Court Fund 770	\$250.00
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Chilhowie District Supervisor Michael Sturgill seconded the motion.

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


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


NAYS: None.


ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 5:13 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

 3/9/2021 5:13 PM Nathan Gary provided an update on the Saltville Rescue Squad. He noted the Squad is currently operating in the red due to their funding being cut by the Town of Saltville. He added that the funding cut decision has been appealed. He stated the Squad is covering calls and running proficiently. Mr. Gary expressed concern to the Board about lack of communication between the Squad and the Town of Saltville regarding the transition to a Town-funded EMS system. Vice Chair, Rye Valley District Supervisor Lori Deel stated that, as chair of the Public Safety Committee, she would like to use that committee to facilitate better communication between the two groups to ensure a peaceful transition and that all County citizens are best-served.

 3/9/2021 5:26 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

 3/9/2021 5:26 PM Gabe Johnson, Grant Administrator for the Smyth County Sheriff's Office, presented grant information for the continuation of School Resource Officers at Marion Elementary, Atkins Elementary, and Chilhowie Middle School. The grant and match amounts will remain the same as last year and the Sheriff's Office is requesting the Board's approval to apply for the grants. The Board recognized the importance of the SRO's and expressed appreciation for the job they do. Saltville District Supervisor Roscoe Call has spoken with Saltville Mayor Todd Young and he is requesting consideration of an additional grant for the SRO at Saltville Elementary. *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the three SRO grant applications as presented along with a fourth grant for the Saltville Elementary SRO, if needed. Saltville District Supervisor Roscoe Call seconded the motion.*


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 5:31 PM Mr. Utt presented a final draft of the Board's Rules of Procedures which includes the recommendations from previous meetings. *A motion was made by Royal Oak District Supervisor Judy Wyant to approve the revised Rules of Procedures as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion.*

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

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

SMYTH COUNTY BOARD OF SUPERVISORS



RULES OF PROCEDURES ADOPTED SEPTEMBER 9, 2003

Amended January 9, 2018

Amended March __, 2021

SMYTH COUNTY BOARD OF SUPERVISORS - RULES OF PROCEDURE

Be It Resolved, the Smyth County Board of Supervisors does hereby accept and adopt these Rules of Procedure in order to facilitate its powers and duties in accordance with the provisions of Title 15. 2, Code of Virginia 1950, as amended. The official title of the governing body is "Smyth County Board of Supervisors" (Board).

ARTICLE 1 - Members

1.1 Members. The Smyth County Board of Supervisors consists of seven (7) members, one elected from each of the seven (7) election districts. Each member is elected for a term of four (4) years. Terms of office of the members run concurrently with the calendar year.

1.2 Chairperson. A Chairperson of the Board shall be elected from its members, by a plurality vote, at the first meeting of each calendar year. The Chairperson shall preside over all meetings, represent the Board at official functions and ceremonial events, and make such appointments as are not required by law to be made by the Board as a body.

1.3 Vice Chairperson. A Vice Chairperson of the Board shall be elected from its members, by a plurality vote, at the first meeting of each calendar year. The Vice Chairperson shall preside in the absence of the Chairperson, and perform such other duties as may be assigned by the Board.

1.4 Chairperson Pro-Tem. A Chairperson Pro-Tem may be appointed by the Chairperson or Vice Chairperson in the absence of both, before he/she leaves the room. In the event no Chairperson Pro-Tem has been appointed, one shall be selected by the members remaining. This person shall preside in the absence of the Chairperson and Vice Chairperson.

1.5 Term of Office. The Chairperson and Vice Chairperson shall each be elected for a one (1) year term. Either, or both, may be re-elected for one or more additional one-year terms.*

This section amended on March 9, 2021 at the Board of Supervisors meeting.

1.6 Clerk and Deputy Clerks. The Board may, at its first meeting of each calendar year, or as needed, designate clerk and one or more deputy clerks, who shall serve at the pleasure of the Board. Their duties shall be those set forth in Section 15.2-1538 and 15.2-1539, Title 15.2, Code of Virginia 1950, as amended, and by resolution of the Board adopted from time to time.

ARTICLE II - Meetings

2.1 Annual Meeting. The first meeting held after the newly elected members of the Board have qualified, and the first meeting held of each succeeding year shall be known as the annual meeting. At such annual meeting, the Board shall establish the days, times, and

places for the regular meeting of the Board for the next twelve months. (§15.2-1416, Code of Virginia of 1950)

2.2 Regular Meetings. The Board shall meet in regular session at least once each month upon such day or days as have been established. The Board may subsequently establish different days, times, or places for such regular meetings by passing a resolution to that effect and providing the notice required by § 15.2-1416. However, when the day established as a regular meeting day falls on a legal holiday, the meeting shall be held on the next following regular business day, without action of any kind by the Board. (Section 15.2-1416, Code of Virginia 1950, as amended).

Pursuant to this section, the Board shall designate the meeting dates to be the second Tuesday and fourth Thursday of each month. The meeting times shall be 5:00 p.m. for the Tuesday meetings and 7:00 p.m. for the Thursday meetings. The meetings on Tuesdays shall constitute the Board's monthly legislative meeting and shall include specific time set aside for general public comments as described in section 4.3 below. *

This section amended on March 9, 2021 at the Board of Supervisors meeting.

2.3 Special Meetings. A special meeting of the Board may be called by the Chairperson, or shall be called at the request of two or more members, which request shall be in writing addressed to the Clerk of the Board, specifying the time and place of the proposed special meeting and the matter to be discussed. Upon receipt of the request, the Clerk shall immediately notify in writing each member of the Board, the County

Administrator, the Sheriff, and the County Attorney to attend the special meeting at the given time and place and for the given purpose. Such notice shall be sent by first class or served by the Sheriff, or both, at least five (5) days before the date of the special meeting, except in a declared emergency, in which instance the notice may conform to the necessity of the emergency. No matter other than those specified in the notice shall be considered at such meeting unless all members are present and agree to such action by unanimous vote. (Sections 15.2-1417 and 15.2-1418, et al, of the Code of Virginia of 1950, as amended.)

2.4 Notices to Public. The Clerk shall notify the general news media of the time and place of all such meetings, and the matters to be considered.

2.5 Public Hearings. Public hearings shall be held after proper notice has been given. (§15.2-2204, § 15.2-2506, etc., or special provisions or the Code of Virginia of 1950, as amended)

2.6 Adjourned Meetings. Any regular or special meeting may be adjourned by a majority of the members of the Board present to a date and time certain prior to the next meeting.

2.7 Place of Meetings. All meetings shall be held in the Smyth County Board of Supervisors' Board Room, 121 Bagley Circle, Suite 100, Marion, Virginia, unless a different meeting place shall have been established and notice given and published as required by the Code of Virginia of 1950, as amended.

2.8 Open Meetings. All meetings shall be open to the public, provided that the Board may, for the purpose provided for in the Virginia Freedom of Information Act, upon motion made, seconded, and duly adopted, meet in executive session. No resolution, ordinance, rule, contract, regulation, or motion adopted, passed, or agreed to in executive or closed meeting shall become effective unless following such meeting the Board reconvenes in open meeting and, by affirmative vote of the members, such action, ordinance, rule, contract, regulation, or motion is approved in open session.

ARTICLE III - Quorum and Actions

3.1 Quorum. A majority of all the members of the Board shall constitute a quorum. The Chairperson shall be included and counted in determining the presence or absence of a quorum.

3.2 Required Absence. No action shall be taken by the Board unless there shall be present at least a quorum, provided, however, that the temporary absence from the meeting room of members sufficient to constitute a quorum shall not be deemed to prevent the hearing of presentations or the discussion of matters submitted to the Board. The Clerk, County Administrator, or Deputy Clerk, shall suggest the absence of a quorum prior to taking of any action by the Board. Failure of the Clerk, County Administrator, or Deputy Clerk, or any other member to suggest the absence of a quorum shall not be deemed to alter the effect of this rule requiring a quorum as a prerequisite to any action.

3.3 Actions of the Board. Actions of the Board shall be taken in one of the following ways:

- 1) Ordinances. Where required by law, action shall be by the adoption of ordinances.

Ordinances shall be proposed for adoption, notice given, and adoption accomplished as provided for by general law.

- 2) Resolutions. Where it is not required by law, or it is desired by the Board to act without the adoption of an ordinance, action may be taken by the adoption of a resolution.

- 3) Contracts. In certain instances, action may be required by contracts. Contracts shall be proposed in writing and a copy shall be delivered to the Clerk and all members of the Board, or a duly appointed committee of the Board, prior to proposing adoption by the Board. The County Attorney shall advise the Board on the legality of each contract prior to approval by the Board.

- 4) Motions. Where action of the Board is required on a matter simply stated, action may be taken by oral motion only.

3.4 Voting. Votes shall be taken on all motions made and seconded. However, a vote shall be taken if the question is called, unless a member objects, even if a motion to call the question has not been seconded.

3.5 Roll Call Vote. A voice roll call vote shall be taken at the request of the Chair or any two or more members when such a request is made prior to the taking up of any other business, on any ordinance, or when required by law. *

This section amended on March 9, 2021 at the Board of Supervisors meeting.

3.6 Restating the Question; Amending the Motion. If requested by one or more Board members, the Chairperson shall restate the question prior to the taking of a vote, provided, however, that the Chairperson may request that another member restate the question if in his or her opinion that will expedite the decision thereof. Upon the second of a motion, a member may move for an amendment or substitution of the motion for either clarification or substantive change of the motion. A vote shall be taken on the amended or substituted motion. The approved motion shall then be put up for a vote.*

**This section amended on April 14, 2015 at the Annual Board of Supervisors Meeting.*

3.7 Unanimous Consent. Where no formal action is required, and no objection is heard, a request of a member shall be deemed a request of the Board without further action, when such a request is made at a meeting with a quorum present, and the Chairperson states that such a request shall be deemed a request of the Board.

3.8 Tie Votes. When a tie vote occurs:

- 1) If one or more Supervisors are absent, the question shall be passed by until the next meeting, regular or special, at which time it must be put to a vote again (even though all members may not be present). If the tie remains unbroken, the Clerk must record the vote and the question shall be recorded as failing to carry.
- 2) If all Supervisors are present when the tie vote first occurs, even if a Supervisor abstains, the Clerk must record the vote and the question shall be recorded as failing to carry.

3.9 Reconsideration. If all members are present for a meeting, action may be reconsidered only upon a motion of a member voting with the prevailing side on the original vote, which motion must be made on the same or immediate subsequent regular meeting. A motion to reconsider may be seconded by any member. If a member was absent for the entire meeting when such action was taken, the absent member may make a motion to reconsider at the immediate subsequent regular meeting or a continuation of the present meeting, whichever next occurs. Action on a question pending reconsideration at the next meeting shall be taken only following notice to all members of the Board given prior to the action being reconsidered, unless such action is taken at the same meeting as the original action. In instances involving the reconsideration of the adoption of an ordinance, notice of the proposed option of a new ordinance shall be given in accordance with law prior to action on the reconsidered question.

ARTICLE IV - Order of Business

4.1 Commencement of Meeting. At 5:00 p.m. for the legislative meeting and at 7:00 p.m. for the second meeting of the month, the presiding officer shall call the meeting to order, provide for the invocation, and direct the Clerk to note the presence or absence of members. A quorum shall be required to commence the meeting at the appointed hour.*

**This section amended January 10, 2012, regular Board of Supervisors meeting.*

4.2 Agenda. The County Administrator, with guidance from the Chairperson, shall prepare an agenda for each meeting. Any member having matters he or she desires to have considered at the next meeting shall submit these items to the County Administrator for inclusion in the agenda. *

This section amended on March 9, 2021 at the Board of Supervisors meeting.

4.3 Citizens' Time. There shall be an agenda item known as "Citizens' Time" to allow citizens of Smyth County to address the Board regarding any matter. Any person not a citizen of Smyth County may request through the County Administrator to be placed on the regular agenda. Time limits for citizens time shall follow guidelines prescribed for public hearings in Section 5.2. *

This section amended on March 9, 2021 at the Board of Supervisors meeting.

4.4 Order on Agenda. Without requiring the suspension of the Rules or motion, the Chairperson may call items in the order of business in a different order than the order of business set forth on the agenda, provided that the Board may by adopted motion overrule such a decision by the Chairperson. *

This section amended on March 9, 2021 at the Board of Supervisors meeting.

4.5 Minutes. The Clerk shall keep the minutes of the meetings of the Board. At the request of any member, made at the time of said presentation of discussion, the minutes shall include a summary of the substance of the presentation or debate. The Clerk may also maintain one recording by means of an electronic device of the proceedings of all Board

meetings except for Executive Sessions. A copy of the minutes of the transcribed proceedings shall be kept on file in the County Administrator's Office for the general public. Copies of documents or discs of recordings may be purchased under Smyth County's fee schedule pertaining to the Freedom of Information Act.*

** This section amended on April 14, 2015 at the Annual Board of Supervisors meeting.*

4.6 Approval of Minutes. The Clerk or Deputy Clerk shall promptly transcribe the minutes following completion of the meeting and shall submit copies to the County Administrator for distribution on or before the Friday preceding the meeting at which their approval will be on the agenda. Approval of the minutes shall be the next item on each agenda following the invocation, and shall be approved, or corrected and approved without reading.

4.7 Matters having to do with Agencies. Matters involving agencies which are not under the administrative supervision of the County Administrator shall not be placed on the agenda or considered by the Board until the affected agency shall have been given a reasonable opportunity to furnish the members of the Board with background information or data on issues which involve these agencies. Such information shall be delivered to the Clerk at least seven (7) days prior to a regular, special, or continued meeting date.

ARTICLE V - Order in Conduct of Business

5.1 Persons Addressing the Board. These persons shall limit their presentation to the time allotted by the Chairperson on the agenda, unless the Board, by majority consent, shall

extend such time. The Chairperson, in fixing such time, shall take into account the complexity of the matter, its importance in relation to other business of the Board, and time available on the meeting date sought. Insofar as is practicable, persons addressing the Board shall furnish the Clerk and members of the Board with a written copy of their remarks.

5.2 Public Hearings. In instances in which persons address the Board, through the Chairperson, without having first been allotted a specific time on the agenda, they shall limit their remarks as follows, except in extraordinary circumstances:

- 1) Person speaking for him/herself or his/her immediate neighborhood - three (3) minutes.
- 2) Person speaking for an organization whose membership is representative of an entire district - five (5) minutes.
- 3) Person speaking for an organization whose membership is representative of the entire county - ten (10) minutes.
- 4) Unless approved by a majority vote of the Board, no action shall be taken by the Board following a public hearing, and the issue shall be continued until the next regular meeting.

5.3 Recognition. Recognition shall be given only by the presiding officer. No person shall address the Board without having first been recognized. When all public testimony has concluded, and the Board is considering and discussing the matter, no person shall thereafter be recognized to address the Board.

5.4 Cumulative or Repetitive Testimony. Cumulative or repetitive testimony shall not be permitted on any matter, and persons of the same position as a previous speaker shall state their name and the positions with which they agree.

5.5 Questions. Questions by Board Members shall be reserved, insofar as possible, for the end of a presentation to avoid interrupting the speaker, disrupting the timekeeping process, and duplicating ground the speaker may cover.

5.6 Oaths and Affirmations. Oaths and Affirmations may be administered and taken by the Chairperson or person presiding in his stead, when a majority of the Board deems it appropriate to take sworn testimony. Such action may be taken by the adoption of a motion to place a specific individual under oath, or to place all of those who will speak to a given item of business under oath. The Chair may place an individual under oath at any time before or during his presentation. Any such person shall be deemed to remain under oath as to the matter with respect to which he was sworn, for the remainder of the duration of the meeting.

5.7 Discussion and Debate by the Board. Except at the conclusion of a public hearing, discussion and debate by the Board shall be conducted following the presentation of testimony on the item of business pending. Members shall not speak to the item until recognized by the Chair. A member who has spoken to the item shall not again be recognized until each other member desiring to speak shall have an opportunity to speak. Except in matters considered at a public hearing, after the Board shall have acted, any

member shall have the right to state a protest against the action, and his reasons therefore, for a time not to exceed two (2) minutes.

ARTICLE VI - Decorum

6.1 By Board Members. Decorum shall be maintained in order to expedite disposition of the business before the Board. Questions and remarks shall be limited to those relevant to the pending business. Members shall not converse with other members or with other persons in any manner having a disturbing effect on the conduct of business. Members shall address all remarks to the Chairperson as presiding officer.

6.2 By Other Persons. Decorum shall be maintained by the Chair, who may request such assistance as to the Chairperson appears necessary.

- 1) Persons addressing the Board shall limit their remarks to those relevant to the pending items, and to answering questions. They shall address the Board as a whole, unless answering an individual member's questions. The presiding officer shall call the speaker to order, if out-of-order remarks, or other indecorous conduct persists, the presiding officer shall order the speaker from the lectern. The order with gavel, if not heeded, will then cause the Sheriff or his designee to carry out the order.
- 2) Persons whose allotted time to speak has expired shall be warned by the presiding officer to conclude in one minute, after which such person shall leave the lectern, unless he is asked by Chairperson to remain to answer questions from the Board.
- 3) No persons in attendance shall be allowed to voice remarks except as recognized by the

presiding officer after audibly stating their name and who they represent. Groups in the audience creating an atmosphere detrimental or disturbing the conduct of the meeting will be asked to leave by the presiding officer.

- 4) No person shall bring into the Board Room any sign, banner, or other such item; provided, that models, photos, maps, charts, drawings, and other such demonstrative materials intended for use in a presentation by a specific person shall be permitted. *

This section amended on March 9, 2021 at the Board of Supervisors meeting.

ARTICLE VII - Miscellaneous

7.1 Roberts Rules of Order. The newly revised Roberts Rules of Order shall govern the conduct of all meetings of the Board to the extent that they are not inconsistent with these rules and the laws of the Commonwealth of Virginia. The Clerk shall make available at all meetings a copy of the newly revised Roberts Rules of Order. The failure of the Board to strictly comply with Roberts Rules of Order shall not invalidate any action of the Board.*

**Amended on April 14, 2015 at the Annual Board of Supervisors meeting.*

7.2 Amendment of the Rules. An amendment of the Rules may be accomplished by a majority vote of the entire membership, provided that such amendment may not be voted upon at any meeting unless the text of the proposed amendment has been presented to at least one previous meeting to which the date for a vote has also been established. Any proposed amendment shall be subject to further amendment at the meeting at which the vote

is taken.

7.3 Suspension of the Rules. Suspension of the Rules may occur whenever the Board shall by a majority vote adopt a motion to suspend the rules. In such event, the rules shall be deemed suspended only with respect to the specific matter of question not then in accordance with the rules.

7.4 Electronic Participation. The Board of Supervisors of Smyth County hereby adopts the following policy to govern when Board of Supervisors members may electronically participate in a Board of Supervisors meeting remotely:

1. An emergency or personal matter: On or before the day of a meeting, the Member shall notify the Chair of the Board of Supervisors that such Member is unable to attend the meeting due to an emergency or personal matter. The Member must identify with specificity the nature of the emergency or personal matter. A Member may also notify the Chair of the Board of Supervisors that such Member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the Member's physical attendance.
2. A temporary or permanent disability: On or before the day of a meeting, the Member shall notify the Chair of the Board of Supervisors that such Member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the Member's physical presence.
3. A quorum of the Board of Supervisors must be physically assembled at the primary or central meeting location. The Board of Supervisors members physically present must approve the

absent Member's participation by a majority vote. The decision shall be made based solely on the criteria in this Resolution, without regard to the identity of the Member or the matters which will be considered or voted on during the meeting.

4. The Clerk shall record in the Board of Supervisors' minutes the specific nature of the emergency, personal matter, or disability; and the remote location from which the absent member participated. If the absent member's remote participation is disapproved because such participation would violate this policy, such disapproval shall be recorded in the minutes.
5. Participation by the absent member due to an emergency, personal matter, or disability shall be limited in each calendar year to two (2) meetings or twenty-five (25) percent of the meetings of the Board of Supervisors, whichever is fewer.
6. For any remote participation, the Board of Supervisors shall make arrangements for the voice of the remote participant(s) to be heard by all persons in attendance at the primary or central meeting location.
7. If any provision of this Policy is deemed inconsistent with the provisions of Section 2.2-3708.1 of the Code of Virginia, 1950, as amended, or other applicable law, that provision shall be deemed stricken and the provisions of Section 2.2-3708.1 of the Code of Virginia, 1950, as amended, or other applicable law shall apply.
8. During a disaster and/or a declared state of emergency from the Governor, and it is impracticable or unsafe for a quorum of the Board to assemble in one location, then the Board may conduct its meetings electronically to assure the continuity of its government. (See Va. Code §2.2-3708.2(A)(3), § 44-146.17, §15.2-1413, and §44-146.21). *

This section amended on March 9, 2021 at the Board of Supervisors meeting.

BE IT RESOLVED BY THE SMYTH COUNTY BOARD OF SUPERVISORS:


That the Rules of Procedure for the County of Smyth, Virginia, originally adopted by Resolution on September 9, 2003, is and are hereby amended and adopted as set forth in this resolution. These amendments shall be effective immediately.


Presented on March 9, 2021 amendments were duly considered and adopted by the Smyth County Board of Supervisors on March 9, 2021 the members voting:

AYES: 6

NAYS: 0

ABSENT: 1

 3/9/2021 5:33 PM County Attorney Scot Farthing gave an update on the Riverside Community Center property. When the real estate was transferred from the Catrons to the Coles in 1979, the first right of refusal should have been transferred along with the real estate, but it wasn't, so the first right of refusal still belongs to the Catrons. Mr. Farthing said the Board could go ahead and transfer the property to the Riverside Ruritan Club, or he could review the public hearing for the entire tract that the Board held on December 8, 2020 to see if that would allow the Board to separate the property into two separate portions and offer to sell the 2.2 acre portion to the Catrons. The Board unanimously agreed for Mr. Farthing to review the public hearing and he will provide updates as they become available.

 3/9/2021 5:41 PM Mr. Utt presented the following recommendations from the Budget Committee meeting held on March 1, 2021.

- Mr. Utt presented a request from Lola Whitt, Title Abstractors of Virginia, for a waiver of the past due interest portion of the special assessment missed by her company's title search in November 2015 on a property in Colecrest Subdivision. A balance of \$3,303.60 is due, which includes \$729.97 of past due interest. A title search on the same property was done by Bolling and Hearl in 2004 after the Board had authorized a special assessment for the subdivision (then known as Clarkcrest Subdivision) and the special assessment was missed during the title search as well. The current property owners brought this to the County's attention after receiving a bill in October 2020 for the unpaid assessment. The interest waiver request from Ms. Whitt

was originally presented to the Board for consideration at the November 12, 2020 meeting and it was declined by a 6-0 vote (Mr. Atkins was absent). Chilhowie District Supervisor Michael Sturgill brought the matter back before the Board at their meeting on February 9, 2021 for reconsideration and it was referred back to the budget committee for discussion.

A motion was made by Rye Valley District Supervisor Lori Deel to deny Ms. Whitt's request for a waiver of the past due interest charges and recommended that she contact Bolling and Hearl for their consideration of a refund. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

- The Registrar's office has received a grant from the Center for Tech and Civic Life in the amount of \$14,976 to purchase voting equipment. This grant requires no local match. Since these are new funds, a budget amendment will need to be approved for both revenues and expenditures.

A motion was made by Royal Oak District Supervisor Judy Wyant to approve the budget amendment request as presented for the Registrar's Office. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

- The Sheriff's Office submitted a request to transfer the remaining account balance as of January 31, 2021 in the amount of \$5,849.33 from the Sheriff's radar line 744-010000-9012 Training to the Sheriff's general fund line 001-021070-5503 Travel.

After discussion, the committee unanimously agreed that the money should not be taken from line 744 and transferred to the general fund. A motion was made by Rye Valley District Supervisor Lori Deel to transfer \$5,849.33 from the Board's supplemental appropriation line 001-011010-8888 and transferred to 001-021070-5503 Travel. The motion was seconded by Royal Oak District Supervisor Judy Wyant and unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

- Mr. Utt provided an update on the status of the proposed County meals tax and cigarette tax. The next step in potentially implementing the cigarette tax is to hold a public hearing on the County's membership as part of the proposed regional tax group, the Mount Rogers Cigarette Tax Board.

A motion was made by Royal Oak District Supervisor Judy Wyant to schedule a public hearing on Thursday, March 25, 2021 at 7:00 p.m. to consider the County's membership as part of the proposed Mount Rogers Cigarette Tax Board. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.

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

AYES: None.

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

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Due to two other joint public hearings with the Planning Commission being held at 7:00 PM on Thursday, March 25, 2021, Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to schedule the public hearing concerning the proposed Mount Rogers Cigarette Tax Board for 6:00 PM on Thursday, March 25, 2021. Saltville District Supervisor Roscoe Call seconded the motion.


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 5:48 PM Mr. Utt presented the following recommendations from the Building and Grounds Committee meeting on March 2, 2021.

- Mr. Utt discussed the results of the feasibility study conducted by Thompson & Litton for the HVAC and heating system options for the Smyth County office building (Morison Building). The study offered solutions and price estimates for two options. Option 1 would be a heating system using two gas-fired boilers and a new cooling tower/chiller at an estimated cost of \$2,339,650. Option 2 would be a Variable Refrigerant Flow (VRF) heating/cooling system (often called a “split system”) at an estimated cost of \$2,213,050. Mr. Utt reminded the committee that the original estimate was in the \$700,000 range and we have that amount of funding in place currently. Discussion was held regarding a phased in approach with the VRF heating electrical system which would allow using the existing funds while working to identify addition funding sources at the same time. The committee also had a discussion regarding the condition of the current chiller system, the needed replacement of windows, and the requirement for the acquisition of a bond for any related debt. The Committee discussed future options for County office spaces by combining or relocation as well as available vacant spaces in the area. Mr. Utt reported that the current budget development for FY22 includes proposed funding for a building use study and the committee agreed in the need to continue with that planning study. As a result of the overall discussion, the following action was taken:

A motion was made by Chilhowie District Supervisor Michael Sturgill to proceed with the phase-approach of the VRF heating system and to instruct Mr. Utt to explore bids and funding sources. Park District Supervisor Kris Ratliff seconded the motion and it was unanimously approved.

Royal Oak District Supervisor Judy Wyant expressed concern about the amount of money being invested into the building and questioned what the long-term use of the building and return investment would be.


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

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

NAYS: Royal Oak District Supervisor Judy Wyant

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 6:02 PM insurance – Mr. Utt presented the following recommendations from the Insurance Committee meeting on March 2, 2021.

- Ms. Richardson presented information on the Anthem/Local Choice health insurance rates for July 1, 2021 through June 30, 2022. There is a 6.7% decrease in the renewal rate for the upcoming year with no changes to the current coverage. With the decrease in cost, the County would be able to offer a second option for employees to choose from in the coming year – a \$500 deductible plan along with the \$1,000 deductible plan that is currently offered.

After discussion, a motion was made by Chilhowie District Supervisor Michael Sturgill to offer both the \$500 deductible plan and the \$1,000 deductible plan to employees for FY21-22 with the County's contribution rate to remain the same for both options at 80% for employee and 79% for spouse/dependents. The motion was seconded by Royal Oak District Supervisor Judy Wyant and unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.


ABSENT: North Fork District Supervisor Phil Stevenson

Mr. Utt added that the committee also discussed the County continuing to contribute to the health insurance premiums for employees who retire after 30 years of service as a potential incentive for early retirements using the following rate:

Employee only coverage – 5 years

Employee plus one coverage – 3 years

Family coverage – 2 years

 3/9/2021 6:08 PM Mr. Utt presented the following recommendations from the Personnel Committee meeting on March 1, 2021.

- Mr. Utt introduced Ms. Stephanie Davis who conducted the Virginia Tech Pay Plan Study for Smyth County. Ms. Davis presented the findings of the study to the Committee. The purpose of the Pay Plan study was to review the County's current pay plan, identify and benchmark other local governments for similar positions, and to compile and analyze the data collected in order to develop a new pay plan for Smyth County based on benchmark data. The study allows the County to appropriately place employees on a new pay plan, to provide pay equity and to determine relevant cost for the implementation of the plan. Fourteen local governments responded to the survey. Findings presented included the following implementation priority options; Priority one would be to place all 42 County employees on the minimum of the scale; Priority two would be to place all 42 employees between the minimum and the midpoint based on years of service in current position; and priority three would be to provide compression adjustments for the employee's years of service with the County. Total implementation cost for the plan is \$162,537. Mr. Utt informed the Committee that he has included this proposal in the upcoming fiscal year's budget proposal.

Mr. Atkins expressed his interest in including employee benefits in the study, specifically health insurance. Ms. Davis stated she could compile the additional information and respond back to Mr. Utt by end of March. Mr. Atkins indicated he would like to see employee's names and salary proposals related to the plan. Mr. Utt indicated he would be happy to meet with Mr. Atkins to provide the information.

Chilhowie District Michael Sturgill made a motion for Mr. Utt to proceed with the implementation of the new pay scale with the adjustments referred to for equity purposes. Atkins District Supervisor Charles Atkins seconded the motion and the motion passed unanimously.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,*

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

- Lisa Richardson discussed with the Committee the difficulty the Solid Waste Department is experiencing in obtaining and keeping qualified CDL Drivers. In the past 2 years five drivers have resigned their positions and two are resigning this month. Advertising for the position and recent interviews to hire new staff have been unsuccessful due to the County's starting wages (currently \$12.50 per hour) not being competitive with other employers in the area. The Committee discussed increasing the beginning wage up to \$15.00 per hour which would result in a \$5,200 annual increase per employee. Discussion was held regarding making appropriate salary adjustments for other existing Solid Waste CDL drivers.

Chilhowie District Michael Sturgill made a motion to increase the salaries for the Solid Waste CDL Drivers up to \$15 an hour effective March 1, 2021 and to implement the \$5,200 annual increase for all other Solid Waste CDL drivers. Atkins District Supervisor Charles Atkins seconded the motion and the motion passed unanimously.


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

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


NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 3/9/2021 6:30 PM Vice Chair, Rye Valley District Supervisor Lori Deel presented information from the Public Safety Committee meeting held on March 2, 2021. At that meeting, Mr. Crawford presented information on the County Chief's meeting and provided an update on the status of the Town of Saltville and Saltville Rescue. The Public Safety Service survey has been distributed and responses are coming in. Mr. Crawford is also assisting the Town of Chilhowie with applying for a Rural Development loan with grant funding for equipment for the Smyth County Training Academy. He is also working on a policy that would allow the County to bill for HAZMAT services. He also noted that Smyth County has been highlighted as one of three Counties in Southwest Virginia designated for outreach in the community related to COVID-19 with more details coming soon. Shannon

Williams, 911 Coordinator, presented information at the meeting regarding upcoming EMD (Emergency Medical Dispatching) and TCPR (Telecommunications CPR) requirements and certification that must be in place by January 1, 2022 and full EMD protocol by January 1, 2024. Mr. Williams also discussed a request from Washington County EMS to create a regionalized 911 Fusion Center in the future.

 3/9/2021 6:38 PM Chair, Atkins District Supervisor Charles Atkins presented the following recommendations from the Water and Sewer Committee held on March 1, 2021.

- Mr. Utt and Mr. Blevins presented information on the water lines in the Lick Skillet/Robinson Cove area of Saltville. There are currently 19 active customers in that service area. While the Town of Saltville installed the water lines to serve the County's customers, the County purchased and installed the taps and meters. The County has purchased water from the Town and sold it to the residents of that area. The Town performs maintenance on the water lines while the County handles maintenance for the taps and meters. The Saltville Town Council is willing to accept ownership along with all costs associated with maintaining the taps and meters in that area.

A motion was made by Atkins District Supervisor Charles Atkins to transfer ownership of the taps and meters in the Lick Skillet/Robinson Cove area to the Town of Saltville. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION IN SUPPORT OF THE TRANSFER OF OWNERSHIP OF THE WATER METERS AND TAPS ALONG ROBINSON COVE ROAD AND LICK SKILLET ROAD

WHEREAS, the Town of Saltville constructed a water line that was completed in 1995 in the Lick Skillet/Robinson Cove area of Smyth County; and

WHEREAS, during construction Smyth County purchased and installed water taps and meters to serve the residents in those areas; and

WHEREAS, to date Smyth County has purchased water from the Town of Saltville and sold it to the customers located on Robinson Cove Road and Lick Skillet Road; and

WHEREAS, to date the Town of Saltville has performed maintenance on the water main while Smyth County has performed maintenance on the taps and meters.

WHEREAS, the Saltville Town Council is willing to accept ownership, maintenance, billing, and all other costs and revenues associated with the taps and meters on Robinson Cove and Lick Skillet roads.

NOW, THEREFORE BE IT RESOLVED that the Smyth County Board of Supervisors transfers ownership, maintenance, billing, and all other costs and revenues associated with the taps and meters on Robinson Cove and Lick Skillet roads as well as all appurtenances thereto to the Town of Saltville.

NOW, THEREFORE BE IT FURTHER RESOLVED that the maintenance responsibilities for those customers previously served by the Smyth County Water Department are now fully transferred to the Town of Saltville.

Adopted this the 9th day of March, 2021.

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles E. Atkins, Chair

- Ms. Richardson presented an additional refund request from Dianna Foster for the property located at 114 Harris Lane. Ms. Foster was given a refund in 2020 in the amount of \$655.72 for money her now deceased son had paid the County for sewer charges when the property was not connected to the County's sewer system. The tenants currently residing at the property were also issued a refund for \$525.00. Ms. Foster is asking the County for an additional refund in the amount of \$4,302.00 for sewer charges that her deceased son paid to the Town of Marion which was, in turn, paid to the County. Ms. Foster has indicated she will engage an attorney if the refund is not issued.

A motion was made by Atkins District Supervisor Charles Atkins to turn the matter of Ms. Foster's additional refund request over to the County Attorney. The motion was seconded by Rye Valley District Supervisor Lori Deel and unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Ms. Deel also stated at the committee meeting she would like to see a more consistent process put in place by the County to ensure accurate billing for water and sewer services.

Saltville District Supervisor Roscoe Call requested the County look into why water lines and hookups for fire hydrants were put in Pleasant Heights but the hydrants were never installed. Atkins District Supervisor Charles Atkins indicated it was because of lack of pressure, but Mr. Utt will check with the Town. Vice Chair, Rye Valley District Supervisor Lori Deel added that providers need to make sure hydrants are working properly and she would like further discussion on hydrants at the next water and sewer committee.




3/9/2021 6:49 PM Mr. Utt reported there was no new business to discuss.



3/9/2021 6:49 PM County Attorney Scot Farthing reported he drafted a maintenance agreement with Scholle on stormwater management with maintenance requirements completed and sent it to Clegg Williams, Building and Zoning Administrator. There was some question about ownership of the property and he is awaiting a response from Scholle. Mr. Farthing stated he is working on miscellaneous items with the EDA along with two ongoing

litigation matters. Mr. Farthing introduced a new associate working with his firm out of the Abingdon office.

 3/9/2021 6:52 PM Mr. Utt presented a summary from Kim Payne, facilitator of the Board Retreat held in January. The summary includes several pages of notes from the meeting and discussion topics, as well as a work plan with the goals for the coming years. The work plan focuses on several strategic areas: Economic Development, Organizational Structure and Processes, Infrastructure, Housing and Other Actions (including Comprehensive Plan, Broadband, Public Safety and Citizen Engagement). A timeline is also included to help the Board stay on track. Mr. Utt will incorporate the mission and vision statement as part of the budget narrative for next fiscal year.

Mr. Utt reported that the County's insurance carrier will not cover the cost of repair to the Marion Library's elevator since it is past its normal life span (30 years). Rose Likins, Library Director, wants to appeal that decision. The estimated repair cost from Thyssenkrupp was \$50,098. Mr. Utt would like to develop an RFP to allow other firms the opportunity to bid. The County owns the building, but Mr. Utt has been unable to locate a lease agreement between the County and the Library that defined which responsibility fell on which party. Saltville District Supervisor Roscoe Call asked Mr. Utt to contact the Town of Marion to see if they are willing to help with the cost. Park District Supervisor Kris Ratliff asked if the broken elevator would create ADA compliance issues. County Attorney Scot Farthing stated he was not aware of any at this time, as long as library staff are making accommodations and cooperating with any patron needs that may arise. *A motion was made by Royal Oak District Supervisor Judy Wyant to develop the RFP and seek bids on the elevator repair at the Marion Library. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.*

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Mr. Utt handed out the Town of Marion and Town of Chilhowie's Fire and EMS annual reports.



3/9/2021 7:01 PM Supervisor Comment Time

Saltville District Supervisor Roscoe Call wished everyone good health. He's glad to see COVID numbers dropping and is proud of his daughter for working with the vaccines through the Health Department. He encouraged everyone to be safe and God bless.

Park District Supervisor Kris Ratliff reported he had been asked by a constituent about the County car tag tax and what is done with the revenue. Mr. Atkins stated there was a \$25 per car tax added to the personal tax bills, and that money goes into the general fund. Mr. Farthing added that those funds can't be earmarked on the County level. Mr. Ratliff asked for follow-up on the "caution children playing" sign on Old Wilderness Road. Mr. Utt reported that the signs have been ordered and he will get with Mr. Ratliff on where they need to be placed. Mr. Ratliff thanked the budget committee for their hard work and Ms. Deel for her work toward a workable solution to the public safety issues.


Vice Chair, Rye Valley District Supervisor Lori Deel thanked Mr. Ratliff for his comments and she appreciates the work and input by others. She thanked the Board and the County staff and she's excited about the direction the County is moving in. Hard decisions will need to be made, but she wants to do what's right for citizens and the County. She encouraged everyone to get the vaccines and to stay safe.

Chilhowie District Supervisor Michael Sturgill thanked the fire and EMS staff for all they do. He thanked the Health Department and Mr. Crawford for their work with the vaccine administration. He's glad to have the students back in school along with some extra-curricular activities taking place. He's excited to be part of the Board and feels positive steps are taken each time they meet. He added that "Smyth County is the place to be".

Royal Oak District Supervisor Judy Wyant acknowledge the Wassums for attending the meeting and she's glad to see citizens taking an interest in local government because it's more important now than ever to be involved. She appreciates the EMS efforts and believes we have a good practice of neighbor helping neighbor. She is also glad to see schools back in person and she commended the Board for the effort put forth by each member to serve the County better.

Chair, Atkins District Supervisor Charles Atkins is glad to see the COVID vaccines going well. He commended the Board for hiring a good County Administrator and EMS coordinator to help the County move forward. He encouraged citizens to let the Board know if there's any problems. He is also glad to see the schools reopening. He added that the state and federal money provided as part of COVID relief has really helped the County. He asked Mr. Utt to draft a resolution for the Board's consideration at a future meeting supporting the end of

Daylight Savings Time. He thanked the Wassums for attending and said he would like to see more people at the meetings.

 3/9/2021 7:14 PM A motion was made by Chilhowie District Supervisor Michael Sturgill, seconded by Royal Oak District Supervisor Judy Wyant to enter into closed session under Code of Virginia Section 2.2-3711-A(7) for consultation with legal counsel and briefing by staff for the discussion of specific legal matters subject to probable litigation regarding the Adwolfe Sewer Project.


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 3/9/2021 7:35 PM A motion was made by Chilhowie District Supervisor Michael Sturgill, seconded by Royal Oak District Supervisor Judy Wyant 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 roll-call vote:


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson.

 3/9/2021 7:37 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for Thursday, March 25, 2021 at 6:00 p.m.

The Smyth County Board of Supervisors held its regular meeting on Thursday, March 25, 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: Chair, Atkins District Supervisor Charles Atkins; Vice Chair Lori H. Deel, Rye Valley District Supervisor; Kris Ratliff, Park District Supervisor (electronically); Michael Sturgill, Chilhowie District Supervisor; Phil Stevenson, North Fork District Supervisor; Roscoe Call, Saltville District Supervisor; Judy Wyant, Royal Oak District Supervisor (7)

ABSENT: None

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; County Attorney Scot Farthing; Administrative Assistant Christy Bise (4)

OTHERS: Smyth County News and Messenger, and citizens



3/25/2021 6:02 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order.



3/25/2021 6:02 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing. Shawn Utt, County Administrator, read the following public hearing notice for the record:

**NOTICE OF PUBLIC HEARING
PROPOSED ORDINANCE TO ESTABLISH A JOINT ENTITY
TO BE KNOWN AS THE MT. ROGERS CIGARETTE TAX BOARD**

The Board of Supervisors of Smyth County, Virginia will conduct a public hearing on Thursday, March 25th, 2021 at 6:00 p.m., or as soon thereafter as the matter may be heard, in the Board Room of the Smyth County Administration Building, 121 Bagley Circle, Marion, VA 24354 to receive public comments on a proposed ordinance which would create a joint entity to be known as the Mount Rogers Cigarette Tax Board, pursuant to Virginia Code Section 15.2-1300 *et seq.* The purpose of the Board would be to jointly administer the collection, accounting and enforcement of any cigarette taxes that may be adopted by the Board of Supervisors of Smyth County, Virginia in the future, and those of any other member locality. The proposed ordinance would further authorize the execution of the joint exercise agreement setting forth the powers, duties, membership and other matters pertinent to the newly-established board. The joint exercise agreement would be effective upon approval of at least two (2) localities within the Mount Rogers region. A copy of the proposed ordinance with proposed agreement

attached may be provided in hard copy or in electronic format by calling or writing to the Smyth County Administrator's office.

Although the Smyth County Board of Supervisors is currently holding in-person meetings, due to the public health threat posed by Covid-19, guidance issued by the CDC and Virginia Department of Health, in-person attendance may be limited to the facility's safe social distancing capacity; in lieu of an in-person appearance, the public may send comments to the County Administrator's office by the following methods:

- Send an email to cbise@smythcounty.org. Please include your name, address, and contact information.
- Send your written comments to the attention of Shawn Utt, County Administrator at 121 Bagley Circle, Suite 100; Marion, VA, 24354, or leave your comments in the night drop box outside the Administration Building entrance. Please include your name, address, and contact information.
- Call the County Administrator's office at 276-783-3298.

The Clerk of the Board of Supervisors will read comments into the minutes if received by 12:00 PM on the date of the meeting.

A copy of the text of the proposed ordinance can be viewed at the Office of the County Administrator by appointment only. Call the County Administrator's office at 276-783-3298 in order to schedule an appointment or an electronic version of the ordinance can be requested by emailing cbise@smythcounty.org. 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



3/25/2021 6:05 PM Saltville District Supervisor Roscoe Call made a motion to waive the reading of the rules of public hearings. Chilhowie District Supervisor Michael Sturgill seconded the motion.


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


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


NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/25/2021 6:06 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for public comment.

 3/25/2021 6:06 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

 3/25/2021 6:06 PM Chair, Atkins District Supervisor Charles Atkins presented the following budget committee recommendation from the March 23, 2021 meeting:

- *A motion was made by Royal Oak District Supervisor Judy Wyant to approve the tax refund request to GE TF Trust in the amount of \$3,492.28. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/25/2021 6:08 PM County Attorney Scot Farthing reminded the Board, if there is urgency to move forward, they can waive the rules of public hearings and vote on the proposed ordinance for participate in the regional cigarette tax board at tonight's meeting. Mr. Utt reported that joining the regional board doesn't enact the cigarette tax, but if the County is not part of a regional group by July 1, 2021 another public hearing would be required and the regional group would have to vote to allow the County to join which would involve a much longer process. He added that all costs proposed are based only on sales of cigarettes that are taxed. Mr. Utt noted that a few small wording adjustments are being made to the draft agreement, but he recommends approving the ordinance as presented with allowance for verbal amendments that do not change the intent of the agreement.

A motion was made by Saltville District Supervisor Roscoe Call to waive the rules of public hearings and vote on this matter at tonight's meeting. North Fork District Supervisor Phil Stevenson seconded the motion.


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/25/2021 6:15 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the ordinance, as amended, approving the establishment of the Mt. Rogers Cigarette Tax Board joint entity. Chilhowie District Supervisor Michael Sturgill seconded the motion

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/25/2021 6:16 PM Chair, Atkins District Supervisor Charles Atkins recessed the meeting until 7:00 P.M.

JOINT PUBLIC HEARING WITH BOARD OF SUPERVISORS

Board Members Present: Charlie Atkins, Chairman, Atkins District; Lori Deel, Vice-Chairman Rye Valley District; Judy Wyant, Royal Oak District; Michael Sturgill, Chilhowie District; Roscoe Call, Saltville District; Kris Ratliff, Park District; Phil Stevenson, North Fork District

Board Members Absent: None

Commissioners Present: Joel Pugh, Chairman, Park District; Graham Davidson, Jr.,

Vice- Chairman Chilhowie District; Hazel Wagoner, Atkins District; Paul Shepherd, Rye Valley District; Tony Dean, Royal Oak District Supervisor Judy Wyant

Commissioners Absent: David Spence, Saltville District; Robert Campbell, North Fork District Supervisor Phil Stevenson

Staff Present: Shawn Utt, County Administrator; Lisa Richardson, Assistant County Administrator; Clegg Williams, Zoning Administrator; Sarah Parris and Christy Bise, Administrative Assistants. Approximately ten citizens were present.



3/25/2021 7:00 PM Charles Atkins, Chairman of the Board of Supervisors, and Joel Pugh, Chairman of the Planning Commission, called the joint public hearing to order.



3/25/2021 7:01 PM Clegg Williams read the advertisement as placed in the Smyth County News and Messenger.

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, March 25, 2021, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application(s) to the Zoning Ordinance of Smyth County, Virginia:

An application from Gregory Gordon for a Special Use Permit for a restaurant. The property is located beside 902 Allison Gap Road, Saltville Virginia, identified as Tax Map Number 28A3-4-1 and zoned Agricultural/Rural.

An application from David Peake for a Special Use Permit for two multi-family dwelling units. The property is located beside 210 Walton Road, Marion Virginia, identified as Tax Map Numbers 46B-3-63, 46B-3-64, 46B-3-65, 46B-3-66, 46B-3-67, 46B-3-68, 46B-3-69, 46B-3-70 and zoned Residential.

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


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

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

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

Shawn Utt, County Administrator


Joel Pugh, Chairman of the Planning Commission


 3/25/2021 7:03 PM Mr. Atkins asked for a motion to waive the reading of the rules. Mr. Call made the motion to waive the rules and was seconded by Mr. Sturgill. The following vote was recorded.


Vote: 7 yeas Atkins, Deel, Wyant, Sturgill, Call, Ratliff, Stevenson


0 nays


0 absent


 3/25/2021 7:04 PM Mr. Williams outlined the proposal for an application from Gregory Gordon requesting a special use permit for a restaurant. He also highlighted the code sections from the zoning ordinance and comprehensive plan for future land use. He stated he had not received any comments regarding the application.


 3/25/2021 7:05 PM Gregory Ralph Gordon 145 Pump Log Hollow Road; Saltville presented his proposal for his restaurant. Mr. Gordon stated he owns most of the adjoining properties surrounding the proposed property. He would like to offer another dining option in the area and add a business to better the Allison Gap community. The proposal will be take-out and delivery service only. Mr. Roscoe Call spoke regarding the proposal. He stated Mr. Gordon has improved the property by cleaning and repainting. He was in favor of this proposal and thinks it will be well received.


 3/25/2021 7:10 PM Mr. Williams outlined the proposal for an application from David Peake requesting a special use permit for two multi-family dwelling units. He highlighted the code sections from the zoning ordinance and comprehensive plan for future land use. He stated he had received comments on the application via phone and by letter. In addition, he stated he received an approved entrance permit from VDOT.


 3/25/2021 7:12 PM Mr. Williams read a letter from Sharon Debord, an adjoining property owner, 118 Hockett Street; Marion. Ms. Debord is concerned about the ten-foot strip of land between her property and the possibility of it being disturbed. She requested a stipulation be added that it not be disturbed.


 3/25/2021 7:16 PM David Peake 600 Leslie Street; Marion presented his proposal for his multi-family dwelling units. Mr. Peake stated he has removed ten manufactured homes from the property, which had been a nuisance in the past. He is proposing two buildings with four units in each building, totaling 8 units. He would like to rent to Emory & Henry students.


 3/25/2021 7:19 PM Brian Vernon 213 Walton Road; Marion is an adjoining property owner. He spoke about his concerns with this new development. Mr. Vernon is concerned about the increased traffic, safety of the neighborhood children, issues with renters, privacy and he stated the entrance to the property is in a blind spot of the road.


 3/25/2021 7:22 PM Kathy Fowler 217 Walton Road; Marion is an adjoining property owner. She spoke about her concerns with this new development. Ms. Fowler stated the neighborhood is quiet and she is concerned about the noise, traffic, and safety of the neighborhood children.


 3/25/2021 7:24 PM Brook Vernon 213 Walton Road; Marion is an adjoining property owner. She spoke about her concerns with this new development. Ms. Vernon is concerned about the increased traffic, the speed limit, safety of the neighborhood children, and privacy. She also questioned the need for this additional housing.


 3/25/2021 7:26 PM Mr. Stevenson stated zoning was put in place to protect homes in residential areas.


 3/25/2021 7:27 PM Mr. Call stated he had a conversion with an adjoining property owner and they were concerned about the traffic, noise, and the potential issues with renters.


 3/25/2021 7:28 PM Ms. Deel stated she had rented from Mr. Peake in the past and he kept his property clean and in good repair. She also stated the need for the apartments for professional students at Emory & Henry.


 3/25/2021 7:29 PM Mr. Pugh asked Mr. Peake about the number of units and if he would be willing to construct duplexes with two units each. Mr. Peake stated he would have to check.

 3/25/2021 7:32 PM Dustin Stamper 104 Helms Street; Marion spoke with concerns for the safety of the neighborhood children, noise, and the blind spot at the entrance to the property.

 3/25/2021 7:34 PM Mr. Stevenson asked Mr. Williams if two single family dwelling homes could be constructed on the property? Mr. Williams stated they could.

 3/25/2021 7:42 PM Ms. Wagoner questioned the location of the entrance onto Walton Road.

 3/25/2021 7:48 PM Mr. Atkins and Mr. Pugh closed the public hearing and Mr. Atkins recessed the Board of Supervisors.

 3/25/2021 8:03 PM Chair, Atkins District Supervisor Charles Atkins called the Board of Supervisors meeting back to order and opened supervisor comment time.

Vice Chair, Rye Valley District Supervisor Lori Deel read the following resolution in support of National Ag Week:

A RESOLUTION IN RECOGNITION OF NATIONAL AG WEEK AND THE IMPORTANCE OF THE AGRICULTURAL ECONOMY IN SMYTH COUNTY

WHEREAS, the Agriculture Council of America (ACA) is a not-for-profit organization composed of leaders in the agricultural, food and fiber community, dedicating its efforts to increasing the public's awareness of agriculture's role in modern society; and,

WHEREAS, the ACA and the agricultural industry nationwide have proclaimed March 23rd, 2021 as National Ag Day in celebration of the contributions of America's farmers, growers and ranchers; and,

WHEREAS, the National Ag Day program believes that every American should (1) understand how food, fiber and renewable resource products are produced, (2) value the essential role of agriculture in maintaining a strong economy, (3) appreciate the role agriculture plays in providing safe, abundant and affordable products, and (4) acknowledge and consider career opportunities in the agriculture, food, fiber and renewable resource industries; and,

WHEREAS, agriculture is the leading industry in Smyth County and the agriculture community of Smyth County has long served our citizens and those well beyond our borders providing the sustenance that helped build the United States of America into the greatest country; and,

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF SMYTH COUNTY, VIRGINIA does hereby recognize March 23rd, 2021 as National Ag day and the week of March 21st through March 27th as National Ag Week in recognition and celebration of the agricultural economy of the County, region and nation.

Adopted this the 25th day of March, 2021

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles E. Atkins, Chair

A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to adopt the resolution as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Ms. Deel thanked those who spoke concerning the special use permit request and said there was a lot to consider. She expressed appreciation for her fellow Board members.

Chilhowie District Supervisor Michael Sturgill thanked everyone for working as a team. He reported that the Governor's Office will be allowing for outdoor graduation ceremonies this spring.

Royal Oak District Supervisor Judy Wyant wants to see the County prosper and move forward and she's glad to be a part of that. She wants to serve the citizens of the County as they deserve to be represented.

North Fork District Supervisor Phil Stevenson stated the Board is here to do the right thing. He discussed zoning and what a big issue it was when it was implemented. If the rules are followed, he's all for zoning. Zoning has to be respected because it was put in place to help people. The Board and Planning Commission are the ones who make the decisions for the whole County when it comes to special use permits. He doesn't agree with that – either have zoning or don't have it. He thanked the Board for welcoming him back tonight and letting him ask questions. Anybody who lives within the County should have the right to come in and speak at the meetings and be heard. He spoke about accountability and if there are rules in place they need to be lived by. Zoning is getting ready to be a major issue for the County and the rules for zoning need to be consistent.

Saltville District Supervisor Roscoe Call said he was glad to be at the meeting and it was good to see everyone.

Park District Supervisor Kris Ratliff thanked the Planning Commission for looking at the issues tonight from all angles and he supports their efforts of trying to be fair and balanced. He also thanked the Board for their hard work.

Chair, Atkins District Supervisor Charles Atkins expressed concern about special use being forever once it's passed. He appreciates the ability for the Board to talk and discuss issues and try to do the best for the County. He thinks the Board has done some good things. He encouraged everyone to pray for our country and local leaders.




3/25/2021 8:16 PM With no further business to discuss, the meeting was adjourned.

The Smyth County Board of Supervisors held its regular meeting on Tuesday, April 13, 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: Chair, Atkins District Supervisor Charles Atkins; Vice Chair Lori H. Deel, Rye Valley District Supervisor; Kris Ratliff, Park District Supervisor; Michael Sturgill, Chilhowie District Supervisor; Roscoe Call, Saltville District Supervisor; Judy Wyant, Royal Oak District Supervisor; Phil Stevenson, North Fork District Supervisor (7)

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant/Economic Development Kendra Hayden; Administrative Assistant Christy Bise, Administrative Assistant Paula Harvey (5)

OTHERS: Smyth County Sheriff's Deputy, Smyth County News and Messenger, and citizens

 4/13/2021 5:02 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone. Sandy Elswick, Registrar, led the Pledge of Allegiance. Pastor Alan Gray, Royal Oak Presbyterian Church, gave the invocation.

 4/13/2021 5:05 PM No amendments were made to the meeting agenda.

 4/13/2021 5:06 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori H. Deel to approve the minutes from the March 9th and March 25th, 2021 meetings. Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

Chair, Atkins District Supervisor Charles Atkins introduced new county employees Dennis Greer, Maintenance Supervisor, and Paula Harvey, Administrative Assistant.



4/13/2021 5:07 PM Lisa Richardson, Assistant County Administrator, reviewed the County financial information.

Vice Chair, Rye Valley District Supervisor Lori Deel asked for further clarification from the Treasurer's office on uncollected taxes. Mr. Utt noted that he is working with the Treasurer's office on formatting the financial reports to reflect more accurately. .



4/13/2021 5:13 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following payment of invoices:

General County	
Accounts Payable Listing	\$1,492,944.15
Payroll	\$745,000.00
Auto Draft Rural Development	\$15,515.00
Utilities/Misc	\$30,000.00
County Administration Fund	\$5,000.00
Total County Appropriation (including carryover):	\$2,275,000.00

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE



4/13/2021 5:13 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Social Services appropriations:

Social Services	
(April 14 – 30, 2021)	\$385,000.00
(May 1 – 11, 2021)	\$60,000.00
Total Social Services:	\$445,000.00

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration the motion PASSED by the following vote:

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

NAYES: NONE

ABSTAINERS: NONE

ABSENT: NONE



4/13/2021 5:14 PM Saltville District Supervisor Roscoe Call made a motion to approve the following School Board appropriations:

Schools-Operating Fund	
Instruction	\$2,750,000.00
Administration, Attendance, & Health	\$130,000.00
Transportation	\$170,000.00
Facilities	\$350,000.00
School Food Service	\$255,000.00
Technology	\$240,000.00
Total School Operating Fund:	\$3,895,000.00
School Textbook Fund	\$0.00

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:


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

*Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson*

NAYS: NONE

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: NONE

 4/13/2021 5:14 PM Saltville District Supervisor Roscoe Call made a motion to approve the following School Board appropriations:

School Debt and Capital Outlay	\$56,000.00
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North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote.

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson*

NAYS: NONE

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: NONE

 4/13/2021 5:15 PM Saltville District Supervisor Roscoe Call made a motion to approve the following EDA Fund 4 appropriations:

EDA Fund 4	\$985.00
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North Fork District Supervisor Phil Stevenson seconded the motion:

After consideration, the motion PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE



4/13/2021 5:16 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Sheriff Fund 748 appropriations:

Sheriff Fund 748	\$3,138.03
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North Fork District Supervisor Phil Stevenson seconded the motion:

After consideration, the motion PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE



4/13/2021 5:16 PM Saltville District Supervisor Roscoe Call made a motion to approve the following Recovery Fund 749 appropriations:

Recovery Court Fund 749	\$926.19
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North Fork District Supervisor Phil Stevenson seconded the motion:

After consideration, the motion PASSED by the following vote.

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


NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE


 4/13/2021 5:17 PM Chair, Atkins District Supervisor, Charles Atkins opened citizens time.

With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time. County Administrator Shawn Utt noted that he received a telephone call from Mr. Nathan Gary, the Operations Manager of Saltville Rescue Services, Inc., apologizing for not being at the meeting this evening and wanted to ensure the Board that he would indeed be at the April 22nd meeting to provide the requested presentation.


 4/13/2021 5:18 PM Roland Kooch from Davenport & Company LLC presented the General Fund/Utility Enterprise Fund Review.

Park District Supervisor Kris Ratliff asked Mr. Kooch for clarification on the water and sewer fund rates. Mr. Ratliff asked if other counties mirrored this data. Mr. Kooch added that typically rates are adjusted every couple of years to keep up department funding levels. Mr. Utt also added that out of all the county customers that most are water-only customers, not water and sewer, so they would not see the whole increase that was shown but only half. North Fork District Supervisor Phil Stevenson noted that the utilities are sustaining, but there are no funds available for future repairs that might become necessary. Chair, Atkins District Supervisor Charles Atkins thanked Roland Kooch for his presentation.

 4/13/2021 5:54 PM Chair, Atkins District Supervisor Charles Atkins called for a five-minute recess.

 4/13/2021 5:59 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.

School Superintendent Dr. Dennis Carter presented information on the school board's FY21/22 budget.

 4/13/2021 6:35 PM County Administrator, Shawn Utt presented a draft copy of the proposed FY21/22 County budget. After discussion, he noted he is working to finalize the information and is requesting the Board to schedule four public hearings for the May 11, 2021 meeting. The hearings will be for (1) the FY21/22 County budget, (2) the proposed meals tax, (3) the proposed cigarette tax, and (4) the water and sewer rate increases.

- *Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to schedule the four public hearings on May 11, 2021 beginning at 5:30 pm. Chilhowie District Supervisor Michael Sturgill seconded the motion.*

After consideration, the motion PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE



4/13/2021 6:49 PM Building and Zoning Administrator, Clegg Williams presented the recommendations from the Planning Commission as follows:

1. Special Use Permit request by Gregory Gordon for a restaurant on Allison Gap Road.

Commissioner Wagoner made the motion to recommend approval for Gregory Gordon's proposal for a special use permit for a restaurant. Mr. Davidson seconded the motion. After consideration, the motion PASSED by the following vote:

Vote: 5 yeas Pugh, Davidson, Jr, Wagoner, Shepherd, Dean
0 nays
2 absent Spence, Campbell

After consideration, the motion PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

2. Special Use Permit request by David Peake for multi-family dwelling units on Walton Road.

Recommendation on the proposal for David Peake for a Special Use Permit for a Multi Family Dwelling Unit:

Commissioner Dean made the motion to recommend to the Board of Supervisors that they deny David Peake's proposal as presented. Mr. Davidson seconded the motion. After consideration, the motion PASSED by the following vote:

<i>Vote:</i>	<i>3 yeas</i>	<i>Davidson, Jr, Shepherd, Dean</i>
	<i>2 nays</i>	<i>Pugh, Wagoner</i>
	<i>2 absent</i>	<i>Spence, Campbell</i>

Vice Chair, Rye Valley District Supervisor Lori Deel advised there are different points of view and those need to be discussed. Ms. Deel said that she understands the citizen's concerns, but she does not want to vote against growth. Ms. Deel says she feels this is a step in the right direction and she is in support of sending the request back to the Planning Commission for further consideration.

North Fork District Supervisor Phil Stevenson said he understands the need for housing and growth, but he wants citizens to have input.

Saltville District Supervisor Roscoe Call agrees to go along with the commission recommendation, but he does want to see growth and encourages Mr. Peake to reapply.

Royal Oak District Supervisor Judy Wyant reported she had driven by the property and would like to see the apartments built up to higher standard.

After further discussion by the Board, a motion was made by North Fork District Supervisor Phil Stevenson to uphold the Planning Commission's recommendation to deny Mr. Peake's special use permit request. The motion was seconded by Saltville District Supervisor Roscoe Call.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

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

ABSTAINERS: None.

ABSENT: None.

The following alternative motion was then presented:

A motion was then made by Vice Chair, Rye Valley District Supervisor Lori Deel to send Mr. Peake's request back to the Planning Commission for reconsideration to add conditions on the special use permit to allow for development of the property.

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

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

*NAYS: North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call.*

ABSTAINERS: None.

ABSENT: None.



4/13/2021 7:01 Mr. Utt reviewed the vision, mission, and goals discussed at the Board Retreat back in January. Mr. Utt asked for the Board's consideration of adopting the vision, mission, and goals as an official document. Royal Oak District Supervisor Judy Wyant stated she had a few concerns and would like the community to be involved in developing visions and goals for the county. Mr. Utt noted citizen input would be included as part of the comprehensive plan process. Mr. Atkins noted he would like to see these vision and goals adhered to until the 18-month comprehensive plan process has been completed. Mr. Utt agreed that the direction of staff would follow these goals developed by the Board.



4/13/2021 7:04 PM Mr. Utt presented the draft Ordinance for the Mount Rogers Cigarette Tax Board, which includes the participation agreement, that was presented at the public hearing at the March 25th, 2021 Board Meeting. He reminded the Board adoption of this ordinance only makes the county a member of the Mount Rogers Cigarette Tax Board; it does not enact a county cigarette tax.

A motion was made by Chilhowie District Supervisor Michael Sturgill approving the Ordinance as presented and directing Mr. Utt to execute the Agreement on behalf of the County to become a member of the Mount Rogers Cigarette Tax Board. Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

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

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

AN ORDINANCE APPROVING THE FORMATION OF A JOINT ENTITY TO BE KNOWN AS THE MOUNT ROGERS CIGARETTE TAX BOARD AND BESTOWING ON SUCH ENTITY ALL POWERS NECESSARY AND PROPER FOR THE PERFORMANCE OF ITS DUTIES AS PROVIDED BY LAW

WHEREAS, pursuant to the authority granted to localities under § 15.2-1300 of the Code of Virginia, 1950, as amended, the Board of Supervisors of Smyth County has determined that it would serve the public interest to establish a joint entity to be known as the Mount Rogers Cigarette Tax Board (the "Board") in order to efficiently administer the collection, accounting, disbursement, compliance monitoring and enforcement of cigarette taxes assessed by the localities desiring to join the Board; and

WHEREAS, the Smyth County Board of Supervisors has reviewed an agreement establishing the Board and defining its' powers, duties and other procedures, the text of which is attached hereto and incorporated herein as "Exhibit A," and is in agreement with the terms as set forth therein; and,

WHEREAS, the aforementioned agreement provides that it shall become effective upon the approval by the governing bodies of at least two (2) localities within the Mount Rogers Planning District and the execution of said agreement by their authorized representatives; and,

WHEREAS, the Smyth County Board of Supervisors wishes to authorize the formation of the Board with the County of Smyth as a member thereof, and authorize the execution of said agreement by the County Administrator on its behalf.

NOW WHEREFORE, the Board of Supervisors of Smyth County hereby ORDAINS AS FOLLOWS:

1. Under authority of 15.2-1300, and upon the approval and execution of two (2) or more localities within the Mount Rogers Planning District, there is hereby created and established the Mount Rogers Cigarette Tax Board, which shall act as the agent of the localities for the administration of their respective cigarette tax ordinances.

2. The agreement, attached hereto as Exhibit A, is hereby APPROVED and the County Administrator is authorized to execute the same on behalf of the governing body; and

3. The powers and authority of the Board, as set forth in the agreement are hereby APPROVED.

This Ordinance shall be effective July 1, 2021.

Member	Vote
Charles E. Atkins	<u>Yes</u>
Roscoe D. Call	<u>Yes</u>
Lori H. Deel	<u>Yes</u>
Kristopher S. Ratliff, DPh	<u>Yes</u>
Charles P. Stevenson	<u>Yes</u>
Michael L. Sturgill	<u>Yes</u>
Judy Wyant	<u>Yes</u>

Adopted this the 13th day of April, 2021.

Attest:

Clerk of the Smyth County Board of Supervisors

MOUNT ROGERS AREA CIGARETTE TAX AGREEMENT

This Agreement, dated the ____ day of _____, 2021 is entered into by and between

- 1) The City of Galax, Virginia;
- 2) The County of Carroll, Virginia;
- 3) The County of Grayson, Virginia;
- 4) The County of Wythe, Virginia;
- 5) The Town of Hillsville, Virginia;
- 6) The Town of Independence, Virginia;
- 7) The County of Smyth, Virginia;
- 8) The County of Bland, Virginia;
- 9) The County of Washington, Virginia;
- 10) The Town of Rural Retreat, Virginia

11) The Town of Wytheville, Virginia

12) The Town of Chilhowie, Virginia

13) The Town of Marion, Virginia

14) The Town of Saltville, Virginia

or any two or more of the foregoing, and provides as follows:

WHEREAS, the parties hereto (the "Member Jurisdictions") desire to enter into an Agreement for the purpose of the establishment of the Mount Rogers Cigarette Tax Board (the "Board") for the joint administration, collection, and enforcement of their respective Cigarette Tax Ordinances pursuant to the provisions of these ordinances and § 15.2-1300 and §§ 58.1-3830, *et. seq.*, of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, the parties hereby enter into the following agreement.

1. NAME AND DURATION

The Board shall be called the Mount Rogers Cigarette Tax Board. Its duration shall be perpetual, subject to the provisions of Paragraph 8 herein.

2. MEMBERSHIP AND VOTING POWERS

The Board shall be composed of one representative from each jurisdiction currently named herein and one representative from those jurisdictions later added with the consent of the Board in conformity with Section 10. The chief administrative officer of each of the member jurisdictions (County Administrator, City Manager or Town Manager, as applicable) or designee shall constitute that jurisdiction's Board representative, and such officer may designate an alternate to attend meetings and vote in his or her place by written notice delivered to the Board Chair prior to the meeting at which the alternate will attend. A majority of the representatives from the member

jurisdictions shall constitute a quorum for transaction of business. Action of the Board shall be by majority vote of those present and voting, with the exception of adding new members to the Board, which shall require the approval by the majority of the entire Board membership. In all matters, each jurisdiction shall be entitled to only one vote.

3. OFFICERS AND MEETINGS

Each year, the Board shall elect a Chair, Vice-Chair, and Secretary/Treasurer, who shall serve for a term of one (1) year, unless removed by majority action of the Board. The aforementioned officers shall be chosen from the members of the Board, and shall be empowered to sign in the name of the Board on all legal documents, including bank deposits and withdrawals. The Board shall meet from time to time as needed, and shall meet at least quarterly, however, additional meetings may be called at any time by action of the Chair or upon the request of three (3) or more members by submitting such request to the Chair or Administrator in writing.

The Board may adopt bylaws, procedural rules and other policies to regulate its affairs not inconsistent with this Agreement. Minutes shall be kept for all meetings in conformity with the Virginia Freedom of Information Act.

4. POWERS OF THE BOARD

The Board shall be delegated the following powers from the member jurisdictions:

- a. The power to assess, collect and disburse the cigarette taxes levied by and for each member jurisdiction;
- b. The power to audit the sale or use of cigarettes within each member jurisdiction;
- c. The power to provide information to the appropriate law enforcement agencies of the affected member jurisdictions for the purpose of prosecution of criminal violations of the member jurisdiction's cigarette tax laws and ordinances;

- d. The power to hire, supervise, discharge and manage an Administrator to oversee the day-to-day operations of the Board;
- e. The power to establish and manage general operating funds (ie, annual budget) to ensure proper funding of Board operations on an ongoing basis;
- f. The power to employ auditors for review of the Board's finances, and employ accountants, legal counsel, and other advisors as the Board deems necessary or advisable to discharge its' duties;
- g. The power to designate one or more depository bank or banks for tax funds collected;
- h. The power to contract with one or more member jurisdictions for provision of administrative, fiscal and personnel services;
- i. The power to hold and convey personal property. The Board shall have no power to hold or convey real property;
- j. The power to enter into contracts, including without limitation the power to enter into contracts with public bodies for the availability and provision of office and storage space, office and other equipment, and for the use of motor vehicles;
- k. The power to hire, supervise and discharge such other employees as the Board may deem necessary or expedient to carry out its duties and powers;
- l. The power to contract for benefits for Board employees;
- m. Any other powers granted to the Board by other provisions of this Agreement, by the respective local ordinances of the member jurisdictions, and by the Code of Virginia (1950), as amended.

5. LIABILITY INSURANCE

The Board is hereby authorized and directed to maintain insurance coverage appropriate to the nature of the Board's operations. General liability insurance shall be maintained through a commercial general liability policy in limits of not less than One Million Dollars (\$1,000,000) the Board shall maintain worker's compensation coverage in at least the statutorily required minimum amounts.

6. ADMINISTRATOR

The Board shall appoint an Administrator, who shall be responsible for the normal, day-to-day operations of the Board in administration of the Cigarette Tax Ordinances adopted by each of the member jurisdictions. The Administrator shall serve at the pleasure of the Board and under such terms and conditions of employment as the Board shall deem appropriate, which may include the power of the Administrator to hire, train, discipline and discharge subordinate employees as needed to carry into effect the purposes and duties of the Board, contingent upon creation by the Board of such subordinate positions. The Administrator shall act as the chief employee of the Board, and shall answer to and be under the supervision of the Board. The Administrator shall attend Board meetings and report to the Board on expenditures of the Board, projected revenues, and other matters relevant to the efficient administration of the Board. The Board may adopt such contracting and purchasing policies as it may deem appropriate, consistent with the Virginia Public Procurement Act and other applicable laws and regulations, and delegate to the Administrator the authority and responsibility for administration thereof. The duties of the Administrator shall include, but are not limited to the following:

- a. Preparation of annual administrative cost estimates;

- b. Reporting to the Board with recommendations as to the creation of employment positions needed to carry into effect the purposes and duties of the Board;
- c. Hiring, management, evaluation, training, discipline and discharge of employees in such employment positions created by the Board;
- d. Contracting, with the approval of the Board, for equipment, supplies, employee health and retirement benefits and other benefits as approved by the Board;
- e. Preparation of such other reports as the Board may require;
- f. Review and authorization of disbursements from Board accounts, including without limitation regular disbursements of tax revenue from member jurisdictions.

7. COLLECTION OF THE CIGARETTE TAX

The cigarette tax shall be assessed and collected according to the respective ordinances and according to the rules, regulations and procedures adopted by the Board.

8. DISBURSEMENT OF RECEIPTS, MANAGEMENT OF FUNDS

- a. Disbursements shall be made to each member jurisdiction on a monthly basis. Prior to disbursement to member jurisdictions, expenses for the applicable period shall be deducted from total revenues and allocated to the jurisdictions proportionately based upon the number of taxable packs of cigarettes reported within the jurisdiction during the period as compared to the total number of taxable packs of cigarettes reported in all the member jurisdictions. The disbursement to each member jurisdiction shall be determined by the tax rate of the jurisdiction multiplied by the taxable packs of cigarettes reported within the jurisdiction, plus interest and penalties assessed within the jurisdiction in question, plus the jurisdiction's proportional share of all other revenues, less discounts and proportional expenses.

- b. The Board shall adopt an annual budget and provide a copy thereof to each of the member jurisdictions. The Board shall establish an operating fund, taking into account the anticipated revenues and expenditures for each year.
- c. All monies shall be deposited in the name of the Mount Rogers Cigarette Tax Board. All checks drawn on Board accounts shall require the signature of the Administrator and at least one Board Officer.

9. TERMINATION

- a. In the event any member jurisdiction decides, by ordinance, to terminate its participation in the Board, notice thereof shall be given to the Board no fewer than sixty (60) days prior to the effective date of such termination. The terminating jurisdiction shall receive within thirty (30) days of the effective date of termination its proportionate share of total revenues less its proportionate share of expenses, operating fund, and depreciated value of tangible personal property owned by the Board. The representative of such terminating jurisdiction shall cease to be a member of the Board as of the effective date of the termination and thereafter the terminating jurisdiction shall have no rights to participate in the business or operations of the Board, and the terminating jurisdiction shall thereafter have sole rights and responsibility for collection and enforcement of its local cigarette tax.
- b. In the event the number of member jurisdictions is less than two (2) in number, the Board shall dissolve and cease to exist. In such event, the Board, prior to dissolution, shall liquidate all assets and disburse the proceeds to each member jurisdiction that has not previously received a payment pursuant to Paragraph 9(a). Such distribution shall be

proportionate to the number of taxable packs of cigarettes reported in the jurisdiction in question during the preceding twelve (12) months as compared to the taxable packs of cigarettes reported in the preceding twelve (12) months in all jurisdictions constituting the Board at the time of dissolution.

10. IMPLEMENTATION

Each member jurisdiction shall by ordinance signify its desire and agreement to become a member of the Board and its acceptance of the provisions of this Agreement. This Agreement shall become effective upon the adoption of such ordinances and execution of this agreement by any two (2) of the jurisdictions below, and thereafter any jurisdiction named below may join as a member upon the adoption of such ordinance and execution by its authorized representative, and upon payment of any shared expenses as may be determined by the Board. Upon such execution and payment, this agreement shall become operative as to the jurisdiction in question.

Jurisdictions other than those named below may be added to the Board by upon agreement of a majority of the Board, and upon adoption of an ordinance by the governing body of the jurisdiction to be added, execution of this Agreement, and payment into the Board of any shared expenses as may be determined by the Board.

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MOUNT ROGERS CIGARETTE TAX BOARD AGREEMENT SIGNATURE PAGE.

The City of Galax, Virginia

Signature

Printed Name

Title

The County of Carroll, Virginia

Signature

Printed Name

Title

The County of Grayson, Virginia

Signature

Printed Name

Title

The County of Bland, Virginia

Signature

Printed Name

Title

SIGNATURES CONTINUED ON FOLLOWING PAGE

MOUNT ROGERS CIGARETTE TAX BOARD AGREEMENT SIGNATURE PAGE (contd.)

The County of Smyth, Virginia

The County of Wythe, Virginia

Signature

Signature

Printed Name

Printed Name

Title

Title

The Town of Hillsville, Virginia

The Town of Wytheville, Virginia

Signature

Signature

Printed Name

Printed Name

Title

Title

SIGNATURES CONTINUED ON FOLLOWING PAGE

MOUNT ROGERS CIGARETTE TAX BOARD AGREEMENT SIGNATURE PAGE (contd.)

The Town of Independence, Virginia

The County of Washington, Virginia

Signature

Signature

Printed Name

Printed Name

Title

Title

The Town of Rural Retreat, Virginia

The Town of Chilhowie, Virginia

Signature

Signature

Printed Name

Printed Name

Title

Title

SIGNATURES CONTINUED ON FOLLOWING PAGE

MOUNT ROGERS CIGARETTE TAX BOARD AGREEMENT SIGNATURE PAGE (contd.)

The Town of Marion, Virginia

The Town of Saltville, Virginia

Signature

Signature

Printed Name

Printed Name

Title

Title



4/13/2021 7:07 PM Acting Chair, Saltville District Supervisor Roscoe Call presented the following recommendations from the Appointment Committee meeting held on March 30, 2021.

- *Southwest Virginia Emergency Medical Services Council Board – Curtis Crawford as the Smyth County representative to the Southwest Virginia Emergency Services Council Board to replace David Haynes, Chilhowie Fire Chief, who is stepping down. Mr. Crawford's term four-year term would expire 4-30-2025.*

A motion was made by Atkins District Supervisor Charles Atkins to approve the appointments to the Southwest Virginia Emergency Medical Services Council Board and Wytheville Community College Board as recommended. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.

After consideration, the Appointment Committee recommendation PASSED by the following vote.

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

North Fork District Supervisor Phil Stevenson

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

- *Wytheville Community College – Malcolm Brown's term expires June 30, 2021. The college has reached out about his reappointment because their Board's nominating committee is proposing to nominate Mr. Brown to serve as their next Board Chairman. Mr. Brown's four-year term would expire 6-30-2025.*

A motion was made by Atkins District Supervisor Charles Atkins to approve the appointments to the Southwest Virginia Emergency Medical Services Council Board and Wytheville Community College Board as recommended. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.


After consideration, the Appointment Committee recommendation PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

 4/13/2021 7:09 PM Chilhowie District Supervisor Michael Sturgill read the minutes of the Broadband & Telecommunications Committee held on April 1, 2021. Vice Chair, Rye Valley District Supervisor Lori Deel expressed her appreciation for the Broadband expansion in her district and thanked everyone for their hard work. Mr. Sturgill added that the project is expected to start in July 2021. There were no action items from the committee meeting for the Board's consideration.

 4/13/2021 7:14 PM Chair, Atkins District Supervisor Charles Atkins presented the following recommendations from the Budget Committee meetings.

- 1) After a discussion on delinquent taxes and options for collections, the Committee felt the Ordinance Committee should consider options for allowing for more broad collections.

Rye Valley District Supervisor Lori Deel made a motion to recommend the ordinance committee review the process to allow delinquent personal property taxes to go to collections, similar to the process for delinquent real estate taxes. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.

After consideration, the Budget Committee recommendation PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

- 2) Mr. Utt presented a budget amendment regarding the Economic Development Authority's Fund 004.

Economic Development Authority's Fund 4.

<u>Revenue</u>		
<u>Line Item</u>	<u>Description:</u>	<u>Amount:</u>
004-010000-0010	Pathway Park Site Work	\$20,000.00
004-010000-0011	SWIFA Property Sale Proceeds	\$268,880.15
004-010000-0008	Smyth Strong CARES Fund (from Towns)	\$40,000.00

<u>Expense</u>		
<u>Line Item</u>	<u>Description:</u>	<u>Amount:</u>
004-012010-5500	Pathway Park Site Work	\$20,000.00
004-012010-5600	Economic Development Activities	\$268,880.15
004-012010-5403	Smyth Strong CARES Fund	\$40,000.00

- A motion was made by Rye Valley District Supervisor Lori Deel to approve budget amendment #7 as presented. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.*

After consideration, the Budget Committee recommendation PASSED by the following vote.

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

- 3) *Mr. Utt presented a request from Kendra Hayden regarding the TROF Revenue Sharing agreement for three recent economic development projects.*

Mr. Utt presented the following TROF grant 5% revenue-sharing funds for Scholle, Smyth Machine, and Speyside Bourbon. These funds can be paid out of the Economic Development Activities fund following the anticipated approval of budget amendment #7 as presented above:

<i>Project:</i>	<i>New Revenue Received:</i>	<i>Due to the Commission</i>
<i>Speyside Bourbon Cooperage #3451</i>	<i>\$316,117.76</i>	<i>\$15,805.89</i>
<i>Scholle, IPN #3506</i>	<i>\$25,818.73</i>	<i>\$ 1,290.94</i>
<i>Smyth Machine #3485</i>	<i>\$33,400.03</i>	<i>\$ 1,670.00</i>
<i>Total</i>	<i>\$375,336.52</i>	<i>\$18,766.83</i>

- A motion was made by Royal Oak District Supervisor Judy Wyant to approve payment of the TROF grant revenue-sharing funds as presented. 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
Saltville District Supervisor Roscoe Call,
Chilhowie District Supervisor Michael Sturgill, and
North Fork District Supervisor Phil Stevenson*

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

- 4) *Personal Property Tax Revenue Sharing for airplanes based at Mountain Empire Regional Airport.*

- *A motion was made by Rye Valley District Supervisor Lori Deel to approve the payment to Wythe County for the shared airplane personal property taxes for tax year 2020. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved*

After consideration, the motion PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

5) BAI Municipal Software invoice savings option:

- *A motion was made by Royal Oak District Supervisor Judy Wyant to pay the invoice to BAI Municipal Software in the amount of \$14,624.00 out of the FY20 budget from the Board of Supervisors capital outlay line. The motion was seconded by Lori Deel and unanimously approved*


After consideration, the Budget Committee recommendation PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

 4/13/2021 7:30 PM Vice Chair, Rye Valley District Supervisor Lori Deel presented the following recommendations from the April 1, 2021 Building and Grounds Committee Meeting.

1) Courthouse renovations for the Southwest Virginia Community Corrections office space:

- *A motion was made by Chilhowie District Supervisor Mike Sturgill to accept the bid in the amount of \$109,681 from Trademark of Va Construction for renovations at the Courthouse for the Southwest Virginia Community Corrections office space. Park District Supervisor Kris Ratliff seconded the motion and it was unanimously approved.*

After consideration, the Building and Grounds Committee recommendation PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

2) Morison Building HVAC Design Services proposal:

- *A motion was made by Chilhowie District Supervisor Mike Sturgill to authorize Mr. Utt to execute task order #4 from Thompson and Litton for design services of the Morrison Building HVAC system. The motion was seconded by Park District Supervisor Kris Ratliff and unanimously carried.*

After consideration, the Building and Grounds Committee recommendation PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

 4/13/2021 7:35 PM Park District Supervisor, Kris Ratliff presented the following recommendation from the Personnel Committee on April 1, 2021.

- *Atkins District Supervisor Charles Atkins made a motion to revise the leave accrual process and the amount of time that can be rolled over from year to year as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously carried.*

After consideration, the Personnel Committee recommendation PASSED by the following vote.

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

Mr. Atkins would like for Mr. Utt to provide the Board with copies of the health insurance rate comparison with other localities.

 4/13/2021 7:39 PM Vice Chair, Rye Valley District Supervisor Lori Deel presented the following recommendations from the Public Safety Committee.

1) EMS Services for Saltville/Rich Valley/N. Smyth County Service Areas:

K. Ratcliff made a motion that the board accept presentations from Saltville Rescue Squad, Town of Saltville, and Mr. C. Crawford on the future plans for the Saltville area EMS on April 22nd at 7pm. This meeting will be presentations and questions only with the Board of Supervisors. Discussion will follow at the May Public Safety Committee Meeting with a recommendation made to the May Board Meeting. Second by L. Deel. Unanimous approval.

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


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


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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE


 4/13/2021 7:47 PM There was no new business items to discuss.

 4/13/2021 7:47 PM County Administrator Report – Mr. Utt presented information on the VDOT Six-year Improvement Plan for FY22 to FY27. Royal Oak District Supervisor Judy Wyant expressed concern on how it was determined what roads would be included in the project. Ms. Wyant added that there were other road needs in her district and that she doesn't want to see major projects go to just one district within the county. She also added that a plan of action was needed so that residents are not continually put off when bringing up road concerns. The Board agreed they would like VDOT to be at future board meetings to provide more frequent updates. Mr. Utt will reach out to VDOT to get them on the upcoming Board schedule. Mr. Utt asked the board to schedule a public hearing to review the VDOT Six-Year Improvement Plan on April 22nd at 7:00 p.m.

North Fork District Supervisor Phil Stevenson made a motion to schedule the VDOT Six-year Improvement Plan public hearing on April 22nd, 2021 at 7:00 p.m. Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

 4/13/2021 7:59 PM Chair, Atkins District Supervisor Charles Atkins opened supervisor comment time.

Chilhowie District Supervisor Michael Sturgill reported that the Chilhowie District representative on the Library Board, Jim Payne, has resigned for personal reasons. Mr. Sturgill has spoken with Nellie Harmon and she is willing to serve on the Board.

A motion was made by Chilhowie District Supervisor Michael Sturgill to appoint Nellie Harmon, 371 Venice Drive, Marion, VA 24354, to fill the unexpired term of Jim Payne on the Smyth County Library Board. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

Ms. Harmon's term will expire 6/30/2024.

Park District Supervisor Kris Ratliff discussed the developments of the Johnson & Johnson vaccine and added that the FDA and CDC have put that vaccine on hold for now but to hang tight. Mr. Ratliff added that while only 6 people out of 7 million of the J&J vaccines have experienced blood clots that it was still significant enough to pause the vaccine for further research. He also added that he enjoys working with the board.

Saltville District Supervisor Roscoe Call said that he was glad to see everyone back and for everyone to stay safe.


North Fork District Supervisor Phil Stevenson had no comment.

Royal Oak District Supervisor Judy Wyant said that the county is making great progress and that the Covid cases are going down. Ms. Wyant said she appreciated Dr. Carter and the presentation he gave on the school board's budget. She also added that she looks forward to the next few months of progress.

Vice Chair, Rye Valley District Supervisor Lori Deel stated that the bigger picture needs to be looked at when making zoning decisions within the county. She is frustrated with the uncollected taxes in the county. Ms. Deel stated that it is unfair to people who pay taxes on time and the county needs to do a better job on collecting those taxes moving forward.

She added that she appreciates the board and all staff and is looking forward to a good year.

Chair, Atkins District Supervisor Charles Atkins added to please be safe from Covid and that he was happy to see everyone back in one room again. He added to please go home and go through the budget before the next public hearing. Mr. Atkins advised for everyone to be safe.

 4/13/2021 8:07 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to enter into closed session under Code of Virginia Section 2.2-3711(a) 3 – Discussion for consideration of the disposition or acquisition of publicly held property (1 item – Church Street Property), Code of Virginia 2.2-3711(a)5 – Discussion concerning prospective business or industry, or the expansion of an existing business or industry, where no previous announcement has been made of the business or industry’s interest in locating or expanding its facilities in the community (1 item- Project Cardinal), Code of Virginia 2.2-3711(a)7 – Consultation with legal counsel and briefings by staff members pertaining to actual or probable litigation (2 items – Jericho suit & Adwolfe Sewer Project).


After consideration, the motion PASSED by the following vote:

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

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE

 4/13/2021 8:24 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel, 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, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: NONE

ABSTAINERS: NONE

ABSENT: NONE



4/13/2021 8:26 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for Thursday, April 22nd, 2021 at 7:00 p.m.


The Smyth County Board of Supervisors held its regular meeting on Thursday, April 22, 2021 at 7:00 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: Chair, Atkins District Supervisor Charles Atkins; Vice Chair Lori H. Deel, Rye Valley District Supervisor; Kris Ratliff, Park District Supervisor; Michael Sturgill, Chilhowie District Supervisor; Roscoe Call, Saltville District Supervisor; Phil Stevenson, North Fork District Supervisor (6)

ABSENT: Royal Oak District Supervisor Judy Wyant

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey; Emergency Services Coordinator Curtis Crawford

OTHERS: Smyth County Sheriff's Deputy, Smyth County News and Messenger, representatives from the Virginia Department of Transportation and citizens, Operational Director Nathan Gary, EMS Chief Kyle Brewster, Saltville Town Manager Brian Martin, Smyth County Operation Medical Director Dr. Peter Bruzzo

 4/22/2021 7:06 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 4/22/2021 7:06 PM Chair, Atkins District Supervisor Charles Atkins opened the VDOT public hearing. County Administrator, Shawn Utt read the public hearing notice for the record as follows:


Public Hearing Notice


The Virginia Department of Transportation and the Board of Supervisors of Smyth County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the Board Meeting Room of the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia 24354 at **7:00 p.m., or as soon thereafter as possible, on Thursday, April 22, 2021.** The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2021/22 through 2026/27 in Smyth County and on the Secondary System Construction Budget for Fiscal Year 2021/22. Copies of the proposed Plan and Budget may be reviewed by contacting the Abingdon Residency Office of the Virginia Department of


Transportation at (276) 676-5582 or at the Smyth County offices located at 121 Bagley Circle, Marion, Virginia 24354.

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

Persons requiring special assistance to attend and participate in this hearing should contact the Virginia Department of Transportation at (276) 676-5582. Persons wishing to speak at this public hearing should contact the Smyth County Board of Supervisors at (276) 783-3298.

 4/22/2021 7:08 PM Mr. Allan Sumpter presented the VDOT Six-Year Secondary System Plan. In discussion, Mr. Sumpter indicated that under the VDOT Six-Year Secondary System Plan that in order for a road to qualify, it needed to be unpaved or with no surface treatment and have a traffic count of at least 50 vehicles traveled per day.. He presented the draft list of projects which were also included in the draft resolution. Mr. Sumpter advised he was here to seek approval from the Board and answer any questions they may have.

 4/22/2021 7:20 PM With no one wishing to speak, Chair, Atkins District Supervisor closed the Public Hearing.

 4/22/2021 7:20 PM *A motion to waive the Rules of Procedure for Public Hearings was made by Saltville District Supervisor, Roscoe Call. North Fork District Supervisor, Phil Stevenson seconded the motion.*


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: NONE

ABSTAINERS: NONE

ABSENT: Royal Oak District Supervisor, Judy Wyant

 4/22/2021 7:21 PM *A motion was made by Saltville District Supervisor Roscoe Call to adopt the VDOT Six-Year Secondary System Plan for FY22-27 and the FY2021/22*

Construction Priority List. North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: NONE

ABSTAINERS: NONE

ABSENT: Royal Oak District Supervisor, Judy Wyant



4/22/2021 7:21 PM Mr. Allan Sumpter, Residency District Engineer for VDOT continued discussion on updates and operations at the VDOT residency. He added that he plans to have handouts to provide to the Board on a monthly basis for updates. Mr. Sumpter noted that he plans to come in-person once a quarter to the Board of Supervisors meeting to address any questions or concerns. Mr. Sumpter introduced 2 new VDOT employees who are natives of Smyth County, Josh Lewis and Matthew Lewis.

North Fork District Representative Phil Stevenson said it was good to have both Lewis's on board and welcomed them.


Saltville District Supervisor Roscoe Call said that residents in his district are calling about McKee Street and McGrady's Gap; he advised that only half of the road is currently paved and the other half is really bad. Mr. Call thanked Mr. Sumpter for coming to speak to the Board.

Vice Chair, Rye Valley District Supervisor Lori Deel stated that Route 650 (Comer's Creek Road) was an unpaved road and she would like to see it paved and she appreciated those who recently came to do patch work on the gravel road. Mr. Sumpter responded that VDOT will look at the current traffic count to see if it is a possible future project.

Chair, Atkins District Supervisor Charles Atkins thanked Mr. Allan Sumpter for coming to speak to the Board.

County Administrator, Shawn Utt advised that he can get in touch with Mr. Allan Sumpter from VDOT at any time if Board Members have any questions or concerns.

Mr. Allan Sumpter thanked the Board again for allowing him to come and speak.

 4/22/2021 7:41 PM Nathan Gary, Operational Director for the Saltville Rescue Squad gave a presentation for Saltville Rescue, Inc. The Rescue Squad is requesting a funding increase from the Board. Mr. Gary gave a presentation to the Board regarding his proposed operational plans for moving the agency forward.

North Fork District Supervisor, Phil Stevenson asked Mr. Gary what his ideas or plans were to improve current call response time. Mr. Gary stated that a second truck would improve call response time. Mr. Stevenson advised with the request of additional funding he would like to see a plan to reach the farther areas of the county and also add an additional truck to the Nebo Fire Department. Mr. Gary responded that he does not feel farther outreach can be done without adding another station or by adding a 24/7 crew.


Park District Supervisor, Kris Ratliff asked Mr. Gary how old the trucks in the current fleet are. Mr. Gary responded that the current fleet includes a 2008 and a 2012 2-wheel drive and they have an older 2006 4-wheel drive that is used during the winter months. Mr. Ratliff also asked how many of the staff are ALS (Advanced Life Support) and how many are BLS (Basic Life Support) trained. Mr. Gary answered that today on staff 4 are ALS and 10 are BLS. He noted that he expected two additional staff to be certified as ALS by the summer.

Chilhowie District Supervisor, Michael Sturgill asked Mr. Gary for an assessment as to the strengths on the Saltville Rescue Squad and what they could improve on. Mr. Gary responded that the strengths of the Department are the competency of the providers and a weakness is that not enough people are interested in being involved.

Saltville District Supervisor, Roscoe Call added that he is pleased with the dedication and strength of the squad and that without the dedication of the staff present tonight the Saltville Rescue Squad would be gone.

Vice Chair, Rye Valley District Supervisor Lori Deel asked how much cash the squad currently had on hand. Mr. Gary advised Ms. Deel that he does not have that information with him tonight but that he would get that information emailed over to her.

Chair, Atkins District Supervisor Charles Atkins asked why the revenue expenditures were not included in the July report that was handed out before the presentation began. Mr. Gary responded that he would look into it and provide a revised cash flow projection to the Board. Mr. Atkins thanked Mr. Gary for his time and presentation to the Board.

 4/22/2021 8:18 PM Mr. Kyle Brewster, EMS Chief gave a presentation for the Town of Saltville Emergency Services regarding his proposed operational plans for moving the Town's new department forward. He would like to reiterate that he has tried everything to make a peaceful transition with the Saltville Rescue Squad. He also noted that he has developed a strong working relationship with the various employees of the Saltville Rescue Squad and believes many are willing to work for the Town should the Town be awarded the County funding support rather than Saltville Rescue.

Saltville District Supervisor, Roscoe Call asked Mr. Brewster that if in the first year they were going to staff just one truck or two. Mr. Brewster stated that the first year he will have one unit staffed but if needed he could answer a second call and be two trucks deep. Other towns will be called upon for support if needed.

Vice Chair, Rye Valley District Supervisor Lori Deel asked if the truck would be manned 24/7 and Mr. Brewster responded that it would.

Park District Supervisor, Kris Ratliff asked Mr. Brewster about the summary for the first year reimbursement from private billing. Mr. Brewster said it was approximately 70%. He added that usually the first year is difficult to acquire that much but, through training, charting and a good billing system he feels that they can get to that number rapidly. Mr. Ratliff asked that as a follow up on the second year if Mr. Brewster was being ultra conservative in only anticipating increasing billing revenues by \$20,000 to which Mr. Brewster agreed. Mr. Ratliff asked Mr. Brewster for a projection of the average percentage of reimbursement from private billing. Mr. Brewster indicated that if the call volume is there, they will base it on about 1,000 calls a year and with Medicare and Medicaid included he would say approximately around \$530.00 per call based on 1,000 calls per year.

Chair, Atkins District Supervisor Charles Atkins stated that it would generally take about 60-90 days before they would collect the first dollar and what did that mean for their cash flow. Mr. Brewster advised that he is in the process of getting licensure for the Town of Saltville and as soon as he can get that approved by the state, he will then begin the processing of getting the billing setup and in return with hopes that it will reduce the amount of time it would typically take. Mr. Atkins asked if the Town of Saltville would be willing to cover the costs upfront before the billing payments are received. Brian Martin, Saltville Town Manager, spoke up and said that in anticipation of this transition to a Town department, four months ago, the Town froze the funding that was originally budgeted toward the Saltville Rescue services and those funds are currently in reserve to serve for this transition and help with cash flow.


Saltville District Supervisor, Roscoe Call asked Mr. Brewster if they planned to soft bill or hard bill. Mr. Brewster stated that he would prefer to soft bill with a goal of about 70%.

Park District Supervisor, Kris Ratliff asked Mr. Brewster if he envisioned his department to either be a primary or a secondary type position. Mr. Brewster said that the first year he envisioned to be part-time employees and a hope that with permission from the Saltville Town Council to start adding full-time positions within the second year. Mr. Brewster stated he wants to create a positive culture and a place that people will want to come and work.


Saltville Town Manager, Brian Martin spoke of his confidence in Mr. Kyle Brewster and states he feels they are on the right path. He thanked the Board for allowing the Town to present their case for emergency response services.

 4/22/2021 9:04 PM Chair, Atkins District Supervisor Charles Atkins called for a five-minute recess.

 4/22/2021 9:10 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.

 4/22/2021 9:10 PM Emergency Services Coordinator, Curtis Crawford presented the Smyth County Public Safety, Saltville Rescue Squad Data.

North Fork District Supervisor, Phil Stevenson stated he would like Dr. Bruzzo to attend the Emergency Management Services Committee meeting to give his opinion. Dr. Bruzzo stated that he will be there and looks forward to working with the Board.

 4/22/2021 9:21 PM County Administrator, Shawn Utt requested approval of the following Virginia Enterprise Zone – Local Incentive Payments:

Draper Aden (Pathway Park Site Work)	004-012010-5500	\$3,995.16
Speyside Bourbon Cooperage (Local Enterprise Zone Incentives)	081030-8888-1	\$50,000.00
Speyside Bourbon Cooperage (Local Enterprise Zone Incentives, Building Permit Fee Rebate)	081030-8888-1	\$662.40
Smyth Co. Machine & Fabrication (Local Enterprise Zone Incentives)	081030-8888-1	\$15,955.20

A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve and appropriate the Virginia Enterprise Zone – Local Incentive Payments. North Fork District Supervisor, Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: *Chair, Atkins District Supervisor Charles Atkins
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor, Michael Sturgill
Park District Supervisor, Kris Ratliff
North Fork District Supervisor, Phil Stevenson
Saltville District Supervisor, Roscoe Call*

NAYES: *None.*

ABSTAINERS: *None*

ABSENT: *Royal Oak District Supervisor, Judy Wyant*



4/22/2021 9:23 PM County Administrator, Shawn Utt presented the deed for the Cornerstone Property to transfer the land to the Economic Development Authority for the Board's consideration.

NO TITLE EXAMINATION PERFORMED BY
SCOT S. FARTHING, ATTORNEY AT LAW, PC

Tax Map No.: 190-88-61C
Title Insurance Underwriter: None
Consideration: \$0.00
Tax Assessed Value: \$264,100.00

**EXEMPT FROM RECORDATION TAXES UNDER
CODE OF VIRGINIA §58.1-811(A)(3) and 58.1-811(C)(4)**

THIS DEED OF GIFT, made and entered into this the ____ day of April 2021, by and between SMYTH COUNTY, VIRGINIA, acting through its Board of Supervisors, a political subdivision of the Commonwealth of Virginia, as Grantor, and SMYTH COUNTY ECONOMIC DEVELOPMENT AUTHORITY, 121 Bagley Circle, Suite 100, Marion, VA 24354, as Grantee;

WITNESSETH

THAT FOR and in consideration of good and lawful consideration, the receipt of which is hereby acknowledged by Grantor, the Grantor does hereby grant, bargain, sell, and convey with covenants GENERAL WARRANTY OF TITLE, unto the Grantee, all of that certain tract or parcel of land, together with the improvements thereon and appurtenances thereto belonging, situated in the Town of Marion, Smyth County, Virginia, more particularly bounded and described as follows, to-wit:

“Beginning at a point at the intersection of Church Street and North Lane (now East Court Street); thence along the eastern edge of Church Street, N 27° 57' 05" W 82 feet to a point, which is a break in a wall; thence for a division line between the property herein conveyed and the property of Isaac St. Clair Freeman, et ux, N 61° 35' 35" E 87.5 feet to an iron pin; corner to Tract 1B on the plat referenced herein; thence with the liens of Tract 1B, N 28° 02' 41" W 13.48 feet to a point; corner to Fenyk and Freeman; thence N 61° 57' 19" E 69.32 feet to an iron pin; thence S 28° 02' 41" E 13.05 feet to an iron pin; thence N 61° 35' 35" E 22.19 feet to an iron pin; thence S 40° 01' 21" E 86.06 feet to an iron pin at a corner wall on the northern edge of East Court Street; thence along the northern edge of East Court Street, S 62° 15' 42" W 197.00 feet to the point of beginning, and containing 0.359 acre in Tract 1 and 0.02 acre in Tract 2, more or less, according to a plat prepared by Kenneth M. Sells, LS, dated May 1, 1986, and attached to a deed to the Seller herein from Charles G.

This Instrument
Prepared by:

Scot S. Farthing
VSB#44045
Attorney at Law, PC
P.O. Box 1315
Wytheville, VA
24382

Thompson, et ux, which is dated June 27, 1986 and recorded in said Clerk's Office in Deed Book 362, Page 688. The plat of Kenneth M. Sells is recorded" [in Deed Book 362, page 690].

BEING the same real estate conveyed to the County of Smyth by a Deed dated June 23, 2011, recorded in the Smyth County Clerk's Office in Deed Book 814, page 621.

This conveyance is made subject to such conditions, reservations, restrictions and easements of record to the extent that they may lawfully apply to the property conveyed.

Possession of the premises shall be delivered by the Grantor to the Grantee with the delivery of this deed.

Grantor covenants that it will warrant generally the title to the property conveyed; that it has the right to convey the same in fee simple; that it has done no act to encumber the same; that it will execute such further assurances of title as may be requisite, and that the Grantees shall have the quiet possession thereof.

No title examination was performed by Scot S. Farthing, Attorney at Law, PC in connection with the preparation of this deed.

This Instrument
Prepared by:

Scot S. Farthing
VSB#44045
Attorney at Law, PC
P.O. Box 1315
Wytheville, VA
24382

WITNESS the following signature and seal.

BOARD OF SUPERVISORS
OF SMYTH COUNTY

By: _____(SEAL)
Charlie Atkins, Chairman

ATTEST:

_____(SEAL)
Shawn Utt, Clerk

STATE OF VIRGINIA
COUNTY OF SMYTH, To Wit:

I, _____, a Notary Public in and for the State and County
aforesaid, do hereby certify that **Charlie Atkins, Chairman and Shawn Utt, Clerk of the Wythe
County Board of Supervisors**, has personally appeared before me in my State and County
aforesaid and acknowledged the same.

Given under my hand this ____ day of April 2021.

My commission expires:

Notary Public

Acceptance

Pursuant to the provisions of Virginia Code Section 15.2-1803, this deed is hereby accepted
by the County of Smyth, as witnessed by the signature of the undersigned, which is the governing
body of such County.

WITNESS the following signature:

This Instrument
Prepared by:

Scot S. Farthing
VSB#44045
Attorney at Law, PC
P.O. Box 1315
Wytheville, VA
24382

Date

John C. McLean, Chairman
Economic Development Authority of Smyth County

A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to authorize the Chair to execute the deed for the Cornerstone Property on behalf of the Board of Supervisors. North Fork District Supervisor, Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor, Michael Sturgill
Park District Supervisor, Kris Ratliff
North Fork District Supervisor, Phil Stevenson
Saltville District Supervisor, Roscoe Call

NAYES: None.

ABSENT: Royal Oak District Supervisor, Judy Wyant



4/22/2021 9:23 PM There was no old business to discuss.



4/22/2021 9:23 PM There was no new business to discuss.



4/22/2021 9:24 PM Supervisor Comment Time.

Vice Chair, Rye Valley District Supervisor Lori Deel thanked the Virginia Department of Transportation (VDOT) for their presentation and added that she was happy to have two Smyth County folks on board. Ms. Deel also thanked the Town of Saltville for their presentations and encouraged everyone to stay safe.


Park District Supervisor, Kris Ratliff had no comment.

Chilhowie District Supervisor, Michael Sturgill thanked everyone for their presentations and wishes for everyone to stay safe.

Saltville District Supervisor, Roscoe Call thanked everyone and said to stay safe.

North Fork District Supervisor, Phil Stevenson had no comment.

Chair, Atkins District Supervisor Charles Atkins thanked everyone for their time.


 4/22/2021 9:27 PM A motion was made by Chilhowie District Supervisor, Mike Sturgill seconded by North Fork District Supervisor, Phil Stevenson to enter into closed session under the Code of Virginia 2.2-3711(a)7 – Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation (2 items- Jericho suit and Adwolfe Sewer Project)

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor, Michael Sturgill
Park District Supervisor, Kris Ratliff
North Fork District Supervisor, Phil Stevenson
Saltville District Supervisor, Roscoe Call

NAYES: None.

ABSENT: Royal Oak District Supervisor, Judy Wyant

 4/22/2021 10:08 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel, seconded by North Fork District Supervisor, Phil Stevenson to adopt the following Resolution certifying the business conducted in closed sessions 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, Atkins District Supervisor Charles Atkins
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor, Michael Sturgill
Park District Supervisor, Kris Ratliff
North Fork District Supervisor, Phil Stevenson
Saltville District Supervisor, Roscoe Call

NAYES: None.

ABSENT: Royal Oak District Supervisor, Judy Wyant



4/22/2021 10:09 PM A motion was made by North Fork District Supervisor, Phil Stevenson, seconded by Saltville District Supervisor, Roscoe Call to authorize the release of the utility liens against Watson Gollehon and authorize County Administrator, Shawn Utt to execute the required documents for the release.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor, Michael Sturgill
Park District Supervisor, Kris Ratliff
North Fork District Supervisor, Phil Stevenson
Saltville District Supervisor, Roscoe Call

NAYES: None.

ABSENT: Royal Oak District Supervisor, Judy Wyant



4/22/2021 10:11 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for Tuesday, May 11, 2021 at 5:00 PM.

The Smyth County Board of Supervisors held its regular meeting on Tuesday, May 11, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye Valley District Supervisor Lori H. Deel, Park District Supervisor Kris Ratliff; Chilhowie District Supervisor Michael Sturgill; Saltville District Supervisor Roscoe Call; North Fork District Supervisor Phil Stevenson; Royal Oak District Supervisor Judy Wyant


ABSENT: None

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey, Administrative Assistant Christy Bise; Emergency Services Coordinator Curtis Crawford

OTHERS: Smyth County Sheriff's Deputy, Smyth County News and Messenger, and citizens

 5/11/2021 5:05 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 5/11/2021 5:06 PM Joanna Bryant, Utilities Clerk, led the Pledge of Allegiance. Pastor Dave Cross, Highlands Fellowship, gave the invocation.

 5/11/2021 5:08 PM *A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to amend the agenda to include 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 of the disposition of publicly held real property concerning the Morrison Building. North Fork District Supervisor Phil Stevenson seconded the motion.*

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and*

Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 5:09 PM A motion was made by Saltville District Supervisor Roscoe Call to adopt the agenda as amended. Vice Chair Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 5:10 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the minutes from the April 13, 2021 meeting with a correction to the spelling correction of Kris Ratliff's last name. Vice Chair Rye Valley District Supervisor Lori Deel seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/11/2021 5:11 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to approve the minutes from the April 22, 2021 meeting. Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Judy Wyant

ABSENT: None.

 5/11/2021 5:12 PM Chair, Atkins District Supervisor Charles Atkins opened the Smyth County Cigarette Tax Ordinance public hearing. County Administrator, Shawn Utt read the public hearing notice for the record as follows:

Notice of Public Hearing: Smyth County Cigarette Tax Ordinance

Pursuant to Section 58.1-3832 of the Code of Virginia, the Smyth County Board of Supervisors will hold a public hearing to receive input regarding the proposed Smyth County Cigarette Tax Ordinance on **Tuesday, May 11, 2021 at 5:30 PM**, or soon thereafter, in the Boardroom of the Smyth County Administration Building located at 121 Bagley Circle, Marion, Virginia and via electronic participation, as set forth below.

The proposed ordinance would impose a tax of forty cents (\$0.40) for each package containing twenty cigarettes and two cents (\$0.02) for each cigarette contained in packages of fewer or more than twenty cigarettes sold or used within the County, beginning January 1, 2022, as allowed by section 58.1-3830(C).

The full text of the proposed ordinance can be found on the County Website www.smythcounty.org and/or the County Administrator's Office.

Pursuant to Virginia Law, the Smyth County Ordinances and the Rules previously adopted by the Board, the Public Hearing may be held with electronic participation by some or all of the Board members, and a quorum may or may not be physically present. Additionally, the general public will be afforded both in-person and remote/electronic viewing access to this meeting.

The County will be following CDC guidelines and the Governor's Orders regarding social distancing, wearing of face coverings and other safety measures.


All interested persons may express their views by emailing pharvey@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 on Tuesday, May 11, 2021. 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

 5/11/2021 5:13 PM Dharmendra Patel expressed concerns about the impact a cigarette tax will have on his small business. Mr. Patel noted that his business has already been affected by the minimum wage increase and this would be too much on small businesses at this point in time. Mr. Patel also said that Smyth County citizens would travel to adjacent counties to make their purchases for cigarettes if the tax is imposed.

 5/11/2021 5:18 PM Jay Patel asked the Board to reconsider enacting a cigarette tax due to the state of the current economy.

 5/11/2021 5:21 PM John Spiker read his email aloud to the Board to reiterate his concern with the proposed cigarette tax increase. Mr. Spiker also stated that if this tax is imposed he feels the citizens would travel across the border to make their purchases. His email is as follows

Dear sir,

I am writing to strongly oppose the tax increase on cigarettes.

I represent Atkins grab n go, and this decision will have a huge impact in our business going forward. Coupled with the mandatory increase in minimum wage in Virginia, these types of policies are going to have the unintended consequence of destroying small business.


There's only so much adjusting a company can do in a short time frame to increased costs and decreased sales. This proposed increase is just another blow to the face of businesses already in the ropes.


I urge you to reconsider this destructive policy for businesses and consumers. Surely there's a better way without punishing the businesses that have already been crushed.


Sincerely,


John Spiker

GM GRAB N GO franchise

 5/11/2021 5:23 PM Nainesh Soni of the Adwolfe Food Mart stated the proposed cigarette tax would be detrimental to small businesses.

 5/11/2021 5:27 PM Arpit Soni who has three stores in the Marion area, asked the Board to reconsider their proposed cigarette tax. He advised that, along with the minimum wage increase and the rising prices of food and gas, this would affect his businesses.

 5/11/2021 5:30 PM Chair, Atkins District Supervisor Charles Atkins noted that the proposed cigarette tax increase is a regional effort which will include most of Southwest Virginia and not only Smyth County. Mr. Atkins advised that the Board will take everyone's comments into consideration and thanked everyone for their comments.

 5/11/2021 5:33 PM County Administrator, Shawn Utt read the following email from a business owner for the record:

Smyth County Virginia Board of Supervisors

My name is Rita terry and I own a small convenience store with a deli in Saltville.

It has been a struggle to keep my store operating through this pandemic with shortages, erratic deliveries employees who quit because they were afraid, and people who will not work because of all the free government hand outs, not to mention a significant increase in minimum wage.


A tax increase of \$4.00 a carton will certainly do nothing to help small businesses like mine stay in business. This, along with other proposed taxes levied will create a hardship on everyone who lives in this area, particularly Saltville which may arguably be the poorer part of the county.

I do not believe that the brunt of these taxes will be paid by people passing through since a number of stores out of corporate limits do not have tourists or other people passing through. We rely on repeat customers to keep out businesses open. This cigarette tax is the wrong way to solve Smyth County's budget crisis.

Smyth County will receive 5.84 million dollars under President Biden's 1.9 trillion Dollar American Rescue Plan stimulus law. This should eliminate the need to asses a new cigarette tax on businesses and residents. I urge you to please reconsider your thinking on this matter.

Sincerely,

Rita Terry

 5/11/2021 5:38 PM Vice Chair, Lori Deel read the following two emails she received for the record:

Dear Board of Supervisors,

I am writing you in an appeal to urge you to vote NO on the proposed new Smyth County cigarette tax of \$4.00 per carton. I present you with the following factual information that I hope will dissuade you from approving this asinine idea.

Petersburg, Virginia has approved this tax and in turn lost ELEVEN (11) convenience stores due to it. This resulted in a net loss of 65% of the business volume of convenience stores, costing instead of adding, the city's tax revenue. This also added to the unemployment rates of Petersburg and helped to destroy more "Mom and Pop" businesses that have already been decimated by the Covid pandemic.

Earlier this year, the American Rescue Plan was signed into law by President Biden. This included generous state and local community funding to shore up budget deficits. It is my understanding that the Smyth County Board is slated to receive \$5.84 million dollars, which should far exceed any revenue generated by this "sin tax".

This tax would wreak havoc on convenience stores struggling to return to normalcy and completely decimate independent owners who are not part of a chain retail environment. I speak as an owner who has chosen to locate my business inside of Smyth County, moving here from another county, in order to serve a community that I have grown to love and has in turn embraced us as owners and a family.

The location of our county in proximity to other states and the quick access to other counties provided by Interstate 81, further provides reason to vote NO on this absurd idea. Currently, there is not another county in Southwest Virginia looking into the premise of damaging a recovering economy. Wythe, Grayson, Washington and Tazewell Counties would reap the benefits of the blood letting caused by the passage of this tax. All can be accessed by vehicle in a 20 minute average. Also, North Carolina and Tennessee would further become the state of choice for our residents to spend their money.

Fifteen years ago, I spoke out very defiantly against the selling of this county's community based hospital and what the fallout would be for that. My fears turned out to be right, as this county lost service lines that are now only available in neighboring counties or states. Unfortunately, Smyth County will never have another child born in Smyth County Community Hospital. Now, with the idea of taxing our residents, we are further encouraging a migration of our populace and their earnings. How absurd is that?

Sincerely,

*Bobby L. Mullins BS RT(R) CNMT
Owner Shirley's Market
shirleysmarket@gmail.com
276-677-3577*

"Hello, I'll be brief. NO, on meal tax. It will just send more people out of the county to dine out. YES, on the cigarette tax. Too many people still need to quit. No smoking on county convenience centers isn't enforced. Thanks. Terry E Surface. Sugar Grove"



5/11/2021 5:38 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing on the proposed cigarette tax.



5/11/2021 5:38 PM Chair, Atkins District Supervisor Charles Atkins opened the Smyth County Meals Tax Ordinance public hearing. Assistant County Administrator, Lisa Richardson read the public hearing notice for the record as follows:

Notice of Public Hearing: Smyth County Meals Tax Ordinance

Pursuant to Section 58.1-3833 of the Code of Virginia, the Smyth County Board of Supervisors will hold a public hearing to receive input regarding the proposed Smyth County Meals Tax Ordinance, on **Tuesday, May 11, 2021 at 5:30 PM**, or soon thereafter, in the Boardroom of the Smyth County Administration Building located at 121 Bagley Circle, Marion, Virginia and via electronic participation, as set forth below.

The proposed ordinance would impose a tax of six percent (6%) for all prepared and ready to eat food and beverages sold within the County, beginning July 1, 2021, as allowed by State law. It is collected in trust by all businesses in Smyth County that sell prepared meals and must be remitted to Smyth County on a monthly basis.

The full text of the proposed ordinance can be found on the County Website www.smythcounty.org and/or the County Administrator's Office.


Pursuant to Virginia Law, the Smyth County Ordinances and the Rules previously adopted by the Board, the Public Hearing may be held with electronic participation by some or all of the Board members, and a quorum may or may not be physically present. Additionally, the general public will be afforded both in-person and remote/electronic viewing access to this meeting.


The County will be following CDC guidelines and the Governor's Orders regarding social distancing, wearing of face coverings and other safety measures.


All interested persons may express their views by emailing pharvey@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 on Tuesday, May 11, 2021. 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**

 5/11/2021 5:41 PM County Administrator, Shawn Utt read the rules and procedures for public hearings.

 5/11/2021 5:42 PM John Clark, Town of Chilhowie spoke as a private citizen in support the meals tax proposal. He feels this would be a good revenue source for the County.

 5/11/2021 5:44 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing

 5/11/2021 5:45 PM Chair, Atkins District Supervisor Charles Atkins opened the Proposed Increase in Water and Sewer Rates public hearing. County Administrator, Shawn Utt read the public hearing notice for the record as follows:

Proposed Increase in Water and Sewer Rates

Pursuant to Section 15.2-2119 of the Code of Virginia, The Smyth County Board of Supervisors proposes to increase the rates charged for Water and Sewer services within the Smyth County systems as follows, effective July 1, 2021:

Water Rates – Residential

Current Rates	Proposed Rates – 5% increase
0 – 1,000 gallons \$21.43 minimum bill	0 – 1,000 gallons \$22.50 minimum bill
1,001 – 6,000 gallons \$9.29 per 1,000 gallons	1,001 – 6,000 gallons \$9.75 per 1,000 gallons
6,001 and over \$11.43 per 1,000 gallons	6,001 and over \$12.00 per 1,000 gallons

Water Rates – Commercial

Current Rates	Proposed Rates – 5% increase
0 – 4,000 gallons \$49.98 minimum bill	0 – 4,000 gallons \$52.48 minimum bill
Each additional 1,000 gallons \$11.43 per 1,000 gallons	Each additional 1,000 gallons \$12.00 per 1,000 gallons

Water Rates – Industrial

Current Rates	Proposed Rates – 5% increase
0 – 25,000 gallons \$232.08 minimum bill	0 – 25,000 gallons \$243.68 minimum bill
Each additional 1,000 gallons \$11.43 per 1,000 gallons	Each additional 1,000 gallons \$12.00 per 1,000 gallons

Sewer Rates – Residential

Current Rates	Proposed Rates – 5% increase
0 – 1,000 gallons \$21.43 minimum bill	0 – 1,000 gallons \$22.50 minimum bill
1,001 – 6,000 gallons \$9.29 per 1,000 gallons	1,001 – 6,000 gallons \$9.75 per 1,000 gallons
6,001 and over \$11.43 per 1,000 gallons	6,001 and over \$12.00 per 1,000 gallons

Current Rate
Residential Flat Rate \$47.43 per month

Proposed Rate – 5% increase
Residential Flat Rate \$49.80 per month

Sewer Rates – Commercial

Current Rates	Proposed Rates – 5% increase
0 – 4,000 gallons \$49.98 minimum bill	0 – 4,000 gallons \$52.48 minimum bill
Each additional 1,000 gallons \$11.43 per 1,000 gallons	Each additional 1,000 gallons \$12.00 per 1,000 gallons

Sewer Rates –Industrial and Industrial Enterprise Zone**Current Rates**

0 – 3,000 gallons \$71.41 minimum bill

Each additional 1,000 gallons \$11.43 per 1,000 gallons

Proposed Rates – 5% increase

0 – 3,000 gallons \$74.98 minimum bill

Each additional 1,000 gallons \$12.50 per 1,000 gallons

A Public Hearing will be conducted by the Smyth County Board of Supervisors on Tuesday, May 11, 2021 beginning at 5:30 p.m., or shortly thereafter, in the Board of Supervisors meeting room, 121 Bagley Circle, Marion, Virginia. A copy of the present and proposed rate schedule is on file at the Smyth County Administrators Office, 121 Bagley Circle, Marion, Virginia and can be viewed between the hours of 8:00 am and 5:00 pm, Monday through Friday.

At this public hearing, subject to the rules of procedure of the Board of Supervisors of Smyth County, Virginia, any person may appear and state his/her views thereon. In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8315, at least 48 hours prior to the hearing.

By order of the Smyth County Board of Supervisors – Shawn M. Utt, County Administrator



5/11/2021 5:46 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.



5/11/2021 5:47 PM Chair, Atkins District Supervisor Charles Atkins opened the Smyth County School Budget FY21/22 Public Hearing. Assistant County Administrator, Lisa Richardson read the public hearing notice for the record as follows:

**NOTICE OF PUBLIC HEARING
ON THE SMYTH COUNTY SCHOOL BUDGET
FOR FISCAL YEAR COMMENCING
July 1, 2021– June 30, 2022
On May 11, 2021 at 5:30 p.m.**

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

The Smyth County Board of Supervisors will conduct a hearing for the purpose of receiving public comments on the proposed School Board budget for the fiscal year beginning July 1, 2021.

The public hearing will be held in the **Board of Supervisors meeting room, 121 Bagley Circle, Smyth County Office Building on May 11, 2021 at 5:30 p.m.**

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

A full copy of the proposed Smyth County School Board budget is on file at the Office of the County Administrator, 121 Bagley Circle, Suite 100, Marion, Virginia, and may be viewed online at www.smythcounty.org.

By order of the Smyth County Board of Supervisors
Shawn Utt, County Administrator

**Smyth County School Board
Operations Budget for the Year Ending June 30, 2022**

Revenue Summary for Operations Budget

	2020-2021	2021-2022	Difference
State Revenue	\$ 28,807,106	\$ 30,627,892	\$ 1,820,786
Local Revenue	\$ 8,215,575	\$ 8,489,511	\$ 273,936
Federal Revenue	\$ 5,529,055	\$ 5,529,055	\$ -0-
State Sales Tax	\$ 4,374,821	\$ 4,969,764	\$ 594,943
Other Revenue	\$ 2,476,132	\$ 2,667,459	\$ 191,327
TOTAL OPERATIONS	\$ 49,402,689	\$ 52,283,681	\$ 2,880,992

Expenditure Summary for Operations Budget

	2020-2021	2021-2022	Difference
Instruction	\$ 35,686,768	\$ 37,809,472	\$ 2,122,704
Administration	\$ 1,468,814	\$ 1,599,805	\$ 130,991
Transportation	\$ 2,546,120	\$ 2,615,943	\$ 69,823
Facilities	\$ 4,494,531	\$ 4,788,627	\$ 294,096
Food Service	\$ 3,773,795	\$ 3,948,438	\$ 174,643
Technology	\$ 1,432,661	\$ 1,521,396	\$ 88,735
TOTAL OPERATIONS	\$ 49,402,689	\$ 52,283,681	\$ 2,880,992

**Smyth County School Board
Capital Outlay and Debt Service Budget for the Year Ending June 30, 2022**

Revenue Summary for Capital Outlay and Debt Service Budget

	2020-2021	2021-2022	Difference
Local Funds - Capital Outlay	\$ -0-	\$ -0-	\$ -0-
Local Funds - Debt Service	\$ 2,191,042	\$ 2,172,106	\$ (18,936)
Other Funds – Interest Rebate	\$ 487,113	\$ -0-	\$ (487,113)
TOTAL CAPITAL OUTLAY	\$ 2,678,155	\$ 2,172,106	\$ (506,049)

Expenditure Summary for Capital Outlay and Debt Service Budget

	2020-2021	2021-2022	Difference
Capital Outlay – Facilities	\$ -0-	\$ -0-	\$ -0-
Capital Outlay - Debt Service	\$ 2,678,155	\$ 2,172,106	\$ (506,049)
TOTAL CAPITAL OUTLAY	\$ 2,678,155	\$ 2,172,106	\$ (506,049)



5/11/2021 5:49 PM Dr. Dennis Carter, School Superintendent, provided an overview of the proposed FY21/22 School Board Budget.

Royal Oak District Supervisor Judy Wyant asked Dr. Carter about the current number of students that are being home schooled. Dr. Carter stated that there are around 200 students that are currently being home schooled in the County. Ms. Wyant also asked about the new guidelines for students involved in the dual enrollment program and Dr. Carter responded there is research currently going on at this time.

Park District Supervisor Kris Ratliff asked Dr. Carter to confirm when the Smyth County Schools would be adhering to the \$11.00 an hour minimum wage increase, Dr. Carter responded that as of July 1, 2021 the Schools would adhere to this change which is actually about six months ahead of time.

Vice Chair, Rye Valley District Supervisor Lori Deel asked Dr. Carter about the cost of insurance for the employees and Dr. Carter reviewed the proposed insurance cost analysis. He noted that all of the additional funding that is being provided by the County is being directed toward the costs of insurance in an effort to make it more affordable to employees.



5/11/2021 5:58 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.



5/11/2021 5:59 PM Chair, Atkins District Supervisor Charles Atkins opened the Smyth County Budget for FY21/22. County Administrator, Shawn Utt read the public hearing notice for the record as follows:


NOTICE OF PUBLIC HEARING ON THE PROPOSED SMYTH COUNTY BUDGET FOR				
FISCAL YEAR JULY 1, 2021 - JUNE 30, 2022				
Pursuant to § 15.2-2506 of the Code of Virginia (1950), as amended, a Public Hearing will be conducted by the Board of Supervisors on the budget for informative and planning purposes in the Board of Supervisors meeting room, Smyth County Office Building, 121 Bagley Circle, Marion, VA on Tuesday, May 11, 2021 at 5:30 p.m., or soon thereafter, at which time any citizen of the County shall have the right to attend and, subject to Rules and Procedures of the Board of Supervisors, state his or her views. The budget is for informative and fiscal planning purposes and will not be approved, adopted or ratified by the Board of Supervisors on Tuesday, May 11, 2021.				
	FY2021		Proposed	
<u>REVENUES</u>	Budget		FY/2022	Inc. / (Dec.)
Real Property Taxes	\$ 11,031,421		\$ 11,314,297	\$ 282,876
Public Services	1,320,757		1,535,949	215,192
Minerals	5,000		5,902	902
Personal Property	3,575,318		3,736,125	160,807
PPTRA	1,804,316		1,804,316	-
Machinery & Tools	1,654,977		1,933,192	278,215


Merchants Capital	267,509	295,064	27,555
Lodging Tax	53,141	60,000	6,859
Meal's Tax	-	250,000	250,000
Cigarette Tax	-	150,000	150,000
Penalties & Interest	523,500	552,678	29,178
Motor Vehicle License	492,700	480,669	(12,031)
Rolling Stock Tax	34,521	32,235	(2,286)
Utility Licenses Tax	168,100	98,431	(69,669)
Consumer's Utility Tax	975,200	1,032,444	57,244
Permits & Other Licenses	64,800	92,687	27,887
Fines & Forfeitures	180,400	169,677	(10,723)
Interest on Investments	198,000	127,095	(70,905)
Use of Property	114,281	174,628	60,347
Court Cost	12,821	9,172	(3,649)
Charges for Commonwealth Attorney	3,500	3,295	(205)
Charges for Sanitation & Solid Waste	848,000	852,894	4,894
Expenditure Refunds	1,197,284	1,536,024	338,740
Miscellaneous Revenue	23,000	124,870	101,870
Grant Money	1,029,630	1,008,964	(20,666)
Revenue from the Commonwealth	253,500	279,545	26,045
Comprehensive Service Act	1,963,091	1,367,626	(595,465)
Commonwealth Attorney	715,971	749,680	33,709
Sheriff	1,978,702	2,121,203	142,501
Commissioner of the Revenue	115,370	133,454	18,084
Treasurer	114,292	120,478	6,186
Registrar/Electoral Board	46,125	73,697	27,572
Clerk's Office	341,049	375,000	33,951
Local Sales Tax	2,220,000	2,283,110	63,110
Categorical Aid - Other	137,000	137,000	-
Payment in Lieu of Taxes	210,000	213,332	3,332
Special Assessments	22,700	4,910	(17,790)
Local Funds Transfers	(11,395,187)	13,204,659	(1,809,472)
Animal Licenses	6,013	11,900	5,887
EDA Funds	1,188,880	810,000	(378,880)
Court Rev Towns	5,600	5,600	-
State/Federal School Funds	42,611,022	43,794,170	1,183,148
Local Funds Transfer General Fund-Schools	11,266,342	10,661,617	(604,725)
Department of Social Services	4,556,837	4,823,384	266,547
Local Share from General Fund	988,570	1,170,734	182,164
School Textbook Revenue	200,000	700,000	500,000
911 Wireless Grants	172,030	143,285	(28,745)
Misc. COVID Grants	60,454	-	(60,454)
Interest/Tranf Courthouse Sav	187,106	187,106	-
CDBG Grant	440,000	-	(440,000)
Water-Sewer Revenue	2,328,369	2,405,400	77,031
Capital Projects	931,800	741,400	(190,400)
Social Security Funds	82,585	73,110	(9,475)
Drug Asset Revenue	50,000	50,000	-


Sheriff Restitution Fund	10,000	10,000	-
Sheriff DARE Revenue	10,000	10,000	-
Sheriff DMV Safety Grant	25,000	25,000	-
Courthouse Security Revenue	302,960	303,234	274
Asset Forfeiture	125,000	125,000	-
Police Activity Fund	1,237,396	786,168	(451,228)
Sheriff Federal/State Asset Forfeiture	90,000	90,000	-
Money Collected in Court	60,000	60,000	-
Recovery Court	182,685	169,685	(13,000)
Federal Money-CWA	20,000	20,000	-
Collections Circuit Court	5,000	5,000	-
CARES ACT Funding	5,665,329	-	(5,665,329)
Sub-total	95,109,767	89,216,778	(5,892,989)
Debt Service			
Proceeds From Short-term Borrowing	5,000,000	5,000,000	-
Proceeds From Previous Financing	700,000	700,000	-
Sub-total	5,700,000	5,700,000	-
Total County Budget Revenues	100,809,767	94,916,778	(5,892,989)
	FY2021	Proposed	
EXPENDITURES	Budget	FY/2022	Inc. / (Dec.)
Board of Supervisors	\$ 1,259,008	\$ 1,008,155	\$ (250,853)
County Administration	440,553	389,911	(50,642)
Legal Department	75,000	70,000	(5,000)
Commissioner of the Revenue	301,421	310,448	9,027
Assessor	6,000	-	(6,000)
Treasurer	402,620	426,193	23,573
Accounting Department	-	182,019	182,019
Information Systems	610,344	516,463	(93,881)
Registrar	232,838	242,990	10,152
Circuit Court	199,626	196,132	(3,494)
General District Court	11,399	14,930	3,531
Juvenile & Domestic Courts	187,380	153,976	(33,404)
Clerk of the Circuit Court	608,000	640,793	32,793
Sheriff	3,617,329	4,067,125	449,796
Law Library	1,000	1,000	-
Sheriff School Resource Officer Grant	162,573	203,980	41,407
Commonwealth Attorney	749,959	782,136	32,177
Victim Witness Asst. Program	103,403	103,403	-
Central Dispatch	2,800	4,000	1,200
Smyth County Basic 911	239,351	299,962	60,611

Volunteer Fire Department	427,899	451,500	23,601
Ambulance & Rescue Service	342,787	436,300	93,513
Forestry	8,750	8,750	-
Sheriff - Jail	2,946,739	2,518,084	(428,655)
Building Inspection & Zoning	343,847	369,556	25,709
Animal Control	422,332	492,080	69,748
Medical Examiner - Coroner	500	500	-
Emergency Services - Civil Defense	199,714	113,213	(86,501)
Refuse Collection & Disposal	1,309,327	1,391,232	81,905
Convenience Stations	296,700	401,868	105,168
Rye Valley Water Co.	25,922	25,922	-
Smyth County Tourism	43,096	69,244	26,148
Building & Facility Maintenance	693,362	760,160	66,798
Local Health Department	441,023	370,025	(70,998)
Mental Health	195,982	195,982	-
Social Services Board Member Payments	4,200	4,200	-
Other Community expenses	244,039	325,239	81,200
Community Colleges	70,645	72,899	2,254
Recreation	35,250	43,438	8,188
Library Administration	660,000	720,000	60,000
Planning Commission	3,750	3,750	-
Community & Economic Development	86,569	91,347	4,778
Economic Development Authority	551,742	551,742	-
Soil & Water Conservation	27,600	30,000	2,400
Cooperative Extension Program	93,594	109,568	15,974
Comprehensive Service Act	2,246,161	1,817,098	(429,063)
Animal Control (Fund 3)	11,900	11,900	-
EDA General Expenses	1,188,880	810,000	(378,880)
Court Reimbursements to Towns	-	5,600	5,600
School Operations & Capital Outlay (Non-Local)	42,611,022	43,794,170	1,183,148
School Operations & Capital Outlay (Local)	9,075,300	8,489,511	(585,789)
County School Debt Service Local Funds	2,191,042	2,172,106	(18,936)
Department of Social Services	5,548,407	5,994,118	445,711
School Textbook Fund Expense	200,000	700,000	500,000
Dispatch (Fund 38)	145,282	143,285	(1,997)
Misc. COVID Grants	60,454	-	(60,454)
Courthouse Project	187,106	187,106	-
CDBG Grant	440,000	-	(440,000)
Water-Sewer Department Operations	1,324,865	1,412,881	88,016
Water-Sewer Department Debt Service	958,504	945,359	(13,145)
Funded Projects	45,000	47,160	2,160
Capital Projects	931,800	1,441,400	509,600
Social Security Funds	82,585	73,110	(9,475)
Drug Asset Expense	50,000	50,000	-
Sheriff Restitution Fund	10,000	10,000	-
Sheriff DARE Program	10,000	10,000	-
Sheriff DMV Safety Grant	25,000	25,000	-
Courthouse Security	302,960	303,234	274

Asset Forfeiture	125,000	125,000	-
Police Activity Fund Expense	1,237,396	786,168	(451,228)
Sheriff Asset Forfeiture	90,000	90,000	-
Purchase Equipment	60,000	60,000	-
Recovery Court	182,685	169,685	(13,000)
CWA Fed Funds	20,000	20,000	-
CWA/Sheriff's Office	-	-	-
Expenses Circuit Court	5,000	5,000	-
CARES ACT Funding	5,665,329	-	(5,665,329)
Sub-total	93,717,651	88,869,103	(4,848,548)
DEBT SERVICE			
Payment on Line of Credit	5,000,000	5,000,000	-
Courthouse Debt Service	1,102,116	1,047,675	(54,441)
Capital Projects (Debt Financed)	990,000	-	(990,000)
Sub-total	7,092,116	6,047,675	(1,044,441)
Total County Budget Expenditures	100,809,767	94,916,778	(5,892,989)
TAX RATES FOR 2021			
In preparation of the above budget, the Smyth County Board of Supervisors proposes the following tax levies as shown below: Pursuant to Virginia Code §58.1-3001 et seq., the Board proposes to re-adopt a real estate levy on all taxable real estate located in Smyth County, Virginia, including equalized real estate, where applicable, a unit levy of \$0.74 per \$100.00 of assessed valuation; Tax on tangible personal property and the tangible personal property of public service corporations, except rolling stock of corporations operating railroads, a unit levy of \$2.30 per \$100.00 of assessed valuation; Machinery & Tools at \$1.55 per \$100.00 of assessed valuation; Tax on Category 23 items (trucks used in interstate commerce over 10,000 pounds) a unit levy of \$1.55 per \$100.00 of assessed valuation; Tax on merchants capital a unit levy of \$0.40 per \$100.00 of assessed valuation; airplane tax of \$1.40 per \$100.00 of assessed valuation; Proposed tax on prepared meal's a unit levy of 6% and a Proposed tax on cigarettes at \$0.40 per pack purchased. The Proposed FY2021/2022 budget also includes a proposed 5% increase in water/sewer utility rates.			
By order of the Smyth County Board of Supervisors, Shawn M. Utt, County Administrator			

 5/11/2021 6:01 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

 5/11/2021 6:03 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

 5/11/2021 6:09 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following payment of invoices:

General County	
Accounts Payable Listing	\$983,443.29
Payroll	\$75,000.00
Auto Draft Rural Development	\$15,515.00
Utilities/Misc	\$30,000.00
County Administration Fund	\$5,000.00
Total County Appropriation (including carryover):	\$1,800,000.00

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 6:10 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following Social Services appropriations:

Social Services	
(May 12 – 31, 2021)	\$425,000.00
(June 1 – 8, 2021)	\$60,000.00
Total Social Services:	\$485,000.00

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
 Vice Chair, Rye Valley District Supervisor Lori Deel,
 Chilhowie District Supervisor Michael Sturgill,
 Park District Supervisor Kris Ratliff,
 Royal Oak District Supervisor Judy Wyant,
 North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 6:11 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following School Board appropriations:

Schools-Operating Fund	
Instruction	\$3,600,000.00
Administration, Attendance, & Health	\$125,000.00
Transportation	\$330,000.00
Facilities	\$475,000.00
School Food Service	\$300,000.00
Technology	\$415,000.00
Total School Operating Fund:	\$5,245,000.00
School Debt and Capital Outlay	\$243,000.00
School Textbook Fund	\$0.00

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: None.



5/11/2021 6:12 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following Sheriff's Department Fund 746 appropriations:

Sheriff Fund 746	\$20,911.00
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North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 6:13 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following Sheriff's Department Fund 748 appropriations:

Sheriff Fund 748	\$7,635.44
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North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 6:13 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following Recovery Court Fund 749 appropriations:

Recovery Court Fund 749	\$30,581.98
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North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *None.*



5/11/2021 6:14 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.



5/11/2021 6:14 PM Ms. Betsy White of the William King Museum of Arts in Abingdon, Virginia spoke about the museum's budget request to the County for the FY21/22 year.

Chilhowie District Supervisor Michael Sturgill thanked Ms. White and the Museum for their service to Smyth County and stated that they are a great asset to our teachers and children.

Royal Oak District Supervisor Judy Wyant welcomed Ms. White and expressed her thanks for the museum's contributions to the County.



5/11/2021 6:19 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.



5/11/2021 6:19 PM Mr. Utt presented the following recommendation from the Planning Commission for the Special Use Permit Application from David Peake for multi-family dwelling units on Walton Road.

Recommendation on David Peake's Special Use Permit for a Multi Family Dwelling Unit:

Commissioner Spence made the motion to recommend approval to the Board of Supervisors with the following stipulations:

- The construction be limited to two duplexes or one structure with four units with a maximum of one bedroom in each unit,
- The entrance off Walton Road be placed at the west end of the property,
- The parking lot must be paved or concreted and guttering added for drainage,
- The ten-foot strip of land behind the property must not be disturbed and a 6-foot privacy fence be placed along the entire length of the back property line, and
- The Board of Supervisors request VDOT conduct a survey of Walton Road and they consider a reduced speed limit, the installation of a speed bump, and install "Watch for Children" signs

Ms. Wagoner seconded the motion and the following vote was recorded.

Vote: 7 yeas Pugh, Davidson, Jr, Wagoner, Shepherd, Dean, Spence, Campbell
0 nays
0 absent

Vice Chair, Rye Valley District Supervisor Lori Deel commended the Planning Commission for their work for all parties involved. Chilhowie District Supervisor Michael Sturgill agreed.

Chair, Atkins District Supervisor Charles Atkins would like to add the words "and maintained" regarding the 6-foot privacy fence to ensure that a fence is built as well as maintained by the owner.

County Administrator, Shawn Utt recommended to the Board that they consider to approve the recommendation with the additional term of "and maintained" included.

Saltville District Supervisor Roscoe Call was happy to hear that the Planning Commission got with the citizens and they worked it out amongst themselves.



5/11/2021 6:23 PM A motion was made by Chilhowie District Supervisor Michael Sturgill and seconded by Vice Chair Rye Valley District Supervisor Lori Deel to uphold the Planning Commission's recommendation to approve the Special Use Permit for a Multi Family Dwelling Unit with the addition of the words "and maintained" to the following condition:

- The ten-foot strip of land behind the property must not be disturbed and a 6-foot privacy fence must be placed and maintained along with the entire length of the back property line.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: North Fork District Supervisor Phil Stevenson

ABSTAINERS: None.

ABSENT: None.



5/11/2021 6:24 PM Chair, Chilhowie District Supervisor Michael Sturgill read the minutes from the Broadband & Telecommunications meeting held on May 4, 2021. No action was required from the meeting.



5/11/2021 6:26 PM Chair, Atkins District Supervisor Charles Atkins presented the following recommendations from the Budget Committee meeting held on April 27, 2021. County Administrator, Shawn Utt reviewed the following budget amendment request:

FY20/21 Budget Amendment # 9

- a) ***Smyth County Schools Fund (009)*** – The first in a series of capital projects being fully funded by COVID stimulus funding.
 - i. ***Rich Valley Elementary*** – roof replacement at a cost of \$219,461
 - ii. ***Marion High School Gymnasium*** – install HVAC unit at a cost of \$245,750
- b) ***CARES Act Fund (775)*** – the Towns of Marion and Chilhowie each received Supplemental disbursements from the state's Utility Relief Fund, but the funds are required to flow through the County. Below is a summary of the additional funding for each Town:
 - i. ***Town of Chilhowie*** – additional \$609.81
 - ii. ***Town of Marion*** – additional \$2,281.88

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

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

NAYS: None.

ABSTAINERS: *Chilhowie District Supervisor Michael Sturgill*

ABSENT: *None.*



5/11/2021 6:30 PM Chair, Rye Valley District Supervisor Lori Deel presented the following recommendations from the Building & Grounds Committee meeting held on May 4, 2021.

A motion was made by Chilhowie District Supervisor, Michael Sturgill to recommend the County contribute up to \$40,000.00 to be paid out of the capital outlay fund for the Smyth County Public Library elevator repairs. Park District Supervisor, Kris Ratliff seconded the Motion and it was unanimously approved by the committee.

After consideration, the Building & Grounds Committee recommendation PASSED by the following vote:

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

NAYS: *North Fork District Supervisor Phil Stevenson
Saltville District Supervisor Roscoe Call*

ABSTAINERS: *None.*

ABSENT: *None.*

A motion was made by Park District Supervisor, Kris Ratliff for Mr. Utt to work with the County Attorney, Scot Farthing to create a lease document between the Smyth County Public Library and the County. Chilhowie District Supervisor, Michael Sturgill seconded the motion and it was unanimously approved by the committee.

After consideration, the Building & Grounds Committee recommendation PASSED by the following vote:

AYES: *Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson,
Saltville District Supervisor, and
Royal Oak District Supervisor Judy Wyant*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: None.

Mr. Utt noted that the lease document would be for clarification on maintenance and repair responsibilities.



5/11/2021 6:40 PM Chair, Park District Supervisor Kris Ratliff presented the following recommendation from the Insurance Committee meeting held on April 28, 2021.

A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the \$5.00 per month payroll deduction for the AirMedCare Membership Program as an elected employee option with future consideration to include as a county-funded benefit. Royal Oak District Supervisor, Judy Wyant seconded the motion and it was unanimously approved by the committee.

After consideration, the Insurance Committee meeting recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 6:47 PM Chair, Saltville District Supervisor Roscoe Call presented the following recommendation from the Ordinance Committee meeting held on April 27, 2021.

On a motion made by Atkins District Supervisor Charles Atkins, seconded by Saltville District Supervisor Roscoe Call, the committee unanimously agreed to recommend the approval of the resolution regarding the administrative fees associated with collection efforts for delinquent accounts.

After consideration, the Ordinance Committee meeting recommendation PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,

*Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 6:50 PM Chair, Rye Valley District Supervisor presented the following recommendations from the Public Safety Committee meeting held on May 4, 2021.

Park District Supervisor Kris Ratliff made a motion to approve \$40,000.00 cash, which can be pulled from the current budget along with a \$90,000.00 loan (0% interest with a 7-year term with the first few months with no payment) which can be pulled from reserves to assist the Town of Saltville Rescue Squad with needed equipment purchases. Chilhowie District Supervisor, Michael Sturgill seconded the motion and it was unanimously approved by the committee.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Chilhowie District Supervisor Michael Sturgill made a motion for the truck purchased with COVID Care Funds to be signed over to the Town of Saltville with the stipulation that it is theirs as long as they continue EMS coverage, and it will revert back to the County if the Town of Saltville ceases to provide EMS coverage. Park District Supervisor Kris Ratliff seconded the motion and it was unanimously approved by the committee.

Royal Oak District Supervisor Judy Wyant asked how much was budgeted for the Saltville EMS Services. County Administrator, Shawn Utt responded that the proposed amount for next year for their operational expenses will be around \$120,000. Ms. Wyant expressed her concerns regarding the need of the additional funding and noted that other Towns within the County may have the same need.

Ms. Wyant also asked about the truck purchased with CARES Act funding being transferred to Saltville EMS. Mr. Utt noted that the truck was purchased with the intent of being provided to the Saltville/Rich Valley area and discussions on future truck rotations was in regards to future ambulance purchases and not this specific one.

Emergency Management Coordinator Curtis Crawford added that he is looking to obtain other equipment with additional grants.

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

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

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *None.*

Park District Supervisor Kris Ratliff made a motion to present the revised DERA resolution to the Board of Supervisors at their May 11, 2021 meeting for consideration. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved by the committee.



SMYTH COUNTY BOARD OF SUPERVISORS

A RESOLUTION REGARDING DESIGNATED EMERGENCY RESPONSE AGENCIES OF SMYTH COUNTY

WHEREAS, the Code of Virginia § 15.2-955 provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

WHEREAS, "Emergency medical services" or "EMS" means health care, public health, and public safety services used in the medical response to the real or perceived need for immediate medical assessment, care, or transportation and preventive care or transportation in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

WHEREAS, The Virginia Administrative Code 12VAC5-31-10 defines "Designated emergency response agency" as an EMS agency recognized by an ordinance or a resolution of the governing body of any county, city or town as an integral part of the official public safety program of the county, city or town with a responsibility for providing emergency medical response.

WHEREAS, Smyth County may from time-to-time review the status of already recognized and approved EMS agencies operating within its boundaries through resolutions, Smyth County standards operating procedures, and mutual aid agreements.

WHEREAS, Smyth County wants to cultivate the upmost and most effective medical care during emergencies of its residents and individuals that inhabit the county for leisure, pleasure, work, or business.

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby recognizes the following EMS agencies as Designated Emergency Response Agencies:

- The Town of Marion Fire and EMS (Stations 1&2)
- The Town of Chilhowie Fire Department (Station 3)
- Sugar Grove Rescue Squad (Station 5)
- Nebo Volunteer Fire Department (Stations 7&8)
- The Town of Saltville Rescue Squad / Saltville Rescue Squad, Inc. (Station 10)

Adopted this the 11th day of May, 2021

ATTEST:


Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**


Charles E. Atkins, Chair

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

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

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *None.*



5/11/2021 7:09 PM Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Water & Sewer Committee meeting held on April 28, 2021. No action was required from the meeting.



5/11/2021 7:12 PM Chair, Atkins District Supervisor Charles Atkins called for a five-minute recess.



5/11/2021 7:18 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.



5/11/2021 7:19 PM North Fork District Supervisor Phil Stevenson addressed the Saltville EMS funding request and discussed the need for additional funding for all areas for EMS services and equipment.



5/11/2021 7:23 PM County Administrator, Shawn Utt presented the following resolution for the Board's consideration:



SMYTH COUNTY BOARD OF SUPERVISORS

A RESOLUTION OF THE BOARD OF SUPERVISORS OF SMYTH COUNTY IN SUPPORT OF PASSENGER SERVICE INTO SOUTHWEST VIRGINIA AND CONSIDERATION OF A PASSENGER STATION IN SMYTH COUNTY

WHEREAS, the Virginia Department of Rails and Public Transportation (DRPT) has long worked with Norfolk Southern Railroad (NS) to evaluate the feasibility of extending passenger rail service into Southwest Virginia; and

WHEREAS, the introduction of passenger rail would assist in alleviating the freight and personal vehicle congestion along U.S. Interstate 81, and improve our transportation infrastructure in Southwest Virginia; and

WHEREAS, extending passenger rail through Southwest Virginia would allow for additional economic opportunities through tourism, commuter travel, and expanded transportation choices; and

WHEREAS, such rail service route would traverse Smyth County and pass through the Towns of Chilhowie and Marion in Smyth County; and

WHEREAS, many citizens of Smyth County have expressed support for the possibility of a stop within this community as an additional mode of public transportation and to facilitate opportunities for economic development in both the Towns and County; and

WHEREAS, the Board of Supervisors of Smyth County respectfully requests full consideration as to the feasibility of extending passenger rail service across Southwest Virginia; and

WHEREAS, the Board of Supervisors of Smyth County strongly encourages VA DRPT to consider Smyth County as a possible stop and joins other Southwest Virginia localities in the support of passenger rail service through our region; and

WHEREAS, the Board of Supervisors of Smyth County directs a copy of this Resolution be forwarded to the Director of DRPT, the Governor of Virginia, and our representatives in the Virginia General Assembly and United States Congress.

NOW, THEREFORE, BE IT RESOLVED THIS 11th DAY OF MAY 2021, that the Board of Supervisors of Smyth County, in Regular Session, hereby approves this Resolution.

ATTEST:

A handwritten signature in blue ink, appearing to read "S. M. Utt", is written over a horizontal line.

Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

A handwritten signature in blue ink, appearing to read "Charles E. Atkins", is written over a horizontal line.

Charles E. Atkins, Chair

A motion was made by North Fork District Supervisor Phil Stevenson to approve the Resolution for Support of Passenger Service into Southwest Virginia and Consideration of a Passenger Station in Smyth County. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: North Fork District Supervisor Phil Stevenson

ABSTAINERS: None.

ABSENT: None.



5/11/2021 7:29 PM County Attorney, Scot Farthing reported he has nothing new to report at this time.



5/11/2021 7:30 PM County Administrator, Shawn Utt noted that he has nothing new to report at this time.



5/11/2021 7:30 PM Supervisor Comment Time

North Fork District Supervisor Phil Stevenson noted that he was happy to see all the small businesses that showed up tonight. Mr. Stevenson added that he is happy to see small stores in business and that he appreciated the Board wanting to grow the county but he feels this is the wrong time to impose the new proposed cigarette tax.

Park District Supervisor Kris Ratliff noted that he is a small business owner and that while he agrees that it is a tough balance to consider, but the need to find revenue to grow the county should be considered. Mr. Ratliff appreciates the Board's perspective and opinions.

Saltville District Supervisor Roscoe Call shared an experience his friend recently had while passing through Marion. Mr. Call expressed appreciation to the member of the Marion Fire Department and to the employee of Auto Zone that helped and Mr. Call added that his friend spoke of how friendly and courteous those people were and that he would like to thank the Town of Marion and Smyth County. Mr. Call wished for everyone to continue to stay safe.

Royal Oak District Supervisor Judy Wyant spoke about the challenges of the full agenda. Ms. Wyant addressed her concern about the cyber-attack on the East Coast Gas line and how it will create inflation. Ms. Wyant encouraged everyone to stay informed and take every precaution they can.

Vice Chair Rye Valley District Supervisor Lori Deel noted that she agrees with the comments made tonight and that she appreciates all of the citizen's feedback and will take that into consideration. Ms. Deel said there are unfortunately things that have been put off and now there are immediate needs that need to be addressed. Ms. Deel noted she has a lot of consider and that she appreciates all the input and she looks forward to making the best decision for all and for everyone to stay safe.

Chilhowie District Supervisor Michael Sturgill said to pray that the Cyber-attack gets under control. Mr. Sturgill noted that he worries about the school system to be able to get children to and from school and that as a board that they will navigate the pandemic in ways to help the community and make the best decisions for all. Mr. Sturgill thanked Curtis Crawford and the EMS personnel for all they do. Mr. Sturgill also thanked the teachers and administrators for their work during this challenging year.

Chair Atkins District Supervisor Charles Atkins noted he thinks that this was a good meeting and that it had a real effect on him. Mr. Atkins added that he feels the timing may be wrong for the cigarette tax with our current economy. Mr. Atkins recommended that there is a need to reestablish contacts with Senators regarding public land and the "payment in lieu of taxes" program being outdated and underfunded. Mr. Atkins noted he is happy that everyone is working and to stay safe.



5/11/2021 7:50 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel 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 of the disposition of publicly held real property regarding the Morrison Building. Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 7:59 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel, seconded by North Fork District Supervisor Phil Stevenson to adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



5/11/2021 8:00 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for May 27, 2021 at 7:00 PM.

The Smyth County Board of Supervisors held its regular meeting on Thursday, May 27, 2021 at 7:00 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.

Board Members Present: Charlie Atkins, Chairman, Atkins District; Judy Wyant, Royal Oak District; Michael Sturgill, Chilhowie District; Roscoe Call, Saltville District; Kris Ratliff, Park District; Phil Stevenson, North Fork District

Board Members Absent: Lori Deel, Vice- Chairman Rye Valley District

Commissioners Present: Joel Pugh, Chairman, Park District; Graham Davidson, Jr., Vice-Chairman Chilhowie District; Hazel Wagoner, Atkins District; Paul Shepherd, Rye Valley District; Tony Dean, Royal Oak District; David Spence, Saltville District; Robert Campbell, North Fork District

Commissioners Absent: None

Staff Present: Shawn Utt, County Administrator; Lisa Richardson, Assistant County Administrator; Clegg Williams, Zoning Administrator; Sarah Parris and Paula Harvey, Administrative Assistants. Approximately ten citizens were present.

5/27/2021 7:05 PM Charles Atkins, Chairman of the Board of Supervisors, and Joel Pugh, Chairman of the Planning Commission, called the joint public hearing to order.

5/27/2021 7:06 PM Shawn Utt read the rules for the joint public hearing.

5/27/2021 7:09 PM Clegg Williams read the advertisement as placed in the Smyth County News and Messenger.

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, May 27, 2021, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application to the Zoning Ordinance of Smyth County, Virginia:

An application from James Craig Harper for a Special Use Permit for a Service Business. The property is located beside 174 South Wood Lane, Saltville Virginia, identified as Tax Map Number 41A-4-2 and zoned Agricultural/Rural.

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

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

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

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

Shawn Utt, County Administrator

Joel Pugh, Chairman of the Planning Commission

5/27/2021 7:11 PM Mr. Williams outlined the proposal for an application from James Craig Harper requesting a special use permit for a service (towing) business. He also highlighted the code sections from the zoning ordinance and comprehensive plan for future land use. He stated he had not received any comments regarding the application.

5/27/2021 7:13 PM James Craig Harper 160 Harper Lane, Saltville presented his proposal for a service business. Mr. Harper explained the business would consist of a maximum of eight vehicles. The vehicles would be stored in a 100'x100' fenced lot until they are processed. He stated that he planned to add a screen and possibly plant shrubs along the fence, facing Southwood Lane. He proposed a 30'x50' post steel building to house his towing equipment. He explained that he is wanting to expand his territory by locating in the Chilhowie call area and run calls on I-81. He stated a service person will be at the business Monday-Friday, 8:00 am -5:00 pm.

Roscoe Call asked about the maximum of eight vehicles. Mr. Harper stated that would be all he would need to store on the subject property. If he exceeded that amount, he stated he could move vehicles to his other facility. Mr. Call asked about the upkeep of South Wood Lane. The adjoining property owners stated it was a shared effort by the owners on South Wood Lane.

5/27/2021 7:20 PM Chairman Atkins asked for citizens who wished to speak regarding the proposal. The following citizens spoke:

- Jim Carter – 130 Valley Road, Saltville – Mr. Carter stated he owned the property across from the proposed business. He stated he did not want a junkyard and feared this proposal would decrease his property value.
- Dottie Cater – 130 Valley Road, Saltville – Mrs. Carter stated she was against business on this property and said the increased traffic would be dangerous.
- Alan Dinsmore – 176 South Wood Lane, Saltville – Mr. Dinsmore stated he did not want

a junkyard and trash. He mentioned a blind spot at the entrance of the property.

- Michael Morgan – 175 South Wood Lane, Saltville – Mr. Morgan stated he had known Mr. Harper for a long time and he had nothing against Mr. Harper, but he could not agree with a business on this property, because it would be too dangerous for the adjoining property owners.
- Nanine Woodward – 174 South Wood Lane, Saltville – Mrs. Woodward stated this is not what she had envisioned for this property, and she can deal with the livestock currently on the property, but not a service business.
- Bill Woodward – 174 South Wood Lane, Saltville – Mr. Woodward stated if the proposal were approved, stipulations would need to be placed for the adjoining property owner's protection.

Phil Stevenson spoke in favor of the adjoining property owners.

5/27/2021 7:50 PM Chairman of the Board, Charlie Atkins closed the joint public hearing

5/27/2021 7:50 PM Chairman of the Planning Commission, Joel Pugh recessed the Planning Commission in order for the Board of Supervisors to meet briefly.

5/27/2021 7:55 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.

5/27/2021 7:55 PM County Administrator, Shawn Utt presented the following general fund appropriations.

5/27/2021 7:56 PM *A motion was made by Saltville District Supervisor Roscoe Call to appropriate and approve payment of the following invoices from the General Fund. North Fork District Supervisor Phil Stevenson seconded the motion.*

- **Town of Saltville – EMS - \$40,000.00**

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel

A motion was made by Saltville District Supervisor Roscoe Call to appropriate and approve payment of the following invoices from Capital Improvements Fund. North Fork District Supervisor Phil Stevenson seconded the motion.

- **Inland Construction – Back of the Dragon Overlook Project - \$35,950.00**

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: North Fork District Supervisor Phil Stevenson

ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel

5/27/2021 7:58 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for June 8, 2021 at 5:00 PM.


The Smyth County Board of Supervisors held its regular meeting on Tuesday, June 8, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye Valley District Supervisor Lori H. Deel, Park District Supervisor Kris Ratliff; Chilhowie District Supervisor Michael Sturgill; Saltville District Supervisor Roscoe Call; North Fork District Supervisor Phil Stevenson; Royal Oak District Supervisor Judy Wyant

ABSENT: None

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey, Emergency Services Coordinator Curtis Crawford, Maintenance Superintendent Dennis Greer

OTHERS: Smyth County Sheriff's Deputy, Smyth County News and Messenger, and citizens

 6/8/2021 5:05 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 6/8/2021 5:07 PM Dennis Greer, Maintenance Superintendent, led the Pledge of Allegiance. Pastor Mike Sage, Freedom Tabernacle Baptist Church, gave the invocation.

 6/8/2021 5:07 PM A motion was made by Saltville District Supervisor Roscoe Call to adopt the agenda. Chilhowie District Supervisor Michael Sturgill seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 6/8/2021 5:08 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the May 11, 2021 meeting. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 6/8/2021 5:08 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the May 27, 2021 meeting. Chilhowie District Supervisor Michael Sturgill seconded the motion.


After consideration, the motion PASSED by the following vote:


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

NAYS: None.

ABSTAINERS: Vice Chair, Rye Valley District Supervisor Lori Deel


ABSENT: None.

 6/8/2021 5:09 PM Ms. Janice Orr from the Museum of the Middle Appalachians spoke on her concerns regarding the Tourism efforts in Smyth County. Ms. Orr indicated that the relocation of the Smyth County Tourism office from the Bonham House in Chilhowie will have a definite impact on the museum and the County if that included the closure of the Bonham House tourism center itself. She said her understanding is that the Tourism Director would have three different offices and she is concerned that it will make it difficult to handle visitors coming into Smyth County. Ms. Orr advised she would like to see the Chamber and Tourism work together to try and make things work by putting both organizations in the same location in the Bonham House.

 6/8/2021 5:23 PM Mr. John Clark, Chilhowie Town Manager addressed the Board with his concerns with the removal of the Tourism Center located in the Bonham House in Chilhowie, Virginia. Mr. Clark noted that he received notice that the lease had been terminated with no explanation.

Atkins District Supervisor, Charles Atkins, who also serves as the Chairman of the Smyth County Tourism Board, provided feedback stating that when the Director of Tourism was hired, the Tourism Board felt they needed to not put all efforts into one location and that they felt they could make better use of the money than to keep the Bonham House going. He said with decreased visitors at the center they felt it was more beneficial to emphasize marketing the County as a whole rather than to keep the Bonham House tourism center operating. Mr. Atkins said that Ms. Amanda Livingston, Director of Tourism would have one office located in the County Office Building.

 6/8/2021 5:47 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

 6/8/2021 5:51 PM *A motion was made by Saltville District Supervisor Roscoe Call to approve the following appropriations and payment of invoices:*

General County	
Accounts Payable Listing	\$1,134,132.54
Payroll	\$829,000.00
Auto Draft Rural Development	\$15,515.00
Utilities/Misc	\$30,000.00
County Administration Fund	\$5,000.00
Total County Appropriation (including carryover):	\$1,995,000.00

North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 6/8/2021 5:51 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following Social Services appropriations:

Social Services	
(June 9 – 30, 2021)	\$425,000.00
(July 1 – 13, 2021)	\$60,000.00
Total Social Services:	\$485,000.00

North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 6/8/2021 5:52 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following School Board appropriations:

Schools-Operating Fund	
Instruction	\$6,540,668.00
Administration, Attendance, & Health	\$158,814.00
Transportation	\$591,120.00
Facilities	\$64,531.00
School Food Service	\$413,795.00
Technology	(\$247,339.00)
Total School Operating Fund:	\$7,521,589.00

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: None.



6/8/2021 5:52 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following School Board appropriation:

School Debt and Capital Outlay	\$2,655.00
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North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: None.



6/8/2021 5:52 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following EDA Fund 4 appropriation:

EDA Fund 4	\$5,657.84
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North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

*North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 5:53 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following Sheriff Fund 748 appropriation:

Sheriff Fund 748	\$415.00
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North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 5:53 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following Recovery Court Fund 749 appropriation:

Recovery Court Fund 749	\$1,318.48
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North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 5:54 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.



6/8/2021 5:54 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.



6/8/2021 5:54 Mr. Utt presented the following information from the Planning Commission concerning the James Craig Harper Special Use Permit for a Service Business.

Recommendation on James Craig Harper's Special Use Permit for a Service Business

Commissioner Wagoner made the motion to recommend approval to the Board of Supervisors with the following stipulations:

1. No more than eight vehicles be stored on the property and they be kept in a 100'x100' area which is surrounded by a 7' tall, screened chain link fence,
2. The entrance to the property be located on Highway 107,
3. A 30'x50' steel post building be allowed to house towing equipment, and;
4. Until the fence is built, the Special Use Permit will not be issued.

Mr. Davidson seconded the motion and the following vote was recorded.

Vote:	3 yeas	Davidson, Jr, Wagoner, Dean
	3 nays	Pugh, Shepherd, Spence
	0 absent	
	1 abstain	Campbell

The motion failed.

Second Recommendation on James Craig Harper's Special Use Permit for a Service Business

Commissioner Spence made the motion to recommend denial to the Board of Supervisors and the following vote recorded.

Vote:	3 yeas	Pugh, Shepherd, Spence
	3 nays	Davidson, Jr, Wagoner, Dean
	0 absent	
	1 abstain	Campbell

The motion failed.

Mr. Stevenson advised that the property is in his district and that he and neighboring property owners had met today on this issue. Mr. Stevenson also shared a picture showing trash that was already piled up on the property. Mr. Stevenson noted that he felt that junk cars will have a negative affect on the property value of the surrounding area.

A motion was made by North Fork District Supervisor Phil Stevenson to deny the James Craig Harper Special Use Permit for a Service Business. Park District Supervisor Kris Ratliff seconded the motion.

Discussion continued regarding the Special Use Permit. Ms. Deel addressed her concerns with the Planning Commissions split vote and felt it may need to go back to the Planning Commission again to work out an agreement feasible for both parties. Mr. Atkins noted that he did not think sending it back to the Planning Commission at this time would do any good and that the Board needs to make a decision. Ms. Deel said she felt there was not enough information and it needed further discussion. Mr. Stevenson said Mr. Harper did not come to the Planning Commission with a clear plan. The Board discussed and agreed that there is a need to review current ordinances in place.

After consideration, the motion PASSED by the following vote:

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

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *None*



6/8/2021 6:12 PM Chair, Atkins District Supervisor Charles Atkins read the minutes from the Budget Committee and presented the following Budget Amendment recommendation from the meeting held on May 18, 2021.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION

SMYTH COUNTY BUDGET FISCAL YEAR 2020-2021 – AMENDMENT #9

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, on September 24, 2020, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #1*) for Fiscal Year 2020-2021 in the amount of \$97,135,790; and,

WHEREAS, on October 13, 2020, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #2*) for Fiscal Year 2020-2021 in the amount of \$97,247,331; and,

WHEREAS, on December 8, 2020, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #3*) for Fiscal Year 2020-2021 in the amount of \$99,389,279; and

WHEREAS, on January 12, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #4*) for Fiscal Year 2020-2021 in the amount of \$99,521,936.95; and

WHEREAS, on February 9, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #5*) for Fiscal Year 2020-2021 in the amount of \$100,465,910.95; and

WHEREAS, on March 9, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #6*) for Fiscal Year 2020-2021 in the amount of \$100,480,886.95; and

WHEREAS, on April 13, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #7*) for Fiscal Year 2020-2021 in the amount of \$100,809,767.10; and

WHEREAS, on May 11, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #8*) for Fiscal Year 2020-2021 in the amount of \$101,277,869.79; and

WHEREAS, the aggregate amount of budget amendment #9 is \$727,685 which would increase the Fiscal Year 2020-2021 budget to a total of \$102,005,554.79 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 \$102,005,554.79.

Adopted this, the 8th day of June, 2021

ATTEST:

A handwritten signature in blue ink, appearing to read "S. Utt", is written over a horizontal line.

Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

A handwritten signature in blue ink, appearing to read "Charles E. Atkins", is written over a horizontal line.

Charles Atkins, Chair

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 6:15 PM Chilhowie District Supervisor Michael Sturgill read the minutes from the Personnel Committee meeting held on June 1, 2021 and presented the following committee recommendation:

- *Atkins District Supervisor Charles Atkins made a motion to recommend an agreement for the County to serve as personnel fiscal agent and authority the County Attorney and County Administrator to finalize a Memorandum of Understanding with the Chamber of Commerce with the expectations that there will be no cost for the County. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved by the committee.*

Ms. Wyant and Mr. Stevenson requested a financial statement from the Chamber. Mr. Farthing indicated that the Chamber is essentially buying the insurance but with the intentions of the County running the fiscal portion versus them purchasing on their own. Mr. Farthing advised that the Chamber would be reimbursing the County for their portion.

- *After discussion, a motion was made by North Fork District Supervisor Phil Stevenson to table this matter until more financial information can be obtained from the Chamber and Tourism Board. 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,
Chilhowie District Supervisor Michael Sturgill
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call

NAYS: Chair, Atkins District Supervisor Charles Atkins

ABSTAINERS: None.

ABSENT: None.



6/8/2021 6:22 PM Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee Meeting held on June 1, 2021 and presented the following recommendations:

- *Chilhowie District Supervisor Michael Sturgill made a motion to change the 550 ESN (Konnarock area) to reflect Chilhowie as being the primary responder with Mount Rogers being secondary responder. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved by the committee.*

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

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

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *None.*

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to allow Grayson County public safety agencies use of Smyth County's communication shelter on Whitetop Mountain with the understanding that Smyth County will seek reimbursement for utilities and request a percentage of capital improvement project costs that will be later determined, seconded by Rye Valley District Supervisor Lori Deel and it was unanimously approved by the committee.*

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

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

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *None.*



6/8/2021 6:31 PM Chair, Saltville District Supervisor Roscoe Call read the minutes from the Redistricting Committee meeting held on May 18, 2021 and presented the following information that was presented by the County Registrar:

Each precinct shall be wholly contained within a single congressional district, Senate district, House of Delegates district, and election district used for the election of one or more members of the governing body or school board for the county or city. In each year ending in one, the governing body of each county shall establish the precinct boundaries to be consistent with any congressional district, Senate district, House of Delegates district, and local election district that was adopted by the appropriate authority by June 15 of that year. If congressional districts, Senate districts, House of Delegates districts, or local election districts have not been adopted by the appropriate authority by June 15 of a year ending in one, the governing body may use the congressional districts, Senate districts, House of Delegates districts, or local election districts as such districts existed on June 15 of that year as the basis for establishing the precinct boundaries to be used for the elections to be held in November of that year. Such governing body shall establish precinct boundaries to be consistent with any subsequent changes to the congressional districts, Senate districts, House of Delegates districts, or local election districts. If a governing body is unable to establish a precinct with the minimum number of registered voters without splitting the precinct between two or more congressional districts, Senate districts, House of Delegates districts, or local election districts, it shall apply to the State Board for a waiver to administer a split precinct. The State Board may grant the waiver or direct the governing body to establish a precinct with fewer than the minimum number of registered voters as permitted by § 24.2-309. A governing body granted a waiver to administer a split precinct or directed to establish a precinct with fewer than the minimum number of registered voters may use such a precinct for any election held that year. Given the delay in redistricting activities due to delayed Census data, the state will be granting waivers for the curing of the split precincts, as detailed above. Under the provisions of 24.2-307, Smyth County has the following split precincts in need of a waiver.

*Saltville -Town Boundary
Chilhowie -Town Boundary
East Park -Town Boundary
West Park -Town Boundary
Wassona -Town Boundary
Royal Oak East -Town Boundary
Seven Mile Ford -House District Boundary*

- *A motion was made by Royal Oak District Supervisor Judy Wyant to request waivers for the seven listed split precincts, seconded by Saltville District Supervisor Roscoe Call and it was unanimously approved by the committee.*

After consideration, the Redistricting Committee recommendation PASSED by the following vote:

AYES: *Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,*

*Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 6:35 PM Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Water & Sewer Committee meeting held on June 1, 2021 and presented the following recommendation:

- *North Fork District Supervisor Phil Stevenson made a motion to deny the request to share in the costs for paving from Owen "Rusty" Cox and Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved by the committee.*

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 6:14 PM Mr. Utt presented the following Cigarette Tax Ordinance from the May 11, 2021 Public Hearing for the Board's consideration:

ORDINANCE NO. 2021-02

To Enact the CIGARETTE TAX ORDINANCE OF SMYTH COUNTY, VIRGINIA

ARTICLE I - Cigarette Tax.

Section 1.1 - Short title.

This Article shall be known and may be cited as the Cigarette Tax Ordinance of Smyth County, Virginia.

Section 1.2 - Definitions.

For the purposes of this Article, the following words and phrases have the meanings respectively ascribed to them by this Section, except in those instances where the context clearly indicates a different meaning:

- (a) *Administrator* means the individual employed by the Board to administer the enforcement of this ordinance, or

his designated agents or appointees.

- (b) *Board* or *MRCTB* means the Mount Rogers Cigarette Tax Board.
- (c) *Carton* means any container, regardless of material used in its construction, in which packages of cigarettes are placed.
- (d) *Cigarette* means and includes any roll of any size or shape for smoking, whether filtered or unfiltered, with or without a mouthpiece, made wholly or partly of cut, shredded or crimped tobacco or other plant or substitute for tobacco, whether the same is flavored, adulterated or mixed with another ingredient, if the wrapper or cover is made of any material other than leaf tobacco or homogenized leaf tobacco, regardless of whether the roll is labeled or sold as a cigarette or by any other name.
- (e) *Cigarette Machine Operator* means any individual, partnership or corporation engaged in the sale of packages of cigarettes from vending machines.
- (f) *County* means Smyth County, Virginia.
- (g) *Dealer* means and includes every manufacturer's representative,, wholesaler, retailer, cigarette machine operator, public warehouseman or other person who shall sell, receive, store, possess, distribute or transport cigarettes within or into the County.
- (h) *Package* means and includes any container, regardless of the material used in its construction, in which separate cigarettes are placed without such cigarettes being placed into any container within the package. Packages are those containers of cigarettes from which they are consumed by their ultimate user. Ordinarily a package contains twenty cigarettes; however, "package" includes those containers in which fewer or more than twenty cigarettes are placed.
- (i) *Person* means and includes any individual, firm, unincorporated association, company, corporation, joint stock company, group, agency, syndicate, trust or trustee, receiver, fiduciary, partnership and conservator. The word "person" as applied to a partnership, unincorporated association or other joint venture means the partners or members thereof, and as applied to a corporation, includes all the officers and directors thereof.
- (j) *Place of business* means and includes any place where cigarettes are sold, placed, stored, offered for sale or displayed for sale or where cigarettes are brought or kept for the purpose of sale, consumption or distribution, including vending machines, by a dealer within the County.
- (k) *Registered agent* means and includes every dealer and other person who shall be required to report and collect the tax on cigarettes under the provisions of this Article.
- (l) *Retail dealer* means and includes every person who, in the usual course of business, purchases or receives cigarettes from any source whatsoever for the purpose of sale within the County to the ultimate consumer; or any person who, in the usual course of business, owns, leases or otherwise operates within his own place of business, one or more cigarette vending machines for the purpose of sale within the County of cigarettes to the ultimate consumer; or any person who, in any manner, buys, sells, stores, transfers or deals in cigarettes for the purpose of sale within the County to the ultimate consumer, who is not licensed as a wholesaler or vending machine operator.
- (m) *Sale or sell* means and includes every act or transaction, regardless of the method or means employed, including barter, exchange or the use of vending machines or other mechanical devices or a criminal or tortious act whereby either ownership or possession, or both, of any cigarettes shall be transferred within the County from a dealer as herein defined to any other person for a consideration.

- (n) *Stamp* means a small gummed piece of paper or decal used to evidence provision for payment of the tax as authorized by the Mount Rogers Cigarette Tax Board, required to be affixed to every package of cigarettes sold, distributed, or used within the County.
- (o) *Store or storage* means and includes the keeping or retention of cigarettes in this County for any purpose except sale in the regular course of business.
- (p) *Tobacco Revenue Agent* means persons authorized by MRCTB to act on its behalf in enforcement of this ordinance.
- (q) *Use* means and includes the exercise of any right or power over any cigarettes or packages of cigarettes incident to the ownership or possession of those cigarettes or packages of cigarettes including any transaction where possession is given or received or otherwise transferred, other than a sale.
- (r) *User* means any person who exercises any right or power over any cigarettes or packages of cigarettes subject to the provisions of this Article incident to the ownership or possession of those cigarettes or packages of cigarettes or any transaction where possession is given or received or otherwise transferred, other than a sale.
- (s) *Wholesale Dealers* means any individual, partnership or corporation engaged in the sale of packages of cigarettes for resale into or within the County.

Section 1.3 - Levy and rate.

In addition to all other taxes of every kind now or hereafter imposed by law, there is hereby levied and imposed by the County upon every person who sells or uses cigarettes within the County an excise tax at a rate of forty cents (\$0.40) for each package containing twenty cigarettes and two cents (\$0.02) for each cigarette contained in packages of fewer or more than twenty cigarettes sold or used within the County. The tax shall be paid and collected in the manner and at the time hereinafter prescribed; provided, that the tax payable for each cigarette or cigarette package sold or used within the County shall be paid but once.

Section 1.4 - Methods of collection.

- (a) The tax imposed by this section shall be evidenced by the use of a tax stamp and shall be paid by each dealer or other person liable for the tax. The stamps shall be affixed in such a manner that their removal will require continued application of water or steam. Each dealer or other person liable for the tax is hereby required, and it shall be his duty, to collect, pay the tax and report on a monthly basis all packages of cigarettes on forms prescribed for this purpose by the Board, including the following:
 - (1) The quantity of MRCTB-stamped cigarettes sold or delivered to:
 - (A) Each registered agent appointed by the Board for which no tax was collected;
 - (B) Each manufacturer's representative; and
 - (C) Each separate person and place of business during the preceding calendar or fiscal month; and
 - (2) The quantity of MRCTB stamps on hand, both affixed and unaffixed on the first and the last day of the preceding calendar month and the quantity of MRCTB stamps or MRCTB stamped cigarettes received during the preceding calendar month; and
 - (3) The quantity of cigarettes on hand to which the MRCTB stamp had not been affixed on the first and last day of the preceding calendar or fiscal month and the quantity of cigarettes received during the preceding calendar or fiscal month to which the MRCTB stamp had not been affixed; and
 - (4) Such further information as the Administrator for the board may require for the proper administration and enforcement of this article for the determination of the exact number of cigarettes in the possession of each dealer or user.
- (b) Each dealer or other person liable for the tax shall file such reports with the Board and pay the tax due to the Board prior to the monthly due date to be established by the Board, and shall furnish copies of all cigarette

- tax reports submitted to the Virginia Department of Taxation.
- (c) When, upon examination and audit of any invoices, records, books, cancelled checks or other memoranda touching on the purchase, sale, receipt, storage or possession of tobacco products taxed herein, any dealer or other person liable for the tax is unable to furnish evidence to the Board of sufficient tax payments and stamp purchases to cover cigarettes which were sold, used, stored, received, purchased or possessed by such person, the prima facie presumption shall arise that such cigarettes were received, sold, used, stored, purchased or possessed by such person without the proper tax having been paid. The Board shall, from the results of such examination and audit based upon such direct or indirect information available, assess the tax due, impose a penalty of ten per cent and may impose interest of three-quarters per cent per month of the gross tax due.
 - (d) When any dealer or other person liable for the tax files a false or fraudulent report or fails to file a report or fails to perform any act or performs any act to evade payment of the tax, the board shall administratively assess the tax due and impose a penalty not to exceed fifty per cent of the tax due and interest of three-quarters per cent per month of the gross tax due.
 - (e) The dealer or other person liable for the tax shall be notified by certified mail of such deficiency and such tax, penalty and interest assessed shall be due and payable within ten days after notice of such deficiency has been issued. Every dealer or other person liable for the tax shall examine each package of cigarettes to ensure that the MRCTB stamp has been affixed thereto prior to offering them for sale.
 - (f) Any dealer or other person liable for the tax who shall receive cigarettes not bearing the MRCTB stamp shall, within one hour of receipt of such cigarettes, commence and with all reasonable diligence continue to affix the MRCTB stamp to each and every package of cigarettes until all unstamped packages of cigarettes have been stamped and before offering such cigarettes for sale. Any dealer or other person liable for the tax who has notified the Board that he is engaged in interstate or intrastate business shall be permitted to set aside such part of his stock as may be legally kept for the conduct of such interstate or intrastate business (that is, cigarettes held for sale outside the jurisdiction of the Board) without affixing the stamps required by this Article. Any such interstate or intrastate stock shall be kept entirely separate and apart from the MRCTB-stamped stock, in such a manner as to prevent the commingling of the interstate or intrastate stock with the MRCTB stock. Any dealer or other person liable for the tax found to have had untaxed cigarettes which have been lost, whether by negligence, theft or any other unaccountable loss, shall be liable for and shall pay the tax due thereon.
 - (g) It shall also be the duty of each dealer or other person liable for the tax to maintain and keep for a period of three years, not including the current calendar year, records of all cigarettes received, sold, stored, possessed, transferred or handled by such person in any manner whatsoever, whether the same were stamped or unstamped, to make all such records available for audit, inspection and examination at all reasonable times, as well as the means, facilities and opportunity for making such audit, inspection or examination upon demand of the Board.

Section 1.5 - Registered agents.

- (a) Any dealer or other person liable for the tax who shall sell, use, store, possess, distribute or transport cigarettes within or into the County shall first make application to the Board to qualify as a registered agent. The application form shall require such information as the Board deems necessary for the administration and enforcement of this article. Applications are shall be subject to yearly Registration Fees for all Wholesale Dealers [and] all Cigarette Machine Operators. Applicants shall provide a surety bond to the Board in the amount of 150 percent of the applicant's average monthly tax liability. Such bonds shall be issued by a surety company authorized to do business in the Commonwealth of Virginia. Such bond shall be so written that, on timely payment of the premium thereon, it shall continue in force from year to year. Any applicant whose place of business is outside the area subject to enforcement by the Board shall automatically, by filing virtue of filing of the application, be deemed to submit to the Board's legal jurisdiction and appoint the Administrator for the Board as agent for any service of lawful process, unless the applicant designates an attorney with offices within the County upon which lawful process is to be served.

Upon receipt of properly completed application forms and the required surety bond, the Board shall

determine whether the applicant qualifies to be a registered agent. The Board will issue to qualified applicants a yearly registered agent permit to enable such agent to purchase, sell, use, store, possess, distribute or transport within or into the County, MRCTB- stamped cigarettes.

- (b) By submitting an application, registered agents obligate themselves to the reporting and payment requirements placed upon them by this Article and the rules and regulations as from time to time may be promulgated by the Board.
- (c) When any registered agent's monthly report and payment of the tax is not received within the dates prescribed, the Board shall impose a late reporting penalty of ten per cent of the gross tax due or ten dollars whichever is greater, but in no event more than \$1,000.
- (d) The Board also may require such registered agent to provide proof that he has complied with all applicable laws of the Commonwealth of Virginia to legally conduct such business and to file financial statements showing all assets and liabilities.
- (e) The Board may revoke or suspend any registered agent's permit due to failure to file tax reports in a timely manner, non-payment of taxes due, or if the cigarette tax surety bond should become impaired for any reason.
- (f) All money collected as cigarette taxes under this ordinance shall be deemed to be held in trust by the dealer collecting the same until remitted to the Board.
- (g) Registered agents must account for all MRCTB authorized tax stamps purchased. Periodic audits may be conducted to determine any unaccounted variance between the number of stamps purchased and the number of stamps reported and an assessment will be made for all unaccounted stamps. Any assessment of registered agents located outside the jurisdictions of the Board will be based upon the average sales of packages of cigarettes by jurisdiction during the audit period. For registered agents located within the jurisdictions of the Board, any assessment will be based upon the tax rate of the jurisdiction in which they are located. In addition, there will be a penalty for non-reporting of ten per cent of the gross tax due.

Section 1.6 - Requirements for retail dealers.

- (a) Retail dealers who shall sell, offer for sale, store, possess, distribute, purchase, receive or transport cigarettes for the purpose of sale within the County shall purchase cigarettes only from registered agents. Retail dealers shall provide the registered agent with the business trade name and physical address where the cigarettes will be placed for sale to the public. Cigarettes purchased for personal use cannot be brought into a business for resale. Only properly registered and licensed retail stores may sell cigarettes to the public. To be properly registered and licensed, a retail store must first have a valid Virginia state sales and use tax certificate and valid retail business license. Cigarettes must be purchased and stored separately for each business location. All copies of cigarette purchase invoices/receipts must be retained by the retailer for a period of three years and shall be made available to Agents of the MRCTB upon request for use in conducting audits and investigations. All copies of cigarette purchase invoices/receipts must be stored at the business retail location for a period of one year from date of purchase. Failure to provide cigarette invoices/receipts may result in confiscation of cigarettes until receipts can be reviewed by the Board to verify the proper tax has been paid. It is the responsibility of each retail location to ensure that all cigarettes placed for sale or stored at that location be properly taxed and stamped. Cigarettes found without the MRCTB stamp or the proper jurisdictional tax paid will be seized by the Agents of the Board.
- (b) Retail dealers must make their place of business available for inspection by MRCTB Tobacco Revenue Agents to ensure that all cigarettes are properly tax-stamped and all cigarette taxes are properly paid.

Section 1.7 - Presumption of illegality; seizure of contraband goods, sealing/seizing of machines.

- (a) If any cigarette machine operator or other person liable for the tax imposed by this Article is found to possess any cigarettes without the jurisdictional tax paid or the proper tax stamp affixed, there shall be a rebuttable presumption that any such operator or other person shall be in possession of untaxed cigarettes in violation of this section.

- (b) If any cigarettes are placed in any vending machines within the County, then there shall be a rebuttable presumption that such cigarettes were placed in that machine for sale within the County. If [a]ny vending machine located within the County contains cigarettes upon which the MRCTB tax stamp has not been affixed or on which the jurisdictional tax has not been paid or containing cigarettes placed so as to not allow visual inspection of the MRCTB tax stamp through viewing area as provided for by the vending machine manufacturer, then there shall be a rebuttable presumption that the machine contains untaxed cigarettes in violation of this Article.
- (c) Any cigarettes, vending machines, cigarette tax stamps or other property found in violation of this Article shall be declared contraband goods and may be seized by the Board. In addition to any tax due, the dealer or other person liable for the tax possessing such untaxed cigarettes or tax stamps shall be subject to civil and criminal penalties herein provided.
- (d) In lieu of seizure, the Board may seal such vending machines to prevent continued illegal sale or removal of such cigarettes. The removal of such seal from a vending machine by any unauthorized person shall be a violation of this Article. Nothing in this Article shall prevent the seizure of any vending machine at any time after it is sealed.
- (e) All cigarette vending machines shall be plainly marked with the name, address and telephone number of the owner of said machine.

Section 1.8 - Illegal acts.

- (a) It shall be unlawful and a violation of the Article for any dealer or other person liable for the tax:
 - (1) To perform any act or fail to perform any act for the purpose of evading the payment of any tax imposed by this Article or of any part thereof, or to fail or refuse to perform any of the duties imposed upon such person under the provisions of this Article or to fail or refuse to obey any lawful order which may be issued under this Article; or
 - (2) To falsely or fraudulently make, or cause to be made, any invoices or reports, or to falsely or fraudulently forge, alter or counterfeit any stamp, or to procure or cause to be made, forged, altered or counterfeited any such stamp, or knowingly and willfully to alter, publish, pass or tender as true any false, altered, forged or counterfeited stamp or stamps; or
 - (3) To sell, offer for sale, or distribute any cigarettes upon which the MRCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid; or
 - (4) To possess, store, use, authorize or approve the possession, storage or use of any cigarette packages upon which the MRCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid; or
 - (5) To transport, authorize or approve the transportation of any cigarette packages in quantities of more than six cartons (sixty packages) into or within the county upon which the MRCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid, if they are:
 - (A) Not accompanied by a receipt/bill of lading or other document indicating the true name and address of the consignor or seller and the consignee or purchaser and the brands and quantity of cigarettes transported; or
 - (B) Accompanied by a receipt/bill of lading or other document which is false or fraudulent in whole or part; or
 - (C) Accompanied by a receipt/bill of lading or other document indicating:
 - (i) A consignee or purchaser in another state or the District of Columbia who is not authorized by the law of such other jurisdiction to receive or possess such tobacco products on which the taxes imposed by such other jurisdiction have not been paid unless the tax on the jurisdiction of destination has been paid and said cigarettes bear the tax stamps of that jurisdiction; or
 - (ii) A consignee or purchaser in the Commonwealth of Virginia but outside the taxing jurisdiction who does not possess a Virginia Sales and Use Tax Certificate and, where applicable, any licenses issued by the Commonwealth or local jurisdiction of destination;

or

- (6) To reuse or refill with cigarettes any package from which cigarettes have been removed, for which the tax imposed has been theretofore paid; or
 - (7) To remove from any package any stamp with intent to use or cause the same to be used after same has already been used or to buy, sell, or offer for sale or give away any used, removed, altered or restored stamps to any person, or to reuse any stamp which had theretofore been used for evidence of the payment of any tax prescribed by this Article or to sell, or offer to sell, any stamp provided for herein; or
 - (8) To sell, offer for sale or distribute any loose or single cigarettes; or
 - (9) To perform any act that violates the resolutions promulgated by the Board.
- (b) It shall be unlawful and a violation of the Article for any person or individual to transport, possess, store, use, authorize or approve the possession, storage or use of any cigarette in quantities of more than six cartons (sixty packages) upon which the MRCTB tax stamp has not been affixed or upon which the jurisdictional tax has not been paid.

Section 1.9 - Establishment of the Mount Rogers Cigarette Tax Board.

- (a) The ordinance adopted by the County Board of Supervisors, dated April 13, 2021, pertaining to the establishment of the Mount Rogers Cigarette Tax Board is hereby continued in effect and made a part of this Article by reference.
- (b) Any direct conflict between the powers granted to the Board in the ordinance adopted by the County Board, dated April 13, 2021 and herein incorporated by reference and the powers granted to the Board in this Article shall be resolved in favor of this Article, however, the powers granted herein and in said ordinance shall be read cumulatively.
- (c) The Board's fiscal year shall be from July 1 through June 30.

Section 1.10 - Powers of the Mount Rogers Cigarette Tax Board.

The board may delegate any of its powers to its Administrator or employees and may adopt regulations regarding the administration and enforcement of the provisions of this Article.

- (a) In addition to those powers enumerated in the Ordinance of the County Board dated April 13, 2021, the Board shall be granted the following additional powers:
 - (1) To sue and be sued in its own name;
 - (2) To prescribe the design of a stamp(s) and to issue and sell said stamps to authorized dealers;
 - (3) To establish different classes of taxpayers;
 - (4) To promulgate resolutions for the assessment and collection of cigarette taxes and the enforcement of this ordinance; and
 - (5) To conduct inspections of any place of business in order to enforce the provisions of this ordinance and all resolutions of the Board.
- (b) The Board may employ legal counsel, bring appropriate court action in its own name to enforce payment of the cigarette tax or penalties owed and file tax liens against property of taxpayers hereunder.
- (c) The Board is authorized to enter into an agreement with the Virginia Department of Taxation under which a registered agent with the MRCTB who is also qualified to purchase Virginia Revenue Stamps, may qualify to purchase Dual Virginia - MRCTB stamps from the Virginia Department of Taxation. Authority to purchase dual Virginia - MRCTB stamps is granted solely by the Board and may be revoked or suspended for violations of this ordinance or resolutions adopted by the Board.
- (d) The Board may appoint certain employees as Tobacco Revenue Agents, who shall be required to carry proper identification while performing their duties. Tobacco Revenue Agents are further authorized to conduct inspections of any place of business and shall have the power to seize or seal any vending machines, seize any cigarettes, counterfeit stamps or other property found in violation of this Article and shall have the power of arrest upon reasonable and probable cause that a violation of this Article has been committed. The Board is authorized to provide its tobacco revenue agents with (1) firearms for their

protection; (2) emergency equipped vehicles while on duty; and (3) other equipment deemed necessary and proper.

- (e) The Board may exchange information relative to the sale, use, transportation or shipment of cigarettes with an official of any other jurisdiction entrusted with the enforcement of the cigarette tax laws of said other jurisdiction.

Section 1.11 - Jeopardy assessment.

If the Administrator of the Board determines that the collection of any tax or any amount of tax required to be collected and paid under this Article will be jeopardized by delay, the Administrator shall make an assessment of the tax or amount of tax required to be collected and shall mail or issue a notice of such assessment to the taxpayer together with a demand for immediate payment of the tax or of the deficiency in tax declared to be in jeopardy including penalties and interest. In the case of a current period, for which the tax is in jeopardy, the Administrator may declare the taxable period of the taxpayer immediately terminated and shall cause notice of such finding and declaration to be mailed or issued to the taxpayer together with a demand for immediate payment of the tax based on the period declared terminated and such tax shall be immediately due and payable, whether or not the terms otherwise allowed by this Article for filing a return and paying the tax has expired.

Section 1.12 - Erroneous assessment: notices and hearings in event of sealing of vending machines or seizure of contraband property.

- (a) Any person assessed by the Board with a cigarettes tax, penalties and interest or any person whose cigarettes, vending machines and other property have been sealed or seized under processes of this Article, who has been aggrieved by such assessment, seizure or sealing may file a request for a hearing before the Administrator for the Board for a correction of such assessment and the return of such property seized or sealed.
- (b) Where holders of property interest in cigarettes, vending machines or other property are known at time of seizure or sealing, notice of seizure or sealing shall be sent to them by certified mail within twenty-four hours. Where such holders of property interests are unknown at time of seizure or sealing, it shall be sufficient notice to such unknown interest holders to post such notice to a door or wall of the room or building which contained such seized or sealed property. Any such notice of seizure or sealing shall include procedures for an administrative hearing for return of such property seized or sealed and an opportunity to assert affirmative defenses.
- (c) Such hearing shall be requested in writing within ten days of the notice of such assessment, seizure or sealing and the hearing request shall set forth the reasons why said tax, penalties and interest, cigarettes, vending machines or other property should be returned or released. Within five days after receipt of such hearing request the Administrator shall notify the petitioner by certified mail of a date and time for the informal presentation of evidence at a hearing to be held within fifteen days of the date notification is mailed. Any such request for hearing shall be denied if the assessed tax, penalties and interest has not been paid as required or if the request is received more than ten days from first notice to the petitioner of such seizure or sealing. Within five days after the hearing, the Administrator shall notify the petitioner, by registered mail, whether his request for a correction has been granted or refused.
- (d) Appropriate relief shall be given by the Administrator if he is convinced by the preponderance of the evidence that said seized cigarettes were in the possession of a person other than the petitioner without the petitioner's consent at the time said cigarettes, vending machines or other property were seized or sealed or that petitioner was authorized to possess such untaxed cigarettes. If the Administrator is satisfied that the tax was erroneously assessed, the Administrator shall refund the amount erroneously assessed together with any interest and penalties paid thereon and shall return any cigarettes, vending machines or other property seized or sealed to the petitioner. Any petitioner who is dissatisfied with the written decision of the Board may within thirty days of the date of such decision, appeal such decision to the appropriate Court in the jurisdiction where the seizure or sealing occurred.

Section 1.13 - Disposal of seized property.

Any seized and confiscated cigarettes, vending machines or other property used in the furtherance of any illegal evasion of the tax may be disposed of by sale or other method deemed appropriate by the Board after any petitioner has exhausted all administrative appeal procedures. No credit from any sale of cigarettes, vending machines, or other property seized shall be allowed toward any tax and penalties assessed.

Section 1.14 - Extensions.

The Administrator, upon a finding of good cause may grant an extension of time to file a tax report upon written application for a period not exceeding thirty days. Except as hereinafter provided, no interest or penalty shall be charged, assessed or collected by reason of the granting of such an extension.

Section 1.15 - Penalty for violation of article.

Any person violating any of the provisions of this Article shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$2,500.00 or imprisonment for not more than twelve months or by both such fine and imprisonment. Such fine and/or imprisonment shall not relieve any such person from the payment of any tax, penalty or interest imposed by this Article.

Section 1.16 - Each violation a separate offense.

The sale of any quantity, the use, possession, storage or transportation of more than six cartons (sixty packages) of cigarettes upon which the MRCTB tax stamp has not been affixed or the proper jurisdictional tax has not been paid shall be and constitute a separate violation. Each continuing day of violation shall be deemed to constitute a separate offense.

Section 1.17 - Severability.

If any section, phrase, or part of this Article should for any reason be held invalid by a Court of competent jurisdiction, such decision shall not affect the remainder of the Article; and every remaining section, clause, phrase or part thereof shall continue in full force and effect.

Section 1.18 - Application Within Towns.

The provisions of this Article shall apply throughout the geographical limits of the County, including towns located therein, provided that if any town located within the County adopts an ordinance imposing a town cigarette tax this Article shall not apply unless the ordinance adopted by such town provides for the application of both the town and County cigarette taxes within the town's corporate limits.

Section 1.19 - Effective date.

This Ordinance was duly considered following the required public hearing held on May 11, 2021 and was adopted by the Board of Supervisors of Smyth County, Virginia, at its regular meeting held on June 8, 2021, the members voting as follows:

Member	Vote
Charles E. Atkins	<u>Yes</u>
Roscoe D. Call	<u>No</u>
Lori H. Deel	<u>Yes</u>
Kristopher S. Ratliff, DPh	<u>Yes</u>
Charles P. Stevenson	<u>No</u>
Michael L. Sturgill	<u>Yes</u>
Judy Wyant	<u>Yes</u>

Adopted this the 8th day of June, 2021.

Attest:


 Clerk of the Smyth County Board of Supervisors

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the Cigarette Tax Ordinance No. 2021-02. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.*

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

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

NAYS: *North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

ABSTAINERS: *None.*

ABSENT: *None.*



6/8/2021 6:14 PM Mr. Utt presented the following Meals Tax Ordinance from the May 11, 2021 Public Hearing for the Board's consideration:

ORDINANCE NO. 2021-03

To Enact the MEALS TAX ORDINANCE OF SMYTH COUNTY, VIRGINIA

ARTICLE I - Title, Authority and Jurisdiction

- 1.1 **Title.** This Ordinance shall be known as the "Meals Tax Ordinance of Smyth County, Virginia", Ordinance No. 2021-03.
- 1.2 **Authority.** This Ordinance is adopted pursuant to Chapter 38, Article 7.1, Sections 58.1- 3833, Code of Virginia, 1950, as amended.
- 1.3 **Jurisdiction.** The provisions of this Ordinance shall apply to all land within Smyth County, Virginia, except where a town has enacted a similar ordinance.

ARTICLE II - Purpose

- 2.1 This Ordinance is enacted to impose a tax on prepared food and drink held out or offered for sale which when sold is ready for immediate consumption, and to enlarge the County's tax base.

ARTICLE III - Rules

- 3.1 In the construction of this Ordinance, the rules contained in this section shall apply, except where the context clearly indicates otherwise.
- 3.2 Words in the present tense shall include the future, and words in the singular shall also include the plural.

- 3.3 The word "shall" is mandatory and not permissive.
- 3.4 The word "may" is permissive.
- 3.5 The word "approve" shall be considered to be followed by the words "or disapprove."
- 3.6 The masculine gender includes both the feminine and other.
- 3.7 Any reference to this Ordinance includes all ordinances amending and supplementing the same.

ARTICLE IV - Definitions

- 4.1 For the purpose of this Ordinance, certain words or terms used herein shall be defined as follows:
 - 4.1-1 **Administrator.** The official designated by the governing body to serve as its agent to administer the Ordinance.
 - 4.1-2 **Beverage.** As used herein, the term beverage shall mean alcoholic beverage as defined in Virginia Code §4.1-100 and nonalcoholic beverages served as a part of a meal and purchased in and from a food establishment.
 - 4.1-3 **Cater.** The furnishing of food, beverages, or both on the premises of another, for compensation.
 - 4.1-4 **Collector.** The Commissioner of Revenue of Smyth County, or any of his or her duly authorized agents.
 - 4.1-5 **Food.** All food purchased in or from a food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not, and without regard to the manner, time or place of service.
 - 4.1-6 **Food establishment.** Any place where food is prepared for service to the public on or off the premises, or any place where food is served, including but not limited to, lunch rooms, short-order places, cafeterias, coffee shops, cafes, taverns, delicatessens, dining accommodations of public or private corporations, dining accommodations of public and private schools and colleges, mobile points of food service, such as push-cart operations, hot dog stands and similar operations, and grocery stores and convenience stores selling prepared food ready for human consumption at a delicatessen counter.
 - 4.1-7 **Meal.** Meal shall mean any prepared food and beverage as defined herein offered or held out for sale by a food establishment for the purpose of being consumed by any person to satisfy the appetite and which is ready for immediate consumption. All such food and beverage, unless otherwise specifically exempted or excluded herein shall be included, whether intended to be consumed on the seller's premises or elsewhere, whether designated as breakfast, lunch, snack, dinner, supper or by some other name, and without regard to the manner, time or place of service.
 - 4.1-8 **Prepared.** The application of labor to food to make it ready or available for immediate consumption.
 - 4.1-9 **Purchaser.** Any person who purchases a meal.
 - 4.1-10 **Restaurant.** A food establishment as defined in Virginia Code Section 35.1-1.
 - 4.1-11 **Seller.** Any person or caterer who sells meals.

ARTICLE V - Tax

- 5.1 In addition to all other taxes and fees of any kind now imposed or hereafter imposed by law, there is hereby imposed and levied by the County of Smyth on each person at the rate of Six Percent (6%) of the gross amount paid for food and beverages purchased from any food establishment, whether prepared in such food establishment or not, and whether consumed on the premises or not.

ARTICLE VI - Collection of Tax by Seller

- 6.1 Every person receiving any payment for food and beverages with respect to which a tax is imposed and levied hereunder shall collect and remit the amount of tax imposed by this Ordinance from the person on whom the same is levied or from the person paying for such food and beverages at the time payment for such food is made.
- 6.2 All amounts collected as taxes under this Ordinance shall be deemed to be held in trust by the collector, until remitted to the County of Smyth as required by this Ordinance.

ARTICLE VII - Gratuities and Service Charges

- 7.1 When a purchaser provides a gratuity for an employee of a seller, and the amount of the gratuity is wholly in the discretion of the purchaser, the gratuity is not subject to the tax imposed by this Ordinance, whether paid in cash to the employee or added to the bill and charged to the purchaser's account, provided that in the latter case, the full amount of the gratuity is turned over to the employee by the seller.
- 7.2 Except as provided in Section 7.1, an amount or percent, whether designated as a gratuity, tip or service charge, that is added to the price of the food and beverages by the seller, and required to be paid by the purchaser as a part of the selling price of the food and beverages is subject to the tax imposed by this Ordinance.

ARTICLE VIII - Reports and Remittance by Seller

- 8.1 It shall be the duty of every person required by this Ordinance to pay to the County of Smyth the taxes imposed by this Ordinance to make a report thereof, setting forth such information as the Commissioner of Revenue may prescribe and require, including all purchases taxable under this Ordinance, the amount charged the purchaser for each such purchase, the date thereof, the taxes collected thereon and the amount of tax required to be collected by this Ordinance.
- 8.2 Every seller shall make the required report to the Commissioner of Revenue for each calendar month, on forms as prescribed by the Commissioner of Revenue, and shall be signed by the seller. Monthly reports shall be delivered to the Commissioner of Revenue on or before the twentieth (20th) day of the calendar month following the month being reported.
- 8.3 Each report shall be accompanied by a remittance of the amount of tax due, made payable to the Treasurer of the County of Smyth.

ARTICLE IX - Discount

- 9.1 For the purpose of compensating sellers for the collection of the tax imposed by this Ordinance, every seller shall be allowed Three Percent (3%) of the amount of tax due and accounted for in the form of a deduction on his or her monthly report; provided the amount due is not delinquent at the time of payment.

ARTICLE X - Violations and Penalties

- 10.1 Any person willfully failing or refusing to file a return as required under this Ordinance shall upon conviction thereof, be guilty of a Class 1 misdemeanor, except that any person failing to file such a return shall be guilty of a Class 3 misdemeanor if the amount of tax lawfully assessed in connection with the return is less than \$1,000.00. Any person violating or failing to comply with any other provision of this Ordinance shall be guilty of a Class 1 misdemeanor.
- 10.2 Except as provided in Section 9.1 above, any corporate or partnership officer, as defined in Virginia Code Section 58.1-3906, or any other person required to collect, account for, or pay over the meals tax imposed under this Ordinance, who willfully fails to collect or truthfully account for or pay over such tax, or who willfully evades or attempts to evade such tax or payment thereof, shall, in addition to any other penalties imposed by law, be guilty of a Class 1 misdemeanor.
- 10.3 Each violation of or failure to comply with this Ordinance shall constitute a separate offense. Conviction of any such violation shall not relieve any person from the payment, collection or remittance of the tax as provided in this Ordinance
- 10.4 If any person shall fail to pay the tax required by this Ordinance within the time and in the amount required, there shall be added by the Commissioner of Revenue to the amount of tax due, a penalty in the amount of Ten Percent (10%) of the tax, plus interest thereon at the judgment rate of interest, which shall be computed upon the tax and penalty from the date such were due and payable.

ARTICLE XI - Failure to Collect Tax

- 11.1 If any person whose duty it is to do so, shall fail or refuse to collect the tax imposed by this Ordinance or to make timely report and remittance thereof, the Commissioner of Revenue shall proceed in such manner as is practicable to obtain facts and information on which to base an estimate of the tax due. The amount of such estimate may then be determined and assessed against the person, together with penalty and interest as provided herein, and the Commissioner of Revenue shall notify the person by certified or registered mail sent to his or her last known address of the amount of the tax, penalty and interest. The entire amount shall be due and payable Ten (10) days after the date of mailing of such notice.

ARTICLE XII - Preservation of Records

- 12.1 Every person liable for the collection and remittance of the tax imposed by this Ordinance shall keep and preserve the records required for a period of Five (5) years.
- 12.2 The Commissioner of Revenue or his or her duly authorized agent shall have the power to examine such records at reasonable times and without unreasonable interference with the business of such person, for the purpose of administering and enforcing the provisions of this Ordinance, and to make transcripts of all or any part thereof.
- 12.3 If any person liable for the collection and remittance of the tax imposed by this Ordinance shall maintain or store his or her records at a location other than within Smyth County, Virginia, he or she shall, upon demand by the Commissioner of Revenue and within Ten (10) days thereafter, make the same available at an agreed location within Smyth County, Virginia, and respond to proper inquiries from the Commissioner of Revenue.

ARTICLE XIII - Duty of Persons Going out of Business

- 13.1 Whenever any person required to collect and remit to the County of Smyth any tax imposed by this Ordinance shall cease to operate or otherwise dispose of his or her business, the tax shall immediately become due and payable, and such person shall make a report and remittance thereof to the Commissioner of Revenue by the first day of the month following the month in which such business was terminated or disposition made thereof.

ARTICLE XIV - Prohibited Advertising

- 14.1 No seller shall advertise or hold out to the public in any manner, directly or indirectly, that all or any part of the tax imposed by this Ordinance will be paid or absorbed by the seller or by anyone else, or that the seller or anyone else will relieve the purchaser of the payment of all or any part of the tax.

ARTICLE XV - Exceptions

- 15.1 The tax imposed by this Ordinance shall not be levied on the following items when served exclusively for off-premises consumption:
- 15.1-1 Factory pre-packaged candy, gum, nuts and other items of essentially the same nature.
 - 15.1-2 Factory pre-packaged donuts, ice cream, crackers, nabs, chips, cookies and items essentially of the same nature.
 - 15.1-3 Food sold in bulk. For the purposes of this provision, a bulk sale shall mean the sale of any item that would exceed the normal, customary and usual portion sold for on-premises consumption (e.g., a whole cake, a gallon of ice cream); a bulk sale shall not include any food or beverage that is catered or delivered by a food establishment for off-premises consumption.
 - 15.1-4 Alcoholic and non-alcoholic beverages sold in factory sealed containers.
 - 15.1-5 Any food or food product purchased with food coupons issued by the United States Department of Agriculture under the Food Stamp program, or drafts issued through the Virginia Special Supplemental Food Program for Women, Infants and Children.
 - 15.1-6 Any food or food product purchased for home consumption as defined in the Federal Food Stamp Act of 1977, 7 U.S.C. §2012, as amended, except hot food or hot food products ready for immediate consumption. For the purposes of administering the tax levied hereunder, the following items, whether or not purchased for immediate consumption, are excluded from the definition of food in the Federal Food Stamp Act: sandwiches, salad bar items sold from a salad bar, prepackaged single-serving salads consisting primarily of an assortment of vegetables, and non- factory sealed beverages. This subsection shall not affect provisions set forth in subparagraphs 15.3-3, 15.3-4, 15.3-5 herein below.
- 15.2 A grocery store, supermarket or convenience store shall not be subject to the tax except for any portion or section therein designated as a delicatessen or designated for the sale of prepared food and beverages.
- 15.3 The tax imposed hereunder shall not be levied on the following purchases of food and beverages:
- 15.3-1 Food and beverages furnished by food establishments to employees as part of their compensation when no charge is made to the employee.
 - 15.3-2 Food and beverages sold by day-care centers, public or private elementary or secondary schools or food sold by any college or university to its students or employees.
 - 15.3-3 Food and beverages for use or consumption and which are paid for directly by the Commonwealth, any political subdivision of the Commonwealth or the United States.
 - 15.3-4 Food and beverages furnished by a hospital, medical clinic, convalescent home, nursing home, for the aged, infirm,

handicapped, battered women, narcotic addicts or alcoholics, or other extended care facility to patients or residents thereof.

- 15.3-5 Food and beverages furnished by a public or private non-profit charitable organization or establishment or a private establishment that contracts with the appropriate agency of the Commonwealth to offer meals at concession prices to elderly, infirm, blind, handicapped, or needy persons in their homes or at central locations.
- 15.3-6 Food and beverages sold on an occasional basis by a non-profit educational, charitable or benevolent organization, church or religious body as a fund-raising activity, the gross proceeds of which are to be used by such organization exclusively for non-profit educational, charitable, benevolent or religious purposes.
- 15.3-7 Food and beverages sold through vending machines.

ARTICLE XVI - Enforcement

- 16.1 It shall be the duty of the Commissioner of Revenue to ascertain the name of every seller in the County of Smyth who is liable for the collection of the tax imposed by this Ordinance, or who fails, refuses or neglects to collect such tax or to make the reports and remittances required by this Ordinance. The Commissioner of Revenue may have a summons issued for such person, and the summons may be served by the Sheriff in the manner provided by law, seeking a conviction in the General District Court of Smyth County, or demanding a civil remedy, including an injunction, against such person.
- 16.2 In the event a purchaser of a meal refuses to pay the tax imposed by this Ordinance, the seller may call upon the Sheriff for assistance, who may, when probable cause exists, issue a summons to the purchaser for such violation returnable to the General District Court of Smyth County.
- 16.3 The Treasurer of Smyth County shall receive all receipts from the tax imposed by this Ordinance and shall cause the same to be deposited in the general fund of the County.

ARTICLE XVII - Administration

- 17.1 The Commissioner of Revenue and Treasurer may issue regulations for the administration and enforcement of this Ordinance.

ARTICLE XVIII - Legal Status Provisions

- 18.1 Should any article, section, subsection or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of this Ordinance as a whole or any part thereof, other than the part so declared to be invalid or unconstitutional.
- 18.2 Certified copies of this Ordinance and all amendments thereto shall be filed in the offices of the County Administrator, Commission of Revenue and the Clerk of the Circuit Court of Smyth County, Virginia.
- 18.3 **Effective date.** This Ordinance was duly considered following the required public hearing held on May 11, 2021 and was adopted by the Board of Supervisors of Smyth County, Virginia, at its regular meeting held on __ and shall be effective July 1, 2021, the members voting as follows:

Member	Vote
Charles E. Atkins	<u>Yes</u>
Roscoe D. Call	<u>No</u>
Lori H. Deel	<u>Yes</u>
Kristopher S. Ratliff, DPh	<u>Yes</u>
Charles P. Stevenson	<u>No</u>
Michael L. Sturgill	<u>Yes</u>
Judy Wyant	<u>Yes</u>

Adopted this the 8th day of June, 2021.

Attest:



Clerk of the Smyth County Board of Supervisors

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the Meals Tax Ordinance No. 2021-03. Park District Supervisor Kris Ratliff seconded the motion.*

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

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

NAYS: *North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

ABSTAINERS: *None.*

ABSENT: *None.*



6/8/2021 6:43 PM Mr. Utt presented the following Water and Sewer Service Ordinance from the May 11, 2021 Public Hearing for the Board's consideration:

ORDINANCE NO. 2021-04

Ordinance Setting Fixed Charges and Volume Charges for Water and Sewer Service

WHEREAS, the Board of Supervisors for Smyth County, Virginia has studied the rates for water and sewer utility services throughout the County with assistance from Davenport & Company; and,

WHEREAS, the study resulted in the recommendation for the Board of Supervisors to consider a long-term approach to ensuring the necessary funding available to operate the County's water and sewer utility system as efficiently and effectively as possible; and,

WHEREAS, the recommendation for the fiscal year set to begin July 1, 2021 is to provide for an across-the-board increase of 5% in water and sewer utility rates; and,

WHEREAS, the Board of Supervisors conducted a duly noticed public hearing on May 11, 2021 to received comments from the public on the proposed increases in the water and sewer utility rates, wherein the comments from the public could be heard; and,

NOW, THEREFORE, be it **ORDAINED** by the Board of Supervisors of Smyth County, Virginia, sitting in regular session this 8th day of June, 2021, that the utility service charges for both water and sewer services are hereby amended as set forth in **Appendix A** attached hereto and expressly made a part hereof as if set forth herein; and,

FURTHER ORDAINED, that this ordinance shall render null and void all previous ordinances setting fixed charges and volume charges for water and sewer utility service.

This Ordinance was duly considered following the required public hearing held on May 11, 2021 and was adopted by the Board of Supervisors of Smyth County, Virginia, at its regular meeting held on June 8, 2021 and shall be effective July 1, 2021, the members voting as follows:

Member	Vote
Charles E. Atkins	<u>Yes</u>
Roscoe D. Call	<u>Yes</u>
Lori H. Deel	<u>Yes</u>
Kristopher S. Ratliff, DPh	<u>Yes</u>
Charles P. Stevenson	<u>No</u>
Michael L. Sturgill	<u>Yes</u>
Judy Wyant	<u>Yes</u>

Adopted this the 8th day of June, 2021.

Attest:



Clerk of the Smyth County Board of Supervisors

Appendix A

Water & Sewer Utility Rate Schedule (FY2021/22)

Water Rates – Residential

0 – 1,000 gallons	\$22.50 minimum bill
1,001 – 6,000 gallons	\$9.75 per 1,000 gallons
6,001 and over	\$12.00 per 1,000 gallons

Water Rates – Commercial

0 – 4,000 gallons	\$52.48 minimum bill
Each additional 1,000 gallons	\$12.00 per 1,000 gallons

Water Rates – Industrial

0 – 25,000 gallons	\$243.68 minimum bill
Each additional 1,000 gallons	\$12.00 per 1,000 gallons

Sewer Rates – Residential

0 – 1,000 gallons	\$22.50 minimum bill
1,001 – 6,000 gallons	\$9.75 per 1,000 gallons
6,001 and over	\$12.00 per 1,000 gallons

Residential Flat Rate \$49.80 per month

Sewer Rates – Commercial

0 – 4,000 gallons	\$52.48 minimum bill
Each additional 1,000 gallons	\$12.00 per 1,000 gallons

Sewer Rates – Industrial and Industrial Enterprise Zone

0 – 3,000 gallons	\$74.98 minimum bill
Each additional 1,000 gallons	\$12.50 per 1,000 gallons

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the Water and Sewer Service Ordinance No. 2021-04. Park District Supervisor Kris Ratliff seconded the motion.*


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

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

NAYS: *North Fork District Supervisor Phil Stevenson*

ABSTAINERS: *None.*

ABSENT: *None.*

 6/8/2021 6:50 PM Mr. Utt presented the following 2021 Property Tax Resolution for the Board's consideration:



SMYTH COUNTY BOARD OF SUPERVISORS

A RESOLUTION SETTING 2021 PROPERTY TAX RATES FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2022

WHEREAS, the Smyth County Board of Supervisors hereby adopts a budget for the fiscal year ending June 30, 2022; and

WHEREAS, the Board of Supervisors has established tax rates and set a levy sufficient to meet the expenditure requirements of the budget; and

THEREFORE, BE IT RESOLVED that the Board of Supervisors make the following property tax rates for July 1, 2021 through June 30, 2022.

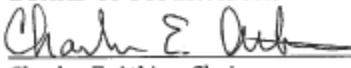
Real Estate	\$0.74 per hundred dollars of assessed valuation
Tangible Personal Property	\$2.30 per hundred dollars of assessed valuation
Machinery and Tools	\$1.55 per hundred dollars of assessed valuation

Adopted this the 8th day of JUNE, 2021

ATTEST:


Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**


Charles E. Atkins, Chair

- A motion was made by North Fork District Supervisor Phil Stevenson to approve the resolution setting 2021 Property Taxes FY21/22. Saltville District Supervisor Roscoe Call seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 6:53 PM Mr. Utt presented the following Resolution for Adoption of the County's Budget for Fiscal Year 21/22 from the May 11, 2021 Public Hearing for the Board's consideration:



SMYTH COUNTY BOARD OF SUPERVISORS

A RESOLUTION ADOPTING THE BUDGET FOR THE COUNTY OF SMYTH, VIRGINIA FOR THE FISCAL YEAR OF JULY 1, 2021 THROUGH JUNE 30, 2022

WHEREAS, pursuant to Chapter 25 of Title 15.2 of the Code of Virginia, The Smyth County Board of Supervisors has prepared a budget for this county setting forth the contemplated expenditures and the aggregate amount to be appropriated for the upcoming fiscal year; and,

WHEREAS, notice and publication and synopsis to the same were published in the newspaper of general circulation in Smyth County, Virginia, and a public hearing was held more than seven days prior to the approval of the budget as provided by Section 15.2-2506 of the Code of Virginia.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED by the Board, after due notice, public hearing and mature consideration of said budget, that the budget, attached hereto as Appendix A be and is hereby adopted as the budget of the County of Smyth for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022;

NOW, THEREFORE, BE IT FURTHER RESOLVED AND ENACTED that there is hereby levied a tax of \$0.74 on each \$100.00 of assessed value of real estate and improvements situated thereon in the County; a tax of \$2.30 per \$100.00 on assessed value of tangible personal property assessed by the County and segregated pursuant to Title 15.2, Chapter 25 of the Code of Virginia, and amendments thereto including tangible personal property of public utilities located and doing business with the County and upon all other properties subject to taxation by the County and herein otherwise provided for; a tax of \$1.55 per \$100.00 of assessed value on machinery and tools; and a tax of \$0.40 per \$100.00 of assessed value on Merchant's Capital;

NOW, THEREFORE, BE IT LASTLY RESOLVED AND ENACTED by the Smyth County Board of Supervisors that all other assessments, taxes and fees previously imposed by the County unless repeated are again levied, assessed and imposed as set forth previously by the Board and shall remain in full force and effect until otherwise changed by the Board.

THIS RESOLUTION is hereby adopted this 8th day of June, 2021, in the County of Smyth, Virginia, by the Smyth County Board of Supervisors and shall be effective July 1, 2021.

ATTEST:


Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**


Charles E. Atkins, Chair

Appendix A:

REVENUE SUMMARY	2021/2022
FUND 001 - General Fund	
Real Property Taxes	11,314,297
Public Services	1,535,949
Minerals	5,902
Personal Property	3,736,125
Machinery & Tools	1,933,192
Merchants Capital	295,064
Lodging Tax	60,000
Meals Tax	250,000
Cigarette Tax	150,000
Penalties & Interest	552,678
Franchise License Taxes	-
Motor Vehicle License	480,669
Rolling Stock	32,235
Utility Licenses Tax	98,431
Consumer Utility Taxes	1,032,444
Permits & Other License	92,687
Fine & Forfeitures	169,677
Interest on Investments	127,095
Use of Property	174,628
Court Cost	9,172
Charges for Commonwealth Atty	3,295
Charges for Sanitation & Waste	852,894
Expenditure Refunds	1,536,024
Miscellaneous	5,124,870
State Grant Money	1,008,964
Revenue from the Commonwealth	279,545
PPTRA	1,804,316
Comprehensive Services Act	1,367,626
Commonwealth Attorney (Comp. Board)	749,680
Sheriff (Comp. Board)	2,121,203
Commissioner of Revenue (Comp. Board)	133,454
Treasurer (Comp. Board)	120,478
Registrar/Electoral Board	73,697
Clerk & Employee (Comp. Board)	375,000
Transfer from Local Sales	2,283,110
Categorical Aid - Other	137,000

Payment in lieu of Taxes	213,332
Special Assessments	4,910
Transfer to Other Funds	(13,204,659)
Animal License (Fund 003)	11,900
EDA Funds (Fund 004)	810,000
Court Reimbursements to Towns (Fund 006)	5,600
State/Federal School Funds (Fund 009)	43,794,170
Local Funds Transfer (Fund 009)	10,661,617
State/Federal Social Service Funds (Fund 013)	4,823,384
Local Social Service Funds (Fund 013)	1,170,734
School Text Book Revenue (Fund 037)	700,000
911 Wireless Revenue (Fund 038)	143,285
COVID Grant Money (Fund 040)	-
Revenue from Bonds (Fund 301)	187,106
CDBG Grant (Fund 303)	-
Water / Sewer Revenues (Fund 501)	2,405,400
Transfer from General Fund (Fund 502)	1,411,400
Grant Revenues (Fund 502)	30,000
Special Welfare SSI Revenues (Fund 734)	2,500
Special Welfare Collections (Fund 735)	70,610
Comm. Atty. Drug Asset (Fund 737)	50,000
Sheriff Restitution (Fund 738)	10,000
DARE Revenue (Fund 739)	10,000
DMV Highway Safety Revenue (Fund 740)	25,000
Courthouse Security (Fund 742)	303,234
Asset Forfeiture (Fund 743)	125,000
Police Activity Revenue (Fund 744)	786,168
Sheriff Federal Drug Asset Revenue (Fund 746)	60,000
Sheriff State Drug Asset Revenue (Fund 747)	30,000
Courthouse Misc. Equipment (Fund 748)	60,000
Recovery Court (Fund 749)	169,685
Commonwealth Atty Federal Funds (Fund 760)	20,000
Collections from Circuit Court (Fund 770)	5,000
CARES Act/COVID Funding (Fund 775)	-
	94,916,778

EXPENDITURE SUMMARY	2021/2022
FUND 001 - General Fund	
Board of Supervisors	1,008,155
County Administration	389,911
County Attorney	70,000
Commission of Revenue	310,448
Assessor	-
Treasurer	426,193
Accounting Department	182,019
Information Systems	516,463
Registrar	242,990
Circuit Court	196,132
General District Court	14,930
Juvenile & Domestic Relations	153,976
Clerk of the Court	640,793
Sheriff	4,067,125
Law Library	1,000
Sheriff School Resource Officer Grant	203,980
Commonwealth Attorney's Office	782,136
Victim Witness Assistance Program	103,403
Central Dispatch	4,000
Smyth County Basic 911	299,962
Volunteer Fire Departments	451,500
Ambulance & Rescue Services	436,300
Forestry (Fire Service)	8,750
Southwest Virginia Regional Jail	2,518,084
Building & Zoning	369,556
Animal Control	492,080
Medical Examiner - Coroner	500
Emergency Management Coordinator	113,213
Collection & Disposal	1,391,232
Convenience Stations	401,868
Rye Valley Water Co.	25,922
Smyth County Tourism Assoc.	69,244
Courthouse Maintenance	278,699
Health Department Building Maintenance	100,991
County Office Building Maintenance	376,769
Cornerstone Building Maintenance	3,700
Local Health Department (Contribution)	370,025
Mental Health (Contribution)	195,982
Welfare & Social Services	4,200
Contributions - Other	325,239
Community College	72,899
Recreation	43,438
Library Administration	720,000
Planning Commission	3,750
Community Development	91,347

County Engineer	-
Economic Development Authority	551,742
Soil & Water Conservation	30,000
Cooperative Extension Program	109,568
Comprehensive Services Act	1,817,098
Animal Control (Fund 003)	11,900
General EDA Expenses (Fund 004)	810,000
Court Reimbursements to Towns (Fund 006)	5,600
County School Op's & Capital - Non-Local Funds (Fund 009)	43,794,170
County School Op's & Capital - Local Funds (Fund 009)	8,489,511
County School Debt Service - Local Funds (Fund 009)	2,172,106
Dept. of Social Services (Fund 013)	5,994,118
School Textbook Fund (Fund 037)	700,000
Emergency Dispatch Supp. (Fund 038)	143,285
COVID Grant Money (Fund 040)	-
Courthouse Maintenance Fund (Fund 301)	187,106
CDBG Grant (Fund 303)	-
Water/Sewer Operational Expense (Fund 501)	1,412,881
Water/Sewer Debt Retirement (Fund 501)	945,359
County Funded Projects (Fund 501)	47,160
Capital Projects (Fund 502)	1,441,400
Social Security Funds (Fund 734/735)	73,110
Drug Asset Expense (Fund 737)	50,000
Sheriff Restitution (Fund 738)	10,000
Sheriff DARE Program (Fund 739)	10,000
Sheriff DMW Safety Grant (Fund 740)	25,000
Courthouse Security (Fund 742)	303,234
Asset Forfeiture (Fund 743)	125,000
Police Activity Expenses (Fund 744)	786,168
Sheriff Drug Asset Expenses (Fund 746/747)	90,000
Purchase of Equipment (Fund 748)	60,000
Recovery Court (Fund 749)	169,685
Commonwealth Atty Federal Funds (Fund 760)	20,000
Expenses Circuit Court (Fund 770)	5,000
CARES Act/COVID Funding (Fund 775)	-
TOTAL - COUNTY OPERATING EXPENDITURES	88,869,103
<u>DEBT SERVICE</u>	
Line of Credit	5,000,000
Courthouse Debt Service	1,047,675
Debt Financed Capital Projects	-
	6,047,675
TOTAL COUNTY EXPENDITURES	94,916,778

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

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

NAYS: *Saltville District Supervisor Roscoe Call
North Fork District Supervisor Phil Stevenson*

ABSTAINERS: *None.*

ABSENT: *None.*



6/8/2021 7:08 PM Mr. Utt presented the following Resolution approving the Smyth County School Board Budget for Fiscal Year 21/22 from the May 11, 2021 Public Hearing for the Board's consideration:



SMYTH COUNTY BOARD OF SUPERVISORS

A RESOLUTION APPROVING THE SMYTH COUNTY SCHOOL BOARD BUDGET FOR THE FISCAL YEAR OF JULY 1, 2021 THROUGH JUNE 30, 2022 BY EXPENDITURE CLASSIFICATION/CATEGORY

WHEREAS, the Smyth County School Board has approved and presented to the Board of Supervisors a budget for FY 2021-22 totaling \$54,455,787; and,

WHEREAS, §22.1-1-115 of the Code of Virginia establishes expenditure classifications or categories; and,

WHEREAS, the Smyth County School Board presented the budget in seven (7) categories; and,

WHEREAS, the Board of Supervisors has the legal authority and ability to approve the Smyth County School Board budget by category (§§ 22.1-94 and 95); and,


WHEREAS, given the magnitude of the County (Local Funds) contribution to the Schools' budget and to provide increase accountability for the expenditure of such funds, it is appropriate to approve the overall spending plan for the Smyth County School Board on a categorical basis.

NOW, THEREFORE, BE IT RESOLVED by the Smyth County Board of Supervisors duly assembled this 8th day of June, 2021 the Smyth County School Board FY2021-22 budget is hereby approved as follows:

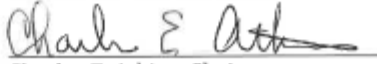
EXPENDITURES/EDUCACTION CATEGORY	2021-22
Instruction	\$37,809,472
Administration, Attendance & Health	\$ 1,599,805
Transportation	\$ 2,615,943
Facilities	\$ 4,788,627
Food Service	\$ 3,948,438
Technology	\$ 1,521,396
Debt and Fund Transfers	\$ 2,172,106
TOTAL FUNDS BUDGETED	\$54,455,787

THIS RESOLUTION is hereby adopted this 8th day of June, 2021, in the County of Smyth, Virginia, by the Smyth County Board of Supervisors.

ATTEST:


Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**


Charles E. Atkins, Chair

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

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

NAYS: Saltville District Supervisor Roscoe Call
North Fork District Supervisor Phil Stevenson

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: None.



6/8/2021 7:12 PM Chair, Atkins District Supervisor Charles Atkins called for a five-minute recess.



6/8/2021 7:23 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.



6/8/2021 7:24 PM Mr. Utt discussed the recommendation of quarterly appropriations rather than doing them on a meeting-by-meeting basis. Dr. Carter advised that quarterly does work for the School Board but added he may need some flexibility. Mr. Atkins said that he was in favor of trying the quarterly appropriations on a trial basis. Mr. Utt noted he would prepare the necessary documents for the Board's consideration at their June 24th meeting.



6/8/2021 7:28 PM Mr. Utt requested the Board's consideration to set a Public Hearing for the 2021 Rich Valley Fair Festival Permit request on June 24, 2021 to be held at 5:00 p.m. or shortly thereafter.

- A motion was made by North Fork District Supervisor Phil Stevenson to set the Public Hearing for the 2021 Rich Valley Fair on June 24, 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson,
Saltville District Supervisor, and
Royal Oak District Supervisor Judy Wyant

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 7:29 PM County Attorney, Scot Farthing reported he is currently working on a list of items that will require action of the Board in the near future. Mr. Farthing advised he and Mr. Utt are working together to prioritize the legal needs of the County and will provide a summary in the coming weeks.



6/8/2021 7:30 PM County Administrator, Shawn Utt requested the Rules and Procedures of the Board be amended to reflect the time change of the fourth Thursday monthly Board meeting to begin at 5:00 p.m. with the understanding that the Joint Public Hearing with the Planning Commission would continue to begin at 7:00 p.m.

- *On a motion made by Chilhowie District Supervisor Michael Sturgill, seconded by Saltville District Supervisor Roscoe Call, the committee unanimously agreed to amend the Rules and Procedures to reflect the time change of the fourth Thursday monthly Board meeting to begin at 5:00 p.m. with the understanding that the Joint Public Hearing with the Planning Commission would continue to begin at 7:00 p.m. (as needed).*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mr. Utt discussed the 2021 VACO conference scheduled for August 19th and 20th, 2021 and asked any Board member to let him know if they were interested in attending. He also informed the Board of the planned flyovers set for the gypsy moth aerial treatment to occur from Monday June 14th through June 16th 2021.



6/8/2021 7:33 PM Supervisor Comment Time

Park District Supervisor Kris Ratliff thanked Mr. Utt for the coordination with VDOT to resolve paving and signage issues in his district. Dr. Ratliff noted that with the legalization of

marijuana in Virginia, the County might want to consider a marijuana tax to generate revenue. Dr. Ratliff thanked the members of the Board for their continued diligence.

Royal Oak District Supervisor Judy Wyant said she felt the Board has made progress in order to fund services needed. Ms. Wyant appreciates the Board working together as a group.


Chilhowie District Supervisor Michael Sturgill thanked the Board for all their hard work and appreciates all the different concerns and opinions. Mr. Sturgill hopes to continue to work together and move forward to figure out how to increase revenue for traffic going up and down Interstate 81. Mr. Sturgill also advised that he is happy to see the progress of the Broadband project continue.

Vice Chair, Rye Valley District Supervisor Lori Deel noted that there were hard decisions to be made. Ms. Deel advised that it is alarming to her that only 20% of the County was carrying 80% of the load for real estate taxes. Ms. Deel advised she does not base where she visits on the tax and doesn't think the meals or cigarette taxes will affect or hurt small businesses. Ms. Deel said she feels there is a good team in place and appreciates the staff and for everyone to continue to be safe.

Saltville District Supervisor Roscoe Call thanked the committee for all their hard work and advised for everyone to stay safe and healthy.

North Fork District Supervisor Phil Stevenson noted that with seven Board members that some will win and some will lose and that he votes on how he feels. Mr. Stevenson thanked the Budget Committee on their hard work and advised he is here for the people and to do what is best for them. Mr. Stevenson thanked the newspaper, Mr. Crawford and the County Attorney for being here as well.

Chair, Atkins District Supervisor Charles Atkins thanked everyone for their continued patience. Mr. Atkins mentioned that the Casino set to open in the Fall of 2021 in Bristol, VA could generate some funding for the future. Mr. Atkins advised that this was not an easy budget but that it has closed some funding gaps. Mr. Atkins also mentioned that the local news had reported that Bristol, Virginia was thinking about joining our regional jail and if that happens there could be revenue generated from cost sharing or a buy-in fee. Mr. Atkins noted that he would like to see an increase on collecting revenue for the County's forest land. Mr. Atkins thanked everyone for their efforts and hard work.

 6/8/2021 7:51 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to enter into closed session under Code of Virginia Section 2.2-3711-A.1 Personnel Matters; Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body regarding the County Administrator's

contract requirements, and under Code of Virginia Section 2.2-3711-A.3 Discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property regarding the Cornerstone Building. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 8:03 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel, 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, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- A motion was made by Chilhowie District Supervisor Michael Sturgill to amend the County Administrator's contract to extend residency requirements an additional six months until January 13, 2022. Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



6/8/2021 8:00 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for June 24, 2021 at 5:00 PM.


The Smyth County Board of Supervisors held its regular meeting on Thursday, June 24, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye Valley District Supervisor Lori H. Deel; Chilhowie District Supervisor Michael Sturgill (electronically); Saltville District Supervisor Roscoe Call; North Fork District Supervisor Phil Stevenson; Royal Oak District Supervisor Judy Wyant

ABSENT: Park District Supervisor Kris Ratliff

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey, Emergency Services Coordinator Curtis Crawford; County Attorney Don Martin

OTHERS: Smyth County News and Messenger, and citizens

 6/24/2021 5:02 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone. Mr. Atkins noted that he would like the Pledge of Allegiance and Invocation added to the second monthly Board meeting.

 6/24/2021 5:02 PM A motion was made Saltville District Supervisor Roscoe Call to amend the agenda to include two items for closed session under Code of Virginia, Section 2.2-3711 A.5 Discussion concerning a business or industry considering expansion for which no previous announcements have been made concerning Project Cardinal and under Code of Virginia, Section 2.2-3711 A.7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation concerning the Adwolfe Sewer Project and Jericho. North Fork District Supervisor Phil Stevenson seconded the motion.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



6/24/2021 5:03 PM A motion was made by Saltville District Supervisor Roscoe Call to adopt the agenda as amended. North Fork District Supervisor Phil Stevenson seconded the motion.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



6/24/2021 5:10 PM Chair, Atkins District Supervisor Charles Atkins opened the Rich Valley Fair Association Festival Permit public hearing. County Administrator, Shawn Utt read the public hearing notice for the record as follows:

PUBLIC HEARING NOTICE

The Smyth County Board of Supervisors will conduct a public hearing on Thursday, June 24, 2021 at 5:00 p.m., or soon thereafter, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application for an Annual Musical or Entertainment Festival permit under the Code of Smyth County, Virginia:

The Rich Valley Agricultural and Fair Association has submitted a festival application for an eight-day event to be held at the Rich Valley Fairgrounds, 325 Long Hollow Road, Saltville, Virginia, 24370 during the following dates/times:

Friday, July 23, 2021 – 6:00 p.m. to midnight, except music events which will end by midnight per the Smyth County Code Section 5-98

Saturday, July 24, 2021 – 10:00 a.m. to completion, except music events which will end by midnight per Smyth County Code Section 5-98

Friday, July 30, 2021 – 6:00 p.m. to 11:30 p.m., except music events which will end by midnight per Smyth County Code Section 5-98

Saturday, July 31, 2021 – 5:00 p.m. to 11:00 p.m., except music events which will end by midnight per Smyth County Code Section 5-98

Sunday, August 1, 2021 – 11:00 a.m. to midnight, except music events which will end by midnight per Smyth County Code Section 5-98

Thursday, August 5, 2021 – 6:00 p.m. to midnight, except music events which will end by midnight per Smyth County Code Section 5-98

Friday, August 6, 2021 – 6:00 p.m. to completion, except music events which will end by midnight per Smyth County Code Section 5-98

Saturday, August 7, 2021 – 5:00 p.m. to 11:00 p.m., except music events which will end by midnight per Smyth County Code Section 5-98

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

A copy of this application along with their maps and plans are on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed Monday through Friday, 8:00 a.m. to 5:00 p.m.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in the public hearing should contact Clegg Williams, Smyth County ADA Coordinator, at (276) 783-3298 x8315 at least (48) hours prior to the public hearing.

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

- *A motion was made by North Fork District Supervisor Phil Stevenson to waive the rules for public hearings. Saltville District Supervisor Roscoe Call seconded the motion.*

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

*Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



6/24/2021 5:06 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

- *A motion was made by North Fork District Supervisor Phil Stevenson to approve the Festival application for an eight-day event to be held at the Rich Valley Fairgrounds. Saltville District Supervisor Roscoe Call seconded the motion.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



6/24/2021 5:07 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following appropriation and payment of invoices:

General County	
- Accounts Payable Listing	\$356,542.90

North Fork District Supervisor Phil Stevenson seconded the motion.

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


*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Judy Wyant,*

*North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 6/24/2021 5:07 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following Sheriff's Department Fund 747 appropriation:

Sheriff Fund 747	\$9,975.35
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North Fork District Supervisor Phil Stevenson seconded the motion.


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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 6/24/2021 5:07 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following Recovery Court Fund 749 appropriation:

Recovery Court Fund 749	\$2,601.00
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North Fork District Supervisor Phil Stevenson seconded the motion.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



6/24/2021 5:08 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.



6/24/2021 5:09 PM Grant & Pam Hall, 152 Old Mill Road, Chilhowie, co-owners of the Dip Dog Stand in Marion, spoke regarding their concerns with the newly imposed Meal's Tax. Mr. Hall noted that he doesn't want the burden of this tax on his customers. Mr. Hall also added that he would like an update on the McMullin Bridge in the Hall addition and that he feels the incoming roundabout at Copenhaver Crossing will create more problems than solving any. Mrs. Hall spoke regarding her opposition of the Meal's Tax and feels the public should be able to vote on this tax. Mrs. Hall noted that the Dip Dog Stand has suffered through the COVID-19 pandemic, the minimum wage increases and a future *Go-Green Initiative* and that this is just too much on small businesses. Mrs. Hall asked the Board to reconsider and to take the vote back to the people. Royal Oak District Supervisor Judy Wyant thanked the Hall's for coming to speak and said that they made some valid points that opened her eyes. Ms. Wyant noted that she doesn't want the burden to fall on our citizens and that the Board needs to support the community better. North Fork District Supervisor Phil Stevenson advised that he voted against the Meal's Tax and he feels at this time it is simply not a good time to impose this tax on small businesses. Mr. Stevenson added that he feels that the roundabout will be good and will help to keep traffic flowing. County Administrator, Shawn Utt added that funding for the new bridge has been set aside and that he believed that the construction was estimated to occur in 2024. Chair, Atkins District Supervisor Charles Atkins added that he feels the roundabout will take some time to get used to but feels it will be beneficial as well.

Mrs. Hall read the following note from Rita Terry concerning the Meal's Tax:

Smyth County Virginia Board of Supervisors

My name is Rita Terry and I own a small convenience store with a deli in Saltville.

It has been a struggle to keep my store operating through this pandemic with shortages, erratic deliveries employees who quit because they were afraid, and people who will not work because of all the government hand outs, not to mention a significant increase in minimum wage.


A tax increase of 6 % will certainly do nothing to help small businesses like mine stay in business, This, along with the other proposed taxes levied will create a hardship on everyone who lives in this area, particularly Saltville which may arguably be the poorer part of the county. In Saltville the majority of our customers are on fixed incomes, for some of them it's a treat to afford a hamburger once a month. These are not the people who eat at places that charge \$8.00 for a burger . They don't drive to exit 7 to eat. These are your constituents who voted for you because you were the person they believed would help them. Some of you should remember that.

I do not believe that the brunt of these taxes will be paid by people passing through since a number of stores out of the corporate limits do not have tourists or other people stopping by. We rely on local repeat customers to keep our businesses open.

Smyth County will receive 5.84 million dollars under President Biden's 1.9 trillion Dollar American Rescue Plan stimulus law. This should eliminate the need to assess any new taxes on businesses and residents. I urge you to please reconsider your thinking on this matter. Thank you for the opportunity to voice my opinion through Ms Hall.

Sincerely,

Rita Terry

 6/24/2021 5:29 PM Charles Wassum, 321 Wassona Drive, Marion spoke regarding his concern with a County map road name. Mr. Wassum noted that Water Mill Road is labeled on the County map as Route 693 and that it needs to be updated because it is a private owned road. North Fork District Supervisor Phil Stevenson asked Mr. Wassum who is currently

maintaining the road and Mr. Wassum replied that currently the state is maintaining it. Chair, Atkins District Supervisor Charles Atkins noted that he understood Mr. Wassum's concern and that they would get with Manuel Street with GIS to get it straightened out. Royal Oak District Supervisor Judy Wyant said that it is clear what needs to be done and to turn it over to the appropriate department and let them take care of it. Mr. Wassum said that he has talked with Shannon Williams in the past regarding this issue and that at this time it is still unresolved.

- *A motion was made by North Fork District Supervisor Phil Stevenson to direct the County Attorney to review naming options for Route 693 and to provide a report of the finding at the July 13, 2021 Board meeting.*

Saltville District Supervisor Roscoe Call seconded the motion.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



6/24/2021 5:49 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.



6/24/2021 5:49 PM Chair, Atkins District Supervisor Charles Atkins read the minutes from the Budget Committee meeting held on June 17, 2021.

- *Royal Oak District Supervisor Judy Wyant Judy Wyant made a motion to approve the revision for Budget Amendment #9. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2020-2021 – AMENDMENT #9 (REVISED)

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, on September 24, 2020, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #1*) for Fiscal Year 2020-2021 in the amount of \$97,135,790; and,

WHEREAS, on October 13, 2020, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #2*) for Fiscal Year 2020-2021 in the amount of \$97,247,331; and,

WHEREAS, on December 8, 2020, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #3*) for Fiscal Year 2020-2021 in the amount of \$99,389,279; and

WHEREAS, on January 12, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #4*) for Fiscal Year 2020-2021 in the amount of \$99,521,936.95; and

WHEREAS, on February 9, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #5*) for Fiscal Year 2020-2021 in the amount of \$100,465,910.95; and

WHEREAS, on March 9, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #6*) for Fiscal Year 2020-2021 in the amount of \$100,480,886.95; and

WHEREAS, on April 13, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #7*) for Fiscal Year 2020-2021 in the amount of \$100,809,767.10; and

WHEREAS, on May 11, 2021, the Smyth County Board of Supervisors adopted an amended budget (*Budget Amendment #8*) for Fiscal Year 2020-2021 in the amount of \$101,277,869.79; and

WHEREAS, the aggregate amount of budget amendment #9 is \$727,685 which would increase the Fiscal Year 2020-2021 budget to a total of \$102,005,554.79 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 \$102,005,554.79.

Adopted this, the 24th day of June, 2021

ATTEST:

A handwritten signature in blue ink, appearing to read "S. Utt", is written over a horizontal line.

Shawn M. Utt, Clerk

SMYTH COUNTY
BOARD OF SUPERVISORS

A handwritten signature in blue ink, appearing to read "Charles E. Atkins", is written over a horizontal line.

Charles Atkins, Chair

Exhibit A
FY 2020-21
Proposed Budget Amendment #9

Part 1. REVENUES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Budget with Amendment	Notes
Fund 009	Smyth County Schools	009-021010-0006	State Basic Aid	\$ (28,807,106.00)	\$ (727,685.00)	\$ (29,534,791.00)	Additional funding from General Assembly
Total Revenues With Amendment				\$ (101,277,869.79)	\$ (727,685.00)	\$ (102,005,554.79)	

Part 2. EXPENDITURES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Amended Budget Amount	Notes
Fund 009	Smyth County Schools	009-099990-5801	Instruction	\$ 36,510,812.00	\$ 150,000.00	\$ 36,660,812.00	
Fund 009	Smyth County Schools	009-099990-5802	Administration/Attendance	\$ 1,507,302.00	\$ 35,000.00	\$ 1,542,302.00	
Fund 009	Smyth County Schools	009-099990-5803	Transportation	\$ 2,888,763.00	\$ -	\$ 2,888,763.00	
Fund 009	Smyth County Schools	009-099990-5804	Facilities	\$ 5,172,545.00	\$ 492,685.00	\$ 5,665,230.00	
Fund 009	Smyth County Schools	009-099990-5805	Food Service	\$ 3,811,309.00	\$ -	\$ 3,811,309.00	
Fund 009	Smyth County Schools	009-099990-5806	Technology	\$ 1,773,689.00	\$ 50,000.00	\$ 1,823,689.00	
Total Expenditures With Amendment				\$ 101,277,869.79	\$ 727,685.00	\$ 102,005,554.79	

	Current Budget Amt.	Amendment Amt.	Revised Budget Amt.
Revenues	\$ (101,277,869.79)	\$ (727,685.00)	\$ (102,005,554.79)
Expenditures	\$ 101,277,869.79	\$ 727,685.00	\$ 102,005,554.79
Difference	\$ -	\$ -	\$ -

After consideration, the Budget Committee recommendation PASSED by the following roll-call vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: Park District Supervisor Kris Ratliff

- Recommendation for Smyth County School Board categorical transfer in Fund 009 – Motion was made by Royal Oak District Supervisor Judy Wyant to approve the categorical transfer of \$300,000.00 from Transportation to Facilities for the School Board. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.

After consideration, the Budget Committee recommendation PASSED by the following roll-call vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: Park District Supervisor Kris Ratliff

The committee discussed the Personal Property Tax Relief Act (PPTRA) rate recommendation from the Commissioner of Revenue's Office for FY21-22 to set it at 44%.

- *Royal Oak District Supervisor Judy Wyant made the motion to set the Personal Property Tax Relief Act (PPTRA) rate at 44% for the FY21/22 year. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

After consideration, the Budget Committee recommendation PASSED by the following roll-call vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

- *Royal Oak District Supervisor Judy Wyant made the motion to recommend the Meal's Tax Implementation be moved to October 1, 2021. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

North Fork District Supervisor Phil Stevenson noted that this was a bad year for everyone and he thinks the County needs to hold off on hiring for new positions for at least another year.

Royal Oak District Supervisor Judy Wyant agreed with Mr. Stevenson and thanked the Hall's for coming to speak. Ms. Wyant also added that she feels this is not the year to add new higher paying positions.

Vice Chair, Rye Valley District Supervisor Lori Deel added that one of the biggest complaints she receives from constituents in her district are personal property and real estate taxes being higher than those of neighboring counties. Mrs. Deel also added that she values small businesses.

After discussion, the Board agreed to hold a community meeting regarding the Meal's Tax in the coming weeks and directed the County Administrator to work out the logistics.

After consideration, the Budget Committee recommendation PASSED by the following roll-call vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

After further discussion a motion was made by North Fork District Supervisor Phil Stevenson to refer the Meal's Tax Implementation back to the Budget Committee for further review.

Saltville District Supervisor Roscoe Call seconded the motion.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

- *Royal Oak District Supervisor Judy Wyant made a motion to allow Mr. Utt to execute the letter of agreement with Hicok, Brown & Company to provide CPA services to prepare for the full audit. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

After consideration, the Budget Committee recommendation PASSED by the following roll-call vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,*

*Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



6/24/2021 6:15 PM Chair, Atkins District Supervisor Charles Atkins read the minutes and presented the following recommendation from the Water & Sewer Committee meeting held on June 17, 2021.

- *North Fork District Supervisor Phil Stevenson made a motion to allow Mr. Utt to authorize and execute a work order with Draper Aden & Associates to allow them to move forward with the Sewer Inflow/Infiltration Study grant application through the Department of Environmental Quality. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

After consideration, the Water & Sewer Committee recommendation PASSED by the following roll-call vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



6/24/2021 6:17 PM Chair, Atkins District Supervisor Charles Atkins presented the following Resolution to Rescind the Locally Declared State of Emergency for Smyth County, Virginia:



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION TO RESCIND THE LOCALLY DECLARED STATE OF EMERGENCY FOR SMYTH COUNTY, VIRGINIA

WHEREAS, on the 15th day of April 2020, the Board of Supervisors of Smyth County made a declaration of emergency due to the COVID-19 pandemic; and,

WHEREAS, during the fourteen months that followed, the effects of the pandemic on the citizens of Smyth County included 96 deaths and nearly 3,000 confirmed cases; and,

WHEREAS, Smyth County as a community pulled together in these unprecedented times to combat all aspects of the pandemic, including the initial shortages of Personal Protective Equipment (PPE), recommended social distancing, increases in COVID-19 testing and tracing, and the County-wide vaccination effort developed to protect our neighbors, friends, and family; and,

WHEREAS, Smyth County would like to thank all of the partners that assisted the County in working to overcome the negative effects of the COVID-19 pandemic on its citizens, including but not limited to the Mount Rogers Health District/Virginia Department of Health, Virginia Department of Emergency Management, Ballad Health/Smyth County Community Hospital, Southwest Virginia Community Health, the emergency services community throughout Smyth County, and the Towns of Marion, Chilhowie, and Saltville and finally the numerous local civic groups and churches; and,

WHEREAS, Smyth County's overall pandemic cases have decreased while our return to a new normal has resulted in economic and social recovery throughout the community; and,

WHEREAS, the state of emergency originally declared by the Governor of Virginia on March 12, 2020 for the entire Commonwealth is set to expire on June 30, 2021.

NOW THEREFORE BE IT RESOLVED, that on the 30th day of June 2021, the Smyth County Board of Supervisors effectively rescinds the declaration of emergency for the COVID-19 pandemic; and,

BE IT FURTHER RESOLVED, that Smyth County Board of Supervisors will always remember the lives lost due to this pandemic and cultivate a culture of safety and fellowship to strengthen our communities for years to come.

Adopted this the 24th day of June, 2021.

ATTEST:

A handwritten signature in blue ink, appearing to read "Shawn M. Utt", is written over a horizontal line.

Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

A handwritten signature in blue ink, appearing to read "Charles E. Atkins", is written over a horizontal line.

Charles E. Atkins, Chair


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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 6/24/2021 6:19 PM County Administrator, Shawn Utt reviewed the Board's goals from the Retreat. Mr. Utt noted that, while a lot of the goals have been accomplished, there are still a lot that needs to be done. Mr. Utt added that he had a good meeting with the Economic Development Team to put together a work plan for Economic Development for Smyth County for the next fiscal year. Mr. Utt said he has been focusing a lot of his time on the partnerships with the schools and the towns to help with needs and to make sure the line of communication is open. Mr. Utt added that they have been working on engineering studies for the water loss in County and working to put a cost to the monthly water loss. Mr. Utt noted that he is working on getting the Comprehensive Plan updated with the goal of a December, 2022 adoption date.

Chair, Atkins District Supervisor Charles Atkins asked for an update on the Broadband expansion project. Mr. Utt noted that the County was awarded a Broadband grant from the State but has been delayed due to the COVID-19 pandemic. Mr. Utt also noted that the County now has an RFP for the Consultants drafted and expected to be advertised soon to put together the Broadband Plan.

Royal Oak District Supervisor Judy Wyant noted that she would like to a plan to see an actual measurement of the accomplishments of the goals in more detail. Ms. Wyant expressed her concern with the vision and mission of the Board goals from the Retreat and understands that they are the desire but added that is not what she is hearing from the general public.

Chair, Atkins District Supervisor Charles Atkins noted that no action needs to be taken at this time but that the Board would like a measurement of the accomplishments of the Board Retreat goals.

Ms. Wyant also added that she would like to do surveys to allow the input of the citizens of County.

Saltville District Supervisor Roscoe Call spoke regarding a \$30,000.00 grant from Mount Rogers for Watson's Gap and North Holston Sewer Project in Saltville about two or three years

ago for an engineering study but doesn't think one was ever completed. Mr. Utt advised that he would look into that and see if a report was ever completed for that project.



6/24/2021 6:35 PM County Administrator, Shawn Utt presented the FY21/22 Budget Appropriations for 1st quarter:

In total, the 1st quarter appropriation is **\$26,839,381.00** as shown below following the categories that the County has used in the past and recommended by the County Treasurer to continue using:

The County Attorney noted for the record to make it known that Chilhowie District Supervisor Michael Sturgill has a personal interest in the Smyth County School Board but by voting on the entire appropriation, a conflict of interest did not exist.

→ General County.....	8,566,902
→ EDA Fund	202,500
→ Schools – Operating Fund.....	13,701,923
→ Schools – Debt and Capital Outlay.....	2,172,106
→ Schools – Textbook Fund.....	700,000
→ Social Services.....	1,438,529
→ Sheriff Fund	15,000
→ Recovery Court Fund.....	42,421

TOTAL APPROPRIATION – 1st Quarter 26,839,381

- *A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to approve the FY 21/22 Budget Appropriations for the 1st Quarter in the amount of \$26,839,381.00.*

Saltville District Supervisor Roscoe Call seconded the motion.


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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 6/24/2021 6:40 PM County Administrator, Shawn Utt presented information on the Regional Housing Study CDBG Grant. Mr. Utt is asking for the Board's consideration to serve as the fiscal agent for the Virginia Department of Housing and Community Development (DHCD) grant with the understanding that there will be no costs to the County but will provide benefits to the entire Mount Rogers region.

- *A motion was made by Saltville District Supervisor Roscoe Call to authorize County Administrator Shawn Utt to execute the necessary documents to apply for the CDBG housing study grant and for the County to serve as fiscal agent for the regional grant.*

North Fork District Supervisor Phil Stevenson seconded the motion.


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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 6/24/2021 6:42 PM County Administrator, Shawn Utt reviewed the American Rescue Plan Funding Implementation. Mr. Utt noted that the County has received the first part of the funding with the second part expected in May of 2022. Mr. Utt added that the guidelines and requirements for the funding are still being worked out at this time. Mr. Utt stated that whatever is done with the funding that it should make a lasting impact for the citizens of the County and would be here for many years to come. Mr. Utt requested guidance from the Board on putting together a committee that would vet projects that come in.

Vice Chair, Rye Valley District Supervisor Lori Deel noted that she would like to see the Board, citizens and staff on the committee to have a broader perspective.

North Fork District Supervisor Phil Stevenson added the public should have an input on it as well as the Board. Mr. Stevenson noted that the County should advertise in the newspaper regarding the committee to see if it brings interest and Mr. Utt agreed.

Chair, Atkins District Supervisor Charles Atkins said the County definitely needs to promote this committee whether it be in the newspaper or radio commercials to gain public input.

Mr. Stevenson added that he would like to see the County bring in recreation options for the children. Mr. Atkins added that the travel ball recreation area would bring in tremendous tourism for the County. Mr. Atkins asked Mr. Utt to schedule a community input session. Mrs. Deel noted that the Board has a responsibility to the citizens to get their input and bring back before the full Board.

Saltville District Supervisor Roscoe Call added that Saltville is in need of a community center.



6/24/2021 6:55 PM North Fork District Supervisor Phil Stevenson left the meeting due to other engagements.



6/24/2021 6:56 PM Assistant County Attorney, Don Martin reported they are continuing to work on two litigation matters that are ongoing and will provide more information on those during closed session. Mr. Martin added that there are several other matters that they are continuing to work on as well.



6/24/2021 6:56 PM County Administrator Report – Mr. Utt presented information on the Resolution Regarding Designated Emergency Response Agencies of Smyth County (DERA) that was previously approved in May 11, 2021 Board meeting. Mr. Utt requested a grammatical error for the Town of Saltville name that was specified in the DERA as “Saltville Rescue” be updated to reflect the correct name of the “Town of Saltville EMS”. Mr. Utt asked the Board for a motion to change the name from Saltville Rescue to Saltville EMS.



SMYTH COUNTY BOARD OF SUPERVISORS

A RESOLUTION REGARDING DESIGNATED EMERGENCY RESPONSE AGENCIES OF SMYTH COUNTY

WHEREAS, the Code of Virginia § 15.2-955 provides that each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

WHEREAS, "Emergency medical services" or "EMS" means health care, public health, and public safety services used in the medical response to the real or perceived need for immediate medical assessment, care, or transportation and preventive care or transportation in order to prevent loss of life or aggravation of physiological or psychological illness or injury.

WHEREAS, The Virginia Administrative Code 12VAC5-31-10 defines "Designated emergency response agency" as an EMS agency recognized by an ordinance or a resolution of the governing body of any county, city or town as an integral part of the official public safety program of the county, city or town with a responsibility for providing emergency medical response.

WHEREAS, Smyth County may from time-to-time review the status of already recognized and approved EMS agencies operating within its boundaries through resolutions, Smyth County standards operating procedures, and mutual aid agreements.

WHEREAS, Smyth County wants to cultivate the upmost and most effective medical care during emergencies of its residents and individuals that inhabit the county for leisure, pleasure, work, or business.

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby recognizes the following EMS agencies as Designated Emergency Response Agencies:

- The Town of Marion Fire and EMS (Stations 1&2)
- The Town of Chilhowie Fire Department (Station 3)
- Sugar Grove Rescue Squad (Station 5)
- Nebo Volunteer Fire Department (Stations 7&8)
- The Town of Saltville EMS / Saltville Rescue Squad, Inc. (Station 10)

Adopted this the 24th day of June, 2021

ATTEST:

A blue ink signature of Shawn M. Utt, written in a cursive style.

Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

A blue ink signature of Charles E. Atkins, written in a cursive style.

Charles E. Atkins, Chair

- *Saltville District Supervisor Roscoe Call made a motion to update the Resolution Regarding Designated Emergency Response Agencies of Smyth County (DERA) to reflect the correct name to the Town of Saltville EMS.*

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

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

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

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *Park District Supervisor Kris Ratliff, and
North Fork District Supervisor Phil Stevenson*



6/24/2021 6:58 PM Chair, Atkins District Supervisor Charles Atkins opened supervisor comment time.

Saltville District Supervisor Roscoe Call said that he was glad to see everyone and noted that they are here to do the best they can and for everyone to stay safe.

Vice Chair, Rye Valley District Supervisor Lori Deel said she appreciated the guest input and everyone working together.

Royal Oak District Supervisor Judy Wyant had no comment.

Chilhowie District Supervisor Michael Sturgill stated that he agrees with Mr. Stevenson regarding the travel ball park and that it brings in a lot of revenue and feels it would be beneficial to the County.

Chair, Atkins District Supervisor Charles Atkins thanked everyone for being here tonight and spoke in regards to the 2021 Rich Valley Fair and wishes them a successful fair and for everyone to continue to stay safe.



6/24/2021 7:01 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to enter into closed session under Code of Virginia, Section 2.2-3711 A.5 Discussion concerning a business or industry considering expansion for which no previous announcements have been made concerning Project Cardinal and under Code of Virginia, Section 2.2-3711 A.7 Consultation with legal counsel and briefings by staff members or consultants pertaining to

actual or probable litigation concerning the Adwolfe Sewer Project and Jericho. Saltville District Supervisor Roscoe Call seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff, and
North Fork District Supervisor Phil Stevenson



6/24/2021 7:16 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel, 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 roll-call vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,

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

NAYS: None.

ABSTAINERS: None.

ABSENT: *Park District Supervisor Kris Ratliff, and
North Fork District Supervisor Phil Stevenson*



6/24/2021 7:18 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to adopt the Resolution for Local Support of the Utilization of Industrial Access Railroad Track Funds.

Saltville District Supervisor Roscoe Call seconded the motion

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: *Park District Supervisor Kris Ratliff, and
North Fork District Supervisor Phil Stevenson*



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION FOR LOCAL SUPPORT OF THE UTILIZATION OF INDUSTRIAL ACCESS RAILROAD TRACK FUNDS

WHEREAS, the Smyth County EDA has expressed its intent and desire to the Smyth County Board of Supervisors to help Project Cardinal locate its commercial, business, or industrial operations in Smyth County; and,

WHEREAS, Project Cardinal and its operation will require rail access; and,

WHEREAS, the Smyth County EDA has reported to Smyth County their intent to apply for Industrial Access Railroad Track Funds from the Commonwealth of Virginia's Department of Rail and Public Transportation in the amount of \$450,000; and,

WHEREAS, the Smyth County EDA has requested that the Smyth County Board of Supervisors provide a Resolution supporting its application for said funds which are administered by the Virginia Department of Rail and Public Transportation.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of Smyth County hereby endorses and supports the application of the Smyth County EDA for \$450,000 in Industrial Access Railroad Track Funds; and,

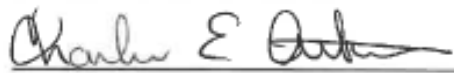
BE IT FURTHER RESOLVED, that Smyth County Board of Supervisors hereby makes known its desire and intent to support the Commonwealth Transportation Board in providing the maximum financial assistance to the Smyth County EDA for the purpose of assisting Project Cardinal in locating its facility in Smyth County.


Adopted this the 24th day of June, 2021.

ATTEST:


Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**


Charles E. Atkins, Chair

 6/24/2021 7:20 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for July 13th, 2021 at 5:00 PM.


The Smyth County Board of Supervisors held a special called meeting on Wednesday, June 30, 2021 at 11:45 a.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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye Valley District Supervisor Lori H. Deel (electronically); Chilhowie District Supervisor Michael Sturgill (electronically); Saltville District Supervisor Roscoe Call (electronically); North Fork District Supervisor Phil Stevenson; Park District Supervisor Kris Ratliff

ABSENT: Royal Oak District Supervisor Judy Wyant

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey

 6/30/2021 11:48 AM Chair, Atkins District Supervisor Charles Atkins called the meeting to order.

 6/30/2021 11:49 AM County Administrator, Shawn Utt presented the following Smyth County School Board appropriation request:

The Smyth County School Board Operating Funds appropriation request in the amount of \$727,685 to be broken down in the following categories:

Instruction	\$150,000
Administration	\$ 35,000
Facilities	\$492,685
Technology	\$ 50,000

- *A motion was made by North Fork District Supervisor Phil Stevenson to approve the Smyth County School Board Operating Fund appropriation request in the amount of \$727,685. Park District Supervisor Kris Ratliff seconded the motion.*


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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: Royal Oak District Supervisor Judy Wyant

 6/30/2021 11:50 AM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for July 13, 2021 at 5:00 PM.

The Smyth County Board of Supervisors held its regular meeting on Tuesday, July 13, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye Valley District Supervisor Lori H. Deel, Park District Supervisor Kris Ratliff; Saltville District Supervisor Roscoe Call; North Fork District Supervisor Phil Stevenson; Royal Oak District Supervisor Judy Wyant


ABSENT: Chilhowie District Supervisor Michael Sturgill

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey

OTHERS: Smyth County Sheriff's Deputy, Smyth County News and Messenger, and citizens

 7/13/2021 5:02 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 7/13/2021 5:02 PM Heather Street with the I.T. Department, led the Pledge of Allegiance. Pastor David Fugatt, Mt. Carmel UMC (Marion) & Davis Memorial UMC (Atkins), gave the invocation.

 7/13/2021 5:04 PM *A motion was made by Saltville District Supervisor Roscoe Call to amend the agenda to include 409 Flat Ridge Road, Sugar Grove, VA to section 10. b of the agenda and to include an additional item for closed session under Code of Virginia, Section 2.2.-3711 A.1 Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. Park District Supervisor Kris Ratliff seconded the motion.*

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and*

Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill



7/13/2021 5:05 PM A motion was made by Saltville District Supervisor Roscoe Call to adopt the agenda as amended. Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill



7/13/2021 5:10 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the June 8, 2021 meeting with correction as amended. Vice Chair Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the minutes from the June 24, 2021 meeting. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: Park District Supervisor Kris Ratliff

ABSENT: Chilhowie District Supervisor Michael Sturgill

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the minutes from the June 30, 2021 Special Called meeting. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Judy Wyant

ABSENT: Chilhowie District Supervisor Michael Sturgill



7/13/2021 5:07 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.



7/13/2021 5:11 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing and the following appropriation:

<u>General County</u>	
Accounts Payable Listing - 7/9/21	\$694,144.82

<u>Appropriations</u>	
Fund 303 - CDBG Food Pantry Grant	\$130,775.88

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


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*


NAYS: None.


ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill

 7/13/2021 5:13 PM Matthew Lewis, VDOT, Abingdon Residency presented information on the VDOT quarterly update. Mr. Lewis provided updates on various projects throughout the County. At the end of the presentation, Chair, Atkins District Supervisor Charles Atkins thanked Mr. Lewis for attending and providing the updates to the Board.

 7/13/2021 5:35 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

 7/13/2021 5:35 PM Ms. Rose Likins, Director, Smyth County Public Library provided an update to the Board on various projects going on at the Library and thanked the Board for their continued support. Mrs. Deel said she appreciated what the Library is doing for the children and their involvement in community partnerships.

 7/13/2021 5:41 PM Mr. Roby Parks Jr, 187 Churchland Drive, Atkins, VA expressed his concerns regarding the property located at 190 Churchland Drive in Atkins. Mr. Parks advised he is here to get action from the Board for this ongoing problem. Mr. Parks said the property contains several untagged and uninsured vehicles that are blocking the roadway and that there is a sewer smell coming from the property. Scot Farthing, County Attorney noted that he is making progress on this issue and will move forward with guidance from the Board.

- *Park District Supervisor Kris Ratliff made a motion directing the County Attorney under Smyth County, VA Code of Ordinances Section 8-5.3 to bring legal action to ensure compliance with the ordinance, including injunction, abatement or other appropriate action or proceeding for the property located at 190 Churchland Drive, Atkins VA, Tax Map # 49-A-28. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:


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

*North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill

 7/13/2021 5:46 PM Chair, Atkins District Supervisor Charles Atkins read the minutes from the Appointments Committee meeting held on July 6, 2021. Mr. Atkins went over the terms to serve on the Selective Service Board.

- *Saltville District Supervisor Roscoe Call made a motion to appoint Christopher Sean Call for one of the open seats on the Local Selective Service Board with a ten-year term effective July 1, 2021. North Fork District Supervisor Phil Stevenson seconded the motion.*

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill

 7/13/2021 5:49 PM Chilhowie District Supervisor Michael Sturgill entered the meeting.

 7/13/2021 5:50 PM Committee Chair, Chilhowie District Supervisor Michael Sturgill read the minutes from the Broadband and Telecommunication meeting held on July 12, 2021 and presented the following recommendations:

The committee reviewed the RFP proposal presented and identified the need to correct the wording within the RFP to remove any references to “bid” or “bidders” and replace with “proposal” and “proposers”, respectively.

- *After discussion, a motion was made by Rye Valley District Supervisor Lori Deel to authorize advertising and approve the RFP for the County-wide Broadband Telecommunications Plan as presented with the wording changes as discussed. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*

After consideration, the Broadband and Telecommunications Committee recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- A motion was made by Rye Valley District Supervisor Lori Deel to allow staff to proceed with a letter of intent to apply for the FY21/22 Virginia Telecommunications Initiative (VATI) funding as well as approved the starting point for the expansion areas as noted in the map presented. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*

After consideration, the Broadband and Telecommunications Committee recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



7/13/2021 5:53 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee meeting held on July 12, 2021 and presented the following recommendations:

- After discussion, a motion was made by Chilhowie District Supervisor Michael Sturgill to move forward on a budgeted radio study using the RFP from Twin County. 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *After discussion, Chilhowie District Supervisor Michael Sturgill made the motion to approve the Mutual Aid agreements for Fire and EMS pending review and approval as to form from the County Attorney. 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *Chilhowie District Supervisor Michael Sturgill made a motion to recommend the request to be forwarded to the American Rescue Plan Act (ARPA) Committee for consideration. 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson,*

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



7/13/2021 6:07 PM Committee Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Water and Sewer Committee meeting held on July 6, 2021 and presented the following recommendation:

- *After discussion, North Fork District Supervisor Phil Stevenson made a motion to give a one-time adjustment of \$1,726.25 due to a water leak to Stevenson Land & Cattle Company. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- 7/13/2021 6:11 PM Mr. Utt presented information on the request for Public Hearings for Nuisances Declarations regarding the following properties: 151 Rolling Hills Drive, Marion, VA and 409 Flat Ridge Road, Sugar Grove, VA.

Mr. Utt asked the Board to schedule a Public Hearing on the mentioned Nuisance Ordinance Complaints on August 10, 2021 at 5:00 p.m. or shortly thereafter.

- *A motion was made by North Fork District Supervisor Phil Stevenson to schedule the Public Hearing for the Nuisance Ordinances Complaints for 151 Rolling Hills Drive, Marion, VA and 409 Flat Ridge Road, Sugar Grove, VA on August 10, 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



7/13/2021 6:15 PM County Administrator, Shawn Utt reviewed the Meal's Tax implementation and presented options to better educate the citizens and the businesses impacted by the Meal's Tax.

In discussion with Mr. Utt, the Board decided to schedule a community meeting to obtain public input. Mr. Utt was instructed by the Board to send a letter to the affected businesses to notify them of the upcoming community input meeting.

Mr. Utt and Mr. Jeff Richardson, Commissioner of the Revenue will be attempting to reach out to the affected businesses in person before the meeting to discuss the tax.

- *After discussion, Vice Chair Rye Valley District Supervisor Lori Deel made a motion to schedule a community meeting regarding the implementation of the Meal's Tax for Smyth County to be held on Monday, August 16, 2021 at 6 p.m. with the location to be determined. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



7/13/2021 6:26 PM County Administrator, Shawn Utt presented the following Virginia Enterprise Zone Request from the Commissioner of Revenue for consideration:

- Richards Commercial Properties - \$262.85
- Royal Oak Real Estate LLC - \$8,867.69

Mr. Utt noted the staff recommendation would be to approve the exoneration as requested for the two properties.

- *After discussion, Vice Chair Rye Valley District Supervisor Lori Deel made a motion to approve the exoneration regarding the Enterprise Zone Program as requested for Richards Commercial Properties for \$262.85 and Royal Oak Real Estate LLC for \$8,867.69. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



7/13/2021 6:28 PM County Attorney, Scot Farthing provided updates on various projects that he is working on and provided an update on progress with the Water Mill Road/Route 693 issue brought forth by Charles Wassum at the June 24, 2021 Board of Supervisors meeting. Mr. Utt also presented his findings on the issue and the actions that will be taken in order to remove the "Water Mill Road" name wherever it is applied to State Route 693 on County mapping.



7/13/2021 6:33 PM County Administrator, Shawn Utt reported that effective January 1, 2022 all convenience stations would be open Monday-Saturday from 7:00 a.m.-6:00 p.m. without affecting the overall County budget. Mr. Utt also notified the Board members of the upcoming VACO Summit to be held on August 19-20, 2021 at the Hilton Richmond-Short Pump Hotel and advised the Board members if they are interested in attending that he will take care of their registrations.



7/13/2021 6:36 PM Chair, Atkins District Supervisor Charles Atkins presented the following appointments for the Board's consideration.

- *North Fork District Supervisor Phil Stevenson made a motion to appoint Sharon Buchanan to the Area Beautification Committee to serve as the North Fork representative to fill the unexpired term through December 31, 2021. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *Chair, Atkins District Supervisor Charles Atkins made a motion to reappoint Patton Graham to the Smyth County Library Board to serve as the Atkins representative for a 4-year term to expire on June 30, 2025. North Fork District Supervisor Phil Stevenson seconded the motion.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *Saltville District Supervisor Roscoe Call made a motion to reappoint Amy McVey to the Economic Development Authority to serve as the Saltville representative for a 4-year term to expire on June 30, 2025. North Fork District Supervisor Phil Stevenson seconded the motion.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *Vice Chair Rye Valley District Supervisor Lori Deel made a motion to reappoint Sammy Parsons and Bobby Coe to the Rye Valley Water Authority for additional 4-year terms to expire on June 30, 2025. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to reappoint Donna Greer to the Smyth County Library Board to serve as Rye Valley representative for a 4-year term to expire on June 30, 2025. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill,*

*Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



7/13/2021 6:39 PM Supervisor Comment Time

Royal Oak District Supervisor Judy Wyant commended the work of everyone involved to get the extra hours for the convenience stations and that she is glad to see the progress the Board is making in different areas. Ms. Wyant said she was glad to have some normalcy back following the Covid pandemic.

Vice Chair, Rye Valley District Supervisor Lori Deel thanked everyone for their work on adding the additional hours to the convenience station and noted a few activities that are going on around the County.

Chilhowie District Supervisor Michael Sturgill also commended the work to add the extra hours to the convenience stations. Mr. Sturgill said he appreciates the Board working together to benefit the citizens of the County and noted current and upcoming events in the County. Mr. Sturgill is excited for the start of the new school year and for normalcy to return.

North Fork District Supervisor Phil Stevenson had no comment.

Saltville District Supervisor Roscoe Call was glad things are returning to normal and that he is also happy about the new convenience station hours and for everyone to stay well.

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 thanked VDOT for coming and for the updates that were given and thanked the staff and Board for working together.

Chair, Atkins District Supervisor Charles Atkins thanked everyone for serving and for the great discussions. Mr. Atkins noted that the EDA and Tourism are working well together and thanked everyone for being here together in person.



7/13/2021 6:46 PM North Fork District Supervisor Phil Stevenson left the meeting.



7/13/2021 6:46 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to enter into closed session under Code of Virginia, Section 2.2-3711 A.1 Discussion, consideration, or interviews of prospective candidates for employment; assignment,

appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body concerning childcare program and two matters under 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 concerning Opioid Litigation and Adwolfe Sewer Litigation.

After consideration, the motion PASSED by the following vote:

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



7/13/2021 7:13 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel, 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, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Judy Wyant, and
Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 7/13/2021 7:14 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to approve the County Administrator to pursue the implementation of an after-school childcare program concept for all Smyth County Elementary Schools that lack existing after-school programs. Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

 7/13/2021 7:15 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for August 10, 2021 at 5:00 PM.


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:

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

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:

Fund 760 - Commonwealth Attorney Federal Drug Asset	\$3,006.00
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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:

School Board - Technology	\$100,000.00
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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-5th 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 2nd 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 1st 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.

The Smyth County Board of Supervisors held its regular meeting on Thursday, August 26, 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: Chair Atkins District Supervisor Charles Atkins, 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: North Fork District Supervisor Phil Stevenson


STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey; Economic Development Assistant Kendra Hayden

OTHERS: Smyth County Chamber of Commerce Director, Sarah Gillespie, Director of Tourism Amanda Livingston, Smyth County Sheriff's Deputy and citizens

 8/26/2021 5:00 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 8/26/2021 5:01 PM County Administrator, Shawn Utt led the Pledge of Allegiance. Economic Development Assistant Kendra Hayden, gave the invocation.

 8/26/2021 5:02 PM County Administrator, Shawn Utt spoke about the Commonwealth Opportunity Fund regarding Scholle. Mr. Utt noted that the Commonwealth Opportunity Fund grant requirements have been verified by the Virginia Economic Development Partnership (VDEP) with authorization to release the funds. Mr. Utt noted that Smyth County happily awards the full grant funds of \$125,000 to Scholle, IPN. Chairman, Atkins District Supervisor Charles Atkins, County Administrator, Shawn Utt, Economic Development Assistant, and Kendra Hayden presented the \$125,000 grant award check to Richardo Bernardo and Melinda Roberts representatives from Scholle.

 8/26/2021 5:03 PM *A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the August 10, 2021 meeting as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion.*


After consideration, the motion PASSED by the following vote:

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

 8/26/2021 5:04 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for the FY 21/22 Budget Amendment #1 and read aloud the request details within the Budget Amendment.

-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 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**

 8/26/2021 5:04 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

 8/26/2021 5:05 PM A motion was made by Saltville District Supervisor Roscoe Call to waive the reading of the rules for public hearings. Chilhowie District Supervisor Michael Sturgill seconded the motion.


After consideration, the motion PASSED by the following vote:

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

 8/26/2021 5:06 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the FY 2021/22 Budget Amendment #1 as presented:



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 ^{26th}~~26~~ day of August, 2021

ATTEST:

Shawn M. Uff, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**


Charles Atkins, Chair

After consideration, the motion PASSED by the following vote:

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



8/26/2021 5:06 PM Economic Development Planning Presentation – Sarah Gillespie, Smyth County Chamber of Commerce Director, Amanda Livingston, Director of Tourism and Kendra Hayden, Economic Development Assistant provided an update to the Board on their plans for Economic Development for the County. Ms. Gillespie expressed her excitement to work together to combine their talents and resources. Ms. Gillespie said the first thing they've identified to work on is the Smyth Strong logo with the theme that "We are stronger together" with the goal to have everyone use it on their email signature. Ms. Livingston added that in addition they are coming up with ideas to pool resources together and make the best use of taxpayer dollars. Ms. Livingston also noted the need for a video for quality of life to be used for marketing purposes which would be appealing to tourists and new businesses who may want to come or expand in Smyth County. Ms. Livingston added that the video could also be used to promote small business for the Chamber. Mrs. Hayden spoke regarding the different ways the videos would be used for marketing with the local Economic Development. Mrs. Hayden also spoke regarding Fam-Tours the County provides for the State and Regional representatives in order to showcase County assets and the quality of life the County has to offer. Ms. Gillespie added that the Chamber, EDA and Tourism are going to work to put together a new Chamber magazine that will include a newcomer's guide to make sure it covers all aspects of the County along with what is happening in the area. Ms. Livingston said that Tourism will also be including some rack brochures that can be provided to the welcome centers. Ms. Livingston also talked about grant opportunities with the three entities working in conjunction with each other. Mrs. Hayden provided closing remarks and gave an overview of the discussion.





8/26/2021 5:16 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.




8/26/2021 5:16 PM Grant Hall, 152 Old Mill Road, Chilhowie Virginia, owner of the Dip Dog Stand in Marion, VA spoke regarding his continued opposition with the Meal's Tax. Mr.

Hall asked the Board to consider rescinding the Meal's Tax and noted he would like the full Board to be present at that time, if possible.

 8/26/2021 5:18 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

 8/26/2021 5:18 PM County Administrator, Shawn Utt reported on the Community Input meeting that was held on Monday, August 16, 2021 regarding the Meal's Tax. Mr. Utt noted that there was a good turnout and hopes the citizens understand why the County has to make these decisions. Vice Chair, Rye Valley District Supervisor Lori Deel added the need for setting up incentives to help support small businesses in the County with hopes that the Smyth Strong Fund can be something ongoing. Royal Oak District Supervisor Judy Wyant, spoke about the challenges that small businesses continue to face and that she feels that in our current budget it was stated that every cost has been covered and added that the County needs to focus on the citizens.

 8/26/2021 5:26 PM Chilhowie District Supervisor Michael Sturgill spoke regarding the Meal's Tax and expressed his concerns about the current struggles everyone is facing and he would like to see the delay of implementation until July 1, 2022.

- *After discussion, Chilhowie District Supervisor Michael Sturgill made a motion to delay the implementation of the Meal's Tax until July 1, 2022. Royal Oak District Supervisor Judy Wyant seconded the motion.*


After consideration, the motion PASSED by the following vote:

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

 8/26/2021 5:34 PM County Administrator, Shawn Utt discussed the American Rescue Plan Act (ARPA) Committee and what it is expected to look like. Mr. Utt noted that each district Supervisor would appoint a member from his or her respective district and that group of appointees along with the Budget Committee would constitute the ARPA Committee. Mr. Utt added that he did speak with North Fork District Supervisor Phil Stevenson, who was absent

from the meeting and was able to get a name from him to represent that district. After discussion, Mr. Utt said asked that each Board Member have a name to present at the September 14, 2021 Board of Supervisors meeting for full consideration by the Board.

 8/26/2021 5:37 PM County Administrator, Shawn Utt discussed the outcome of the August *Smyth12* meeting regarding recreational opportunities in the County. Mr. Utt reiterated that he would like to see the County do something for the youth noting that as of today, the County does not provide a recreational program or department. Mr. Utt noted that the *Smyth12* group talked about establishing a recreation committee to assist and start the planning process and added all three towns are on board to offer their support to move forward. Chair, Atkins District Supervisor Charles Atkins noted that the towns at the *Smyth12* meeting stated that they would be willing to continue their support with funding on the current level. Mr. Utt added that this could be a great partnership for the County and three towns to come together and work to find a solution that would benefit all of Smyth County. Vice Chair, Rye Valley District Supervisor Lori Deel noted she would like to see efforts to look at exploring options for a campground in the County. Chilhowie District Supervisor Michael Sturgill also added that a proposed recreation area would generate a lot of revenue to the County and he would love to see this for Smyth County. Mr. Atkins noted that the proposed recreation committee would give good insight to what the community wants as a whole. Mr. Utt noted that at this time this was a discussion only item and no action was expected.

 8/26/2021 5:44 PM County Attorney Report – Scot Farthing reported he has nothing new to report on at this time but noted that the Gollehon case has been assumed by VACorp Risk Management.

 8/26/2021 5:46 PM County Administrator Report – Mr. Utt presented information on the upcoming VACo Annual Conference and noted that it will be held on November 14-16th in Norfolk. He encouraged the Board members to attend and to let him know if anyone was interested so that arrangements can be made. Chair, Atkins District Supervisor Charles Atkins added that this conference is a good chance to meet with our peers and state officials.

 8/26/2021 5:49 PM Chair, Atkins District Supervisor Charles Atkins opened Supervisor comment time.

Royal Oak District Supervisor Judy Wyant noted she was happy to see the Board be responsive to the community in the delay of the Meal's Tax. Ms. Wyant was also happy to see school going smoothly but added that she is concerned with COVID and asked for everyone to please take all necessary precautions. Ms. Wyant thanked everyone for all they do to make the County better.

Vice Chair, Rye Valley District Supervisor Lori Deel thanked the community for their input and said she was happy to have a sense of normalcy back. Mrs. Deel added she was excited for the partnership with the Chamber, Tourism Board and County EDA and that she was happy to hear about the Woodgrain expansion announcement. Mrs. Deel thanked everyone for working together to better the County.

Chilhowie District Supervisor Michael Sturgill thanked the Chamber, Tourism and EDA for all coming together and added that he is a believer in "Smyth Strong". Mr. Sturgill added that everyone needs to continue to work together to make Smyth County the best place to live and wished for everyone to stay safe and take proper precautions. Mr. Sturgill also thanked Mr. Utt for the implementation of the After-School Care program and noted that there are several already participating and that he thinks this will be a good thing for the citizens of Smyth County. Mr. Sturgill added that if parents need an application for the After-School care that they will be available at the schools.

Saltville District Supervisor Roscoe Call thanked everyone for coming and to please consider getting the vaccination in hopes to help defeat COVID.

Park District Supervisor Kris Ratliff spoke about the recreation opportunities and said he was amazed with how many teams from Smyth County that were at the Umpire Tournament he was recently at in Kingsport, and that he feels there is a need to develop something to tap into that revenue and added that it services our youth. Dr. Ratliff said that the other recreation centers are in Dublin, VA and Kingsport, TN which puts Smyth County in the middle of those and says it can help drive local sales. Dr. Ratliff also encouraged everyone to consider getting vaccinated and is hoping the economy doesn't shut down again. Dr. Ratliff thanked Mr. Utt, his team and the Supervisors for all they do.

Chair, Atkins District Supervisor Charles Atkins noted that he was happy to see the EDA, Tourism and the Chamber all working well together and getting things done. Mr. Atkins said that postponing the implementation of the Meal's Tax tonight and it showed that the voices of the citizens were heard. Mr. Atkins also noted that several years ago he thought there was a logo developed for County usage and Mr. Utt added that he would have Kendra Hayden look into that. Mr. Atkins also added he was happy that the Board can talk as a group and work well together. Finally, Mr. Atkins spoke about the upcoming Constitution week which is on September 17-23, 2021 and added there was a Proclamation that was signed to recognize that week. Mr. Utt said he would have the Proclamation for Constitution week hung on the wall for display.



8/26/2021 6:04 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for September 23, 2021 at 5:00 PM.

The Smyth County Board of Supervisors held its regular meeting on Tuesday, September 14, 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: Chair Atkins District Supervisor Charles Atkins, Vice Chair Rye Valley District Supervisor Lori H. Deel, Saltville District Supervisor Roscoe Call; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Judy Wyant, North Fork District Supervisor Phil Stevenson


ABSENT: Park District Supervisor Kris Ratliff

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey; Economic Development Assistant Kendra Hayden, Building & Grounds Superintendent Dennis Greer, Building & Zoning Administrator Clegg Williams, Assistant County Attorney Don Martin

OTHERS: Smyth County News & Messenger and Citizens

 9/14/2021 4:59 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 9/14/2021 4:59 PM Building & Zoning Administrator, Clegg Williams led the Pledge of Allegiance. Rev. Dr. Charles Stewart, Sr. Pastor of Marion Baptist Church, gave the invocation.

 9/14/2021 5:01 PM *Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to amend the agenda to include item 6 (a), Presentations, Paige Wright, Smyth County Explorer's After-School Program and item 10 (c), ARPA Committee Appointments.*

Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 9/14/2021 5:01 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the August 26, 2021 meeting as presented.

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


After consideration, the motion PASSED by the following vote:


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


NAYS: None.

ABSTAINERS: North Fork District Supervisor Phil Stevenson

ABSENT: Park District Supervisor Kris Ratliff

 9/14/2021 5:04 PM Paige Wright, Coordinator for the *Smyth County Explorer's After-School Program* discussed the current enrollment numbers and added that four elementary schools are actively participating at this time. Ms. Wright said that as of today they have 40 students enrolled and 8 counselors staffed plus herself and added that like any other new programs they are making necessary adjustments as they go along. Ms. Wright noted that the After-School program has been using the "Remind App" as a way to communicate with parents so that there is no exchange of personal information and added that it is working well. Chair, Atkins District Supervisor Charles Atkins added that he is hearing lots of positivity from the program and noted that he would like to thank everyone who was involved in getting the program up and running so quickly and efficiently. Royal Oak District Supervisor Judy Wyant thanked Ms. Wright for stepping in and taking leadership of the program.

 9/14/2021 5:05 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

 9/14/2021 5:07 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing:

General County	
Accounts Payable Listing – 08/01/2021-08/31/2021	\$1,237,505.36

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:


*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*


NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 9/14/2021 5:10 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

 9/14/2021 5:10 PM Charles Wassum, 321 Wassona Circle, Marion, spoke about Constitution Week and the importance of the Constitution to him. Mr. Wassum passed out information regarding the Virginia Bill of Rights to the Board of Supervisors.

 9/14/2021 5:15 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

 9/14/2021 5:15 PM Royal Oak District Supervisor Judy Wyant read the minutes from the Budget Committee meeting held on September 7, 2021 and presented the following recommendations:

- *Royal Oak District Supervisor Judy Wyant made a motion to recommend the transfer of \$10,000 from Supplemental Appropriations (Fund 001) into the Capital Improvements Fund (Fund 502) for the Radio System Study. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

- *Royal Oak District Supervisor Judy Wyant made a motion to recommend the transfer of \$40,000 in grant revenues from the General Fund (Fund 001) into Capital Improvements Fund (Fund 502) for the Broadband Grant project. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

- *Atkins District Supervisor Charles Atkins made a motion to recommend to the Board of Supervisors to appropriate the entire \$1,000 balance in the Water and Sewer Department Refund Account Fund (501-085010-5424) for FY 21-22. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

Another discussion point from the Budget Committee included the need to amend the budget due to the delayed implementation of the Meals Tax. Mr. Utt had recommended the following to the Budget Committee for consideration:

Amend revenues:

- Decrease the revenue line item 001-011052-0001 (MEALS TAX REVENUE) from \$250,000 to \$0.00 (total reduction of \$250,000 in revenues)

Amend expenditures:

- Accounting Department (Finance Director position):
 - 001-012150-1001 (SALARIES) – from \$118,050 to \$43,050 (reduction of \$75,000)
 - 001-012150-2001 (FICA) – from \$9,031 to \$3,293 (reduction of \$5,738)
 - 001-012150-2002 (Retirement/VRS) – from \$10,518 to \$3,836 (reduction of \$6,683)
 - 001-012150-2005 (Hospital/Medical Cost) – from \$29,888 to \$17,309 (reduction of \$12,579)
- Capital Improvements:
 - 502-012010-0265 (Finance Software Upgrades) – from \$150,000 to \$0.00 (total reduction of \$150,000)
- *Atkins District Supervisor Charles Atkins made a motion to recommend amending the budget to reflect the loss of the \$250,000 Meals Tax projected revenue and corresponding expenses in the Capital Improvements Plan (Finance Software) and Finance Director position. Royal Oak District Supervisor Judy Wyant seconded the motion and it was unanimously approved.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



9/14/2021 5:22 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Building & Grounds Committee meeting held on September 3, 2021 and presented the following recommendation:

- *Chilhowie District Supervisor Michael Sturgill made a motion to recommend authorizing the County Administrator to move forward with the Architectural & Engineering Services – Request for Proposal (RFP) for the Feasibility Study and Space Needs Assessment. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*


After consideration, the Building & Grounds Committee recommendation PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 9/14/2021 5:24 PM Chilhowie District Supervisor Michael Sturgill read the minutes from the Personnel Committee meeting held on September 3, 2021 and presented the following recommendations:

- *Atkins District Supervisor Charles Atkins made a motion to recommend authorizing the County Administrator to move forward with two positions in the Water/Sewer department for equipment operators. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*

After consideration, the Personnel Committee recommendation FAILED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins

*NAYS: Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

Discussion ensued regarding the current needs of the Water and Sewer Department.

- *A motion was made by North Fork District Supervisor Phil Stevenson to fill the water-operator position being vacated due to retirement in the Water & Sewer Department.*

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:


*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,*


*Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 9/14/2021 5:42 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee meeting held on September 3, 2021. Discussion ensued regarding Automatic Aid for Smyth County Fire & EMS. No recommendations arose from the Committee for the Board to consider.

 9/14/2021 5:53 PM North Fork District Supervisor Phil Stevenson read the minutes from the Water & Sewer Committee meeting held on September 7, 2021 and presented the following recommendation:

- *North Fork District Supervisor Phil Stevenson made a motion to recommend formally accepting the \$75,000.00 grant from the Virginia Department of Environmental Quality (DEQ) and to authorize the County Administrator to execute the necessary documents associated with funding for the SSES Grant through the DEQ. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*


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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 9/14/2021 5:55 PM Building & Zoning Administrator, Clegg Williams provided a review on the Public Nuisance complaint at 409 Flatridge Road, Sugar Grove, VA regarding the 30-day comparison photos that were taken by Mr. Williams on September 10, 2021. Mr. Williams noted that he did not see any progress that was made to the property.

Mr. John Overbey, owner of the 409 Flatridge Road property where the mobile home is located noted that the mobile home owner hauled most of the debris off the property over this past weekend after Mr. Williams' inspection. Mr. Overbey added that the property was supposed to be re-inspected on September 13, 2021 and that Mr. Williams was there on September 10, 2021, two days prior to the original deadline.

Discussion ensued.

- *North Fork District Supervisor Phil Stevenson made a motion to direct Building & Zoning Administrator, Clegg Williams to go back to 409 Flatridge Road, Sugar Grove this week and re-inspect the property to give the full 30 days from the notice and report back the findings to the Board of Supervisors on the October 12, 2021 meeting.*

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


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 9/14/2021 6:04 PM County Administrator, Shawn Utt opened the conversation regarding the ARPA committee appointments by each Board member. It was noted that three members were ready to make their appointment while the remaining members would be offering their appointments at the October 12th Board meeting.

North Fork District Supervisor Phil Stevenson nominated John McLean from the North Fork District to serve on the APRA Review Committee.

Chair, Atkins District Supervisor Charles Atkins nominated Vincent Adams from the Atkins District to serve on the APRA Review Committee.

Chilhowie District Supervisor Michael Sturgill nominated Ronnie Corbin from the Chilhowie District to serve on the APRA Review Committee.

- *North Fork District Supervisor Phil Stevenson made a motion to nominate the aforementioned to serve on the American Rescue Plan Act (ARPA) Review Committee:*

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



9/14/2021 6:06 PM County Administrator, Shawn Utt discussed the issue regarding the exemption of personal property tax on farm equipment providing the following summary:

In June 2010, the Board of Supervisors voted to eliminate the tax on farm equipment with the adoption of the FY2010/2011 budget. However, the Board failed to formalize this elimination by removing it from County Code. The Commissioner of Revenue helped to discover this oversight recently when he was approached by Washington County's Commissioner of Revenue. In the minutes of the June 24, 2010 Board meeting, there is a reference that the budget being voted on included "eliminating the tax on farm equipment (Effective July 1, 2010)." However, there are no official/specific actions taken by the Board at this time. On March 10, 2015, the Board held a public hearing to exempt farm animals and household items. That action was indeed followed up with an ordinance that the Board passed at the next meeting. Mr. Utt said depending on any recommendations or suggestions from the County Attorney, the County would like to proceed to formally eliminate the tax on farm equipment, which may likely require a public hearing. Mr. Utt would like to request this issue be recommended to the Ordinance Committee for further review with assistance and guidance from the County Attorney.

Mr. Utt recommended that the Board refer this issue to the Ordinance Committee for further review with guidance from the County Attorney.

Royal Oak District Supervisor Judy Wyant noted that she supports agriculture but her concern is there were farmers on the Board at the time this occurred making decisions that she feels

could have been for personal benefit. Ms. Wyant added that she wants the best for everyone in the County and we need to think carefully about how to move forward.

Vice Chair, Rye Valley District Supervisor Lori Deel asked how it was possible for the County to stop collecting the tax. Saltville District Supervisor Roscoe Call stated that the Board had nothing to do with suggesting the proposed elimination of the tax on farm equipment and that it was a recommendation by the Commissioner of Revenue at the time. Mr. Call also stated that it was very difficult to collect the tax accurately, since appliances and other household items were also included in the required reporting.

North Fork District Supervisor Phil Stevenson added that he does not want to see a tax on farm animals or farm equipment and he would vote against that.

Chair, Atkins District Supervisor Charles Atkins said that every vote that is made affects each citizen of the County in some way. Discussion continued.

- *North Fork District Supervisor Phil Stevenson made a motion to refer the issue regarding the personal property tax on farm equipment to the Ordinance Committee for further review.*

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



9/14/2021 6:18 PM County Attorney Report: Don Martin reported that enforcement action on the Churchland Drive zoning ordinance issue has been filed this week with the court and he hopes to have it resolved in the coming weeks. Mr. Martin spoke regarding the zoning violation at 484 Riverside Drive, Chilhowie, and asked the Board to authorize the County Attorney to enforce the zoning ordinance against the land owners. Chilhowie District Supervisor Michael Sturgill spoke regarding the complaints he has received from residents regarding the 484 Riverside Drive property and noted that he thinks it's at a point where something needs to be done. Building & Zoning Administrator, Clegg Williams added that he

drove by the property today and noticed there is now a conversion van parked on the property. Discussion ensued.

- *North Fork District Supervisor Phil Stevenson made a motion to authorize the County Attorney to move forward with enforcing the County's zoning ordinance at 484 Riverside Drive, Chilhowie.*

Chilhowie District Supervisor Michael Sturgill seconded the motion.


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 9/14/2021 6:26 PM County Administrator, Shawn Utt discussed the CDBG grant for the Food Pantry that was inadvertently included in the budget amendment to be appropriated again in the amount of \$130,776. Mr. Utt requested that the Board consider rescinding the appropriation of \$130,776 to Fund 303, CDBG Food Pantry fund.

- *A motion was made by North Fork District Supervisor Phil Stevenson to rescind the appropriation in the amount of \$130,776 for Fund 303, CDBG Food Pantry fund which was included in the FY21/22 Budget Amendment #1.*

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



9/14/2021 6:27 PM Chair, Atkins District Supervisor Charles Atkins opened Supervisor comment time.

Royal Oak District Supervisor Judy Wyant thanked Dr. Charles Wassum for coming and reminding everyone of Constitution Week and how important it is to uphold and sustain in order to preserve a free country and freedom. Ms. Wyant said she was very thankful to live in a county where we can enjoy those freedoms.

Vice Chair, Rye Valley District Supervisor Lori Deel welcomed and recognized two residents from her district, Mr. Bob de Camara and Ms. Sharon Hayden, who recently purchased property along South Fork Road. Mrs. Deel noted that Mr. de Camara and Ms. Hayden own a private plane and would like to create a small airfield landing strip on the property along South Fork Road. Mrs. Deel said that although there is not a current zoning ordinance for landing strips, but added she feels it is something of importance to consider and that it could be beneficial in many ways and could also promote tourism for Fly Fishing in South Fork and surrounding areas. Mrs. Deel added that she looks forward to working with everyone to get the airfield landing strip established.

North Fork District Supervisor Phil Stevenson said that aviation was important to him and asked Building & Zoning Administrator Clegg Williams what was needed to move the issue forward. Mr. Williams stated that airports are not currently included in Smyth County's zoning ordinance, and Mr. Williams recommended that the Board sent it to the Planning Commission for review and consideration.

- *North Fork District Supervisor Phil Stevenson made a motion to request the Planning Commission to consider private airports and how they should be addressed by the zoning ordinance.*

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

Saltville District Supervisor Roscoe Call welcomed Mr. Bob de Camara and Ms. Sharon Hayden to the community and wished for everyone to continue to stay safe.

Chilhowie District Supervisor Michael Sturgill expressed how excited he was for the possibility for the air strip and added that it could be used for Med-Flight to save lives. Mr. Sturgill thanked the staff for all the hard work. Mr. Sturgill talked about the upcoming Apple Festival in Chilhowie and the Chili Cook-off in Marion and wished for good weather for these community events and hopes that the virus will take a downturn so things can return to normal.

Chair, Atkins District Supervisor Charles Atkins thanked everyone for coming and for working together and to be safe.

 9/14/2021 6:33 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to cancel the September 23, 2021 Board of Supervisor's Meeting.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 9/14/2021 6:34 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for October 12, 2021 at 5:00 PM.

The Smyth County Board of Supervisors held its regular meeting on Tuesday, October 12, 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: Chair Atkins District Supervisor Charles Atkins, Saltville District Supervisor Roscoe Call; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Judy Wyant; Park District Supervisor Kris Ratliff


ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, North Fork District Supervisor Phil Stevenson

STAFF: County Administrator Shawn Utt; Administrative Assistant Paula Harvey; Building & Grounds Superintendent Dennis Greer, Building & Zoning Administrator Clegg Williams, County Attorney Scot Farthing

OTHERS: Smyth County News & Messenger, Citizens, VDOT – Joshua Lewis, VDOT – Allan Sumpter

 10/12/2021 4:59 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 10/12/2021 5:00 PM GIS Coordinator, Manuel Street led the Pledge of Allegiance. Rev. Dr. Latara Turner Cross, Pastor of Mt. Zion Temple Worship Center in Marion, gave the invocation.

 10/12/2021 5:01 PM *A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the September 14, 2021 meeting as presented.*

Chilhowie District Supervisor Michael Sturgill seconded the motion.


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
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: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

 10/12/2021 5:02 PM Mr. Allan Sumpter, Residency Engineer for VDOT discussed updates on various projects that VDOT is currently working on throughout the County. Mr. Sumpter also provided updates on projects that Matthew Lewis is currently working on as requested by Board members. Saltville District Supervisor Roscoe Call commended VDOT for a job well done with laying asphalt on Upper Poore Valley Road. Chair, Atkins District Supervisor Charles Atkins asked Mr. Sumpter to look into road issues on Crowe Hollow Road in Atkins and thanked VDOT for coming to the meeting.

Joshua Lewis, Assistant Residency Engineer for VDOT went over other various construction projects in the County and updated the Board with the progress being made.

 10/12/2021 5:27 PM County Administrator, Shawn Utt, reviewed the County financial information.

 10/12/2021 5:05 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing:

<u>General County</u>	
Accounts Payable Listing – 09/01/2021-09/30/2021	\$1,809,529.77

Chilhowie District Supervisor Michael Sturgill seconded the motion.


After consideration, the motion PASSED by the following vote:


*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
Park District Kris Ratliff, and
Saltville District Supervisor Roscoe Call*


NAYS: None.


ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

 10/12/2021 5:30 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

 10/12/2021 5:30 PM Judy Lawrence, 402 Blake Road, Marion spoke about her recent experience with the Water Department and discussed the concerns she has with the billing process and provided the Board with a document of changes she would like to see made.

 10/12/2021 5:46 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

 10/12/2021 5:46 PM Royal Oak District Supervisor Judy Wyant read the minutes from the Appointment Committee meeting held on October 12, 2021 and presented the following recommendations:

- *A motion was made by Atkins District Supervisor Charles Atkins to recommend approval of the reappointment of Norma Teaters to the Department of Social Services Board for an additional 4-year term to end on October 31, 2025. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.*

After consideration, the Appointment Committee recommendation PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

- *A motion was made by Saltville District Supervisor Roscoe Call to recommend approval of the reappointment of Charles Atkins as the County's voting member and Kris Ratliff as the County's alternate with each having a 1-year term to expire September 30, 2022 to serve on the District Three Governmental Cooperative Board. Royal Oak District Supervisor Judy Wyant seconded the motion. The motion passed 2-0 with Atkins District Supervisor Charles Atkins abstaining.*

After consideration, the Appointment Committee recommendation PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and*

Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

- *A motion was made by Saltville District Supervisor Roscoe Call to recommend approval of the reappointment of Charles Atkins as the County's voting member and Kendra Hayden as the County's alternate with each have a 1-year term to expire September 30, 2022 to serve on the Marion Downtown Revitalization Committee. Royal Oak District Supervisor Judy Wyant seconded the motion. The motion passed 2-0 with Atkins District Supervisor Charles Atkins abstaining.*

After consideration, the Appointment Committee recommendation PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

- *A motion was made by Saltville District Supervisor Roscoe Call to appoint Derek Snodgrass to serve on the Local Selective Services Board with a 10-year term to expire October 12, 2031. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

After consideration, the Appointment Committee recommendation PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



10/12/2021 5:52 PM Chair, Atkins District Supervisor Charles Atkins read the minutes from the Budget Committee meeting held on September 30, 2021 and presented the following recommendations:

- *A motion was made by Rye Valley District Supervisor Lori Deel to recommend the approval of the FY21/22 Budget Amendment #3 to include the EDA Grant Rollover request. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

- *A motion was made by Rye Valley District Supervisor Lori Deel to authorize for County staff to begin the Request for Proposal (RFP) process to implement the reassessment process with an effective date to be January 1, 2024. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

- *Rye Valley District Supervisor Lori Deel made a motion to amend her original motion for the FY21/22 Budget Amendment #3 to include \$120,000 in funding from the Regional Jail proceeds to be directed toward IT maintenance upgrades.*

Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION

SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #3

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, on August 26, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #1) for Fiscal Year 2021-2022 in the amount of \$100,246,861 to allow for FY21 budget rollovers; and,

WHEREAS, on September 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #2) for Fiscal Year 2021-2022 in the amount of \$99,996,861 to allow for the loss of revenues related to the County meals tax implementation delay; and,

WHEREAS, the aggregate amount of budget amendment #3 is \$129,362 which would increase the Fiscal Year 2021-2022 budget to a total of \$100,126,223 as shown 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 2021-2022 in the amount of \$100,126,223.

BE IT FURTHER RESOLVED, the approval of this budget amendment #3 shall indeed constitute an appropriation of the same funds.

Adopted this the 12th day of October, 2021

ATTEST:


Shawn M. Utz, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

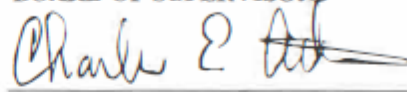

Charles Atkins, Chair

Exhibit A
FY 2021-22
Budget Amendment #3 (10-12-21)


Part 1. REVENUES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Budget with Amendment	Notes
FUND 004	EDA Fund Revenue	004-010000-0010	Pathway Park Site Work	\$ (99,996,861)	\$ (9,362)	\$ (100,006,223)	Roll-over of grant funds for EDA
Total Revenues With Amendment				\$ (99,996,861)	\$ (9,362)	\$ (100,006,223)	

Part 2. EXPENDITURES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Amended Budget Amount	Notes
FUND 004	General EDA Expenses	004-012010-5500	Pathway Park Site Work	\$ -	\$ 9,362	\$ 9,362	Roll-over of Grant funds for EDA
Total Expenditures With Amendment				\$ 99,996,861	\$ 9,362	\$ 100,006,223	

Revenues	\$ (99,996,861)	\$ (9,362)	\$ (100,006,223)
Expenditures	\$ 99,996,861	\$ 9,362	\$ 100,006,223
Difference	\$ -	\$ -	\$ -

 10/12/2021 6:01 PM Saltville District Supervisor Roscoe Call read the minutes from the Ordinance Committee meeting held on September 30, 2021 and presented the following recommendation:

- *A motion was made by North Fork District Supervisor Phil Stevenson to recommend scheduling a Public Hearing at the November 10, 2021 Board of Supervisor's meeting to be held at 5:00 p.m. or shortly thereafter to consider an ordinance that would formally exempt farm equipment from personal property tax. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*


After consideration, the Ordinance Committee recommendation PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

 10/12/2021 6:07 PM Chair, Atkins District Supervisor Charles Atkins read the minutes from the Water & Sewer Committee meeting held on September 30, 2021 and presented the following recommendations:

- *A motion was made by North Fork District Supervisor Phil Stevenson to proceed with the Nick's Creek Pump Station project and to authorize the County Administrator to move forward with applying for the Mount Rogers PDC Water/Waste-Water grant.*

Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

- *A motion was made by North Fork District Supervisor Phil Stevenson to eliminate the re-establishment of service fees from the Water & Sewer Schedule of Fees with a plan to adjust the application fee with next fiscal year's budgeting process. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

- *A motion was made by North Fork District Supervisor Phil Stevenson to recommend for the Personnel Committee to consider splitting Wally Blevins' position back into two Superintendent positions (one over Solid Waste and one over Water/Sewer) with Mr. Blevins returning to serve as Solid Waste Superintendent. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



10/12/2021 6:20 PM Chilhowie District Supervisor Charles Atkins read the minutes from the Personnel Committee meeting held on September 30, 2021 and presented the following recommendations:

- *A motion was made by Atkins District Supervisor Charles Atkins to recommend the hiring of a utilities superintendent position to take over supervisory duties for the Water & Sewer Department following the recommendation of the Water & Sewer Committee. 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: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



10/12/2021 6:20 PM Chilhowie District Supervisor Michael Sturgill read the minutes from the Public Safety Committee meeting held on October 5, 2021. There was no action taken at this time.



10/12/2021 6:31 PM Building & Zoning Administrator, Clegg Williams presented the follow-up findings regarding the Public Nuisance at 409 Flat Ridge Road, Sugar Grove. Mr. Williams reviewed photos that were taken at said property and advised he had recently met with the property and land owners and made suggestions on what could be done to remedy the situation. Mr. Williams added that this original complaint goes back to 2019 and nothing

has been done to fix the situation. Park District Supervisor Kris Ratliff concurred with Mr. Williams. Discussion ensued.

- *A motion was made by Park District Supervisor Kris Ratliff to declare 409 Flat Ridge Road, Sugar Grove, VA a Public Nuisance and authorize the County Attorney to move forward with legal action.*

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



10/12/2021 6:37 PM Building & Zoning Administrator, Clegg Williams discussed the request to amend the zoning ordinance to include "Airports". Mr. Williams asked the Board to consider scheduling a Joint Public Hearing later this month regarding this issue.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to agree to schedule a Joint Public Hearing with the Planning Commission set for October 28, 2021 at 7:00 p.m or shortly thereafter to consider amending the current zoning ordinance to include "Airports".*


Park District Supervisor Kris Ratliff seconded the motion.


*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

 10/12/2021 6:38 PM Building & Zoning Administrator, Clegg Williams provided an update on the Comprehensive Plan Study RFP and noted that the County did receive two RFP's back and would begin the process of reviewing those with the committee. Mr. Utt said he expects the committee to meet once a month for the next year. Vice Chair, Rye Valley District Supervisor Lori Deel had previously volunteered to serve on the committee. Park District Supervisor Kris Ratliff and Saltville District Supervisor Roscoe Call also volunteered to serve as part of the Comprehensive Plan Study Committee.

 10/12/2021 6:40 PM County Administrator, Shawn Utt presented the FY21/22 Budget Appropriations for 2nd quarter:

In total, the 2nd quarter appropriation is **\$21,404,989** as shown below following the categories that the County has used in the past and recommended by the County Treasurer to continue using:

→ General County.....	6,545,118
→ Schools – Operating Fund.....	13,070,921
→ Social Services.....	1,646,529
→ Social Service Vehicle Appropriation.....	100,000
→ Recovery Court Fund.....	42,421

TOTAL APPROPRIATION – 2nd Quarter 21,404,989

- *A motion was made by Saltville District Supervisor Roscoe Call to approve the FY 21/22 Budget Appropriations for the 2nd Quarter in the amount of \$21,404,989.00.*

The motion was seconded by Chilhowie District Supervisor Michael Sturgill.


After consideration, the motion PASSED by the following vote:

AYES: *Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Judy Wyant, and
Park District Supervisor Kris Ratliff*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*

 10/12/2021 6:41 PM Chair, Atkins District Supervisor Charles Atkins presented and discussed information on the Speyside Bourbon Cooperage Tobacco Region Opportunity Grant (TROF) Performance Agreement extension request and added that the request came in

light of slightly lower employment numbers due to the company opening their Atkins facility during the COVID-19 pandemic. Mr. Atkins also said that Speyside Bourbon Cooperage was required to meet a \$26MM capital investment and 125 new jobs within 48-months and to date, the company has met the capital investments but are just shy of the employment metrics. Discussion ensued.

- *Saltville District Supervisor Roscoe Call made a motion to approve the request for an extension for Speyside Bourbon Tobacco Opportunity Grant (TROF) performance agreement.*

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After discussion, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Judy Wyant, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



10/12/2021 6:43 PM County Attorney Report – Scot Farthing provided an update on various projects he is working on. Discussion ensued.

- *Chilhowie District Supervisor Michael Sturgill made a motion to authorize the County Attorney to move forward with legal action on 450 Adwolfe Road, Marion, VA for nuisance abatement.*

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Judy Wyant, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



10/12/2021 6:51 PM County Administrator, Shawn Utt discussed the American Rescue Plan Act (ARPA) Review Committee and noted that three Board members made their appointment to the Committee at the September 14, 2021 meeting and the remaining four Board members are making the following requests:

- *Saltville District Supervisor Roscoe Call made a motion to appoint the following to serve on the American Rescue Plan Act (ARPA) Review Committee:*

Vice Chair, Rye Valley District Supervisor Lori Deel nominated Bob de Camara from the Rye Valley District to serve on the ARPA Review Committee.

Royal Oak District Supervisor Judy Wyant nominated David Collett from the Royal Oak District to serve on the ARPA Review Committee.

Park District Supervisor Kris Ratliff nominated Dr. Mike Robinson from the Park District to serve on the ARPA Review Committee.

Saltville District Supervisor Roscoe Call nominated Kaylan Bales from the Saltville District to serve on the ARPA Review Committee.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Judy Wyant, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



10/12/2021 6:54 PM Chair, Atkins District Supervisor Charles Atkins opened Supervisor comment time.

Park District Supervisor Kris Ratliff apologized for his recent absence and said he had also recently been hit with COVID. Dr. Ratliff said he has missed working with everyone and is looking forward to being back in the saddle to help the County continue to move forward.

Saltville District Supervisor Roscoe Call thanked everyone for being here and wished for everyone to stay safe and healthy and wished for GOD to be with everyone during these trying times.

Chilhowie District Supervisor Michael Sturgill discussed the school system bus driver and cafeteria staff shortage and how it is affecting schools. Mr. Sturgill said with the trying times it is hard to get people staffed. Mr. Sturgill added that he hopes everyone stays safe.

Royal Oak District Supervisor Judy Wyant noted that she is worried about the country and the impact it will have nationally on cargo ships not being able to be unloaded and how it will affect our commodities and added that she feels Smyth County will eventually feel this impact. Mrs. Wyant said she hopes everyone can navigate through the tough waters with the pandemic and the fallout caused by it. Mrs. Wyant said that it takes everyone working together to keep our community strong.

Chair, Atkins District Supervisor Charles Atkins encouraged everyone to stay safe and added that he enjoys everyone coming together and having discussions and said that the committee appointments are important to the future of Smyth County.



10/12/2021 6:58 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)7 – Consultation with Legal Counsel and briefings by staff members or consultants pertaining to actual or probable litigation in regards to Adwolfe Sewer litigation and 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 in regards to Pathway Park development options. Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Judy Wyant, and
Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel

North Fork District Supervisor Phil Stevenson



10/12/2021 7:23 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: *Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Judy Wyant, and
Park District Supervisor Kris Ratliff*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



10/12/2021 7:24 PM A motion was made by Park District Supervisor Kris Ratliff to schedule a Public Hearing on November 10, 2021 at 5:00 p.m. or shortly thereafter to consider the creation of a Regional Industrial Facilities Authority.
Saltville District Supervisor Roscoe Call seconded the motion.

AYES: *Chair, Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Michael Sturgill,*

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

NAYS: None.

ABSTAINERS: None.

*ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel
North Fork District Supervisor Phil Stevenson*



10/12/2021 7:25 PM With no further business to discuss, the meeting was adjourned. The next meeting will be a Joint meeting with the Planning Commission scheduled for October 28, 2021 at 7:00 PM.


The Smyth County Board of Supervisors held its regular meeting on Tuesday, October 28, 2021 at 7:00 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye Valley District Supervisor Lori Deel; Saltville District Supervisor Roscoe Call; Chilhowie District Supervisor Michael Sturgill; Park District Supervisor Kris Ratliff; North Fork District Supervisor Phil Stevenson

ABSENT: Royal Oak District Supervisor Judy Wyant

STAFF: Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey; Economic Development Assistant Kendra Hayden, Building & Zoning Administrator Clegg Williams, County Attorney Scot Farthing

OTHERS: Smyth County News & Messenger, Citizens

 10/28/2021 7:13 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to amend the agenda to include item 2) Nuisance issues discussion.

Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant

 10/28/2021 7:00 PM North Fork District Supervisor Phil Stevenson made a motion to waive the rules of public hearings.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant



10/28/2021 7:14 PM County Attorney, Scot Farthing discussed the ongoing issues regarding Nuisance complaints located at 243 Quail Run Road, Sugar Grove and 266 Core Drive, Marion. Vice Chair Rye Valley District Supervisor Lori Deel expressed her concerns regarding the ongoing issue in her district with the Quail Run Road property being used as a tire dump area. Mr. Williams added that the Littering Ordinance could be pursued regarding the Quail Run property and that he would look into for possible further action and will follow up with the Sheriff's Department. Discussion ensued.

- *Chilhowie District Supervisor Michael Sturgill made a motion to authorize the County Attorney to move forward with legal action on 243 Quail Run Road, Sugar Grove, VA and 266 Core Drive, Marion, VA for nuisance abatement.*

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant



10/28/2021 7:29 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel, seconded by Saltville District Supervisor Roscoe Call to enter into closed session under Code of Virginia Section 2.2-3711-A(5) Business/Industrial Prospects, discussion concerning a business or industry considering expansion for which no previous announcements have been made regarding Project Cardinal.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant



10/28/2021 7:39 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel, 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, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel
Chilhowie District Supervisor Michael Sturgill,
Park District Supervisor Kris Ratliff,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Judy Wyant



10/28/2021 7:40 PM With no further business to discuss, the meeting was adjourned until the next meeting scheduled for November 10, 2021 at 5:00 PM.

The Smyth County Board of Supervisors held its regular meeting on Wednesday, November 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye Valley District Supervisor Lori Deel; Saltville District Supervisor Roscoe Call; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Judy Wyant; North Fork District Supervisor Phil Stevenson


ABSENT: Park District Supervisor Kris Ratliff

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey; Economic Development Assistant Kendra Hayden; County Attorney Scot Farthing; Emergency Services Coordinator Curtis Crawford

OTHERS: Smyth County News & Messenger; Smyth County Sheriff's Deputy and citizens

 11/10/2021 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 11/10/2021 5:02 PM Utilities Clerk, Mary Walters led the Pledge of Allegiance. Rev. Alan Gray, Pastor Royal Oak Presbyterian Church in Marion, gave the invocation.

 11/10/2021 5:01 PM *A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to amend the agenda to include the American Rescue Plan Act (ARPA) Review committee meeting notes. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 5:02 PM Chair, Atkins District Supervisor Charles Atkins introduced Mr. Joe Morici from the Cardno Group regarding the Environmental Protection Agency (EPA) grant in partnership with the Town of Saltville for a project at the former Saltville Town Shops. Mr. Morici discussed details regarding the grant and project and added that one requirement of the EPA grant is to allow for public comment on the project. Mr. Morici allowed for citizen input.



11/10/2021 5:08 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.



11/10/2021 5:08 PM Rose Likins, Director of Smyth County Public Library provided an update to the Board on various projects going on at the Library and thanked the Board for their continued support. Supervisors gave their appreciation for Ms. Likins work and spirit towards progress.



11/10/2021 5:13 PM Susan Fields, 412 Kelly Hill Road in Atkins, VA provided an update on Smyth County Animal Rescue. Ms. Fields added their primary focus is transfer rescue and temporary housing for the animals in need and noted their strong relationship with the Smyth County Animal Shelter and Animal Control officers. Ms. Fields said the primary goal of the rescue is to lower the euthanasia rate and added she appreciates the support given for the program. Supervisors thanked Ms. Fields for her work and dedication and helping to lower the euthanasia rate and in helping lower the cost to the County.



11/10/2021 5:23 PM Charles Wassum, 321 Wasson Circle, Marion spoke about Constitutional rights.



11/10/2021 5:23 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.



11/10/2021 5:28 PM *A motion was made Saltville District Supervisor Roscoe Call to approve the minutes from the October 12, 2021 meeting as presented.*

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and*

Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: Vice Chair, Rye Valley District Supervisor Lori Deel

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 5:29 PM A motion was made Saltville District Supervisor Roscoe Call to approve the minutes from the October 28, 2021 meeting as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Judy Wyant

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 5:29 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing regarding the Proposed Personal Property Tax Exemption of Farm Equipment. Shawn Utt, County Administrator, read the following public hearing notice for the record.

NOTICE of PUBLIC HEARING

In compliance with the Code of Virginia and amendments thereto, the Smyth County Board of Supervisors will conduct public hearings to hear public comment on the following proposed ordinance amendment and proposed ordinance:

- 1) Proposed Amendment to the Smyth County, Virginia Code Section 23.44.1 titles "Exemption of certain animals and items from taxation" to add exemptions for farm equipment.
- 2) Proposed Ordinance to create a Regional Industrial Facility Authority for Pathway Park with initial members being Smyth County, Virginia and Bland County, Virginia.

These public hearings shall be on Wednesday November 10, 2021, beginning at 5:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to receive comments on the proposed amendment and proposed ordinance.

All interested persons may express their views by emailing sutt@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered 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 2:00p.m. on Thursday, November 4, 2021.

A copy of each proposed ordinance is on file in the County Administrator's Office located at 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

In compliance with the provisions of the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this public hearing should contact Clegg Williams, ADA Coordinator at (276) 706-8315, at least twenty-four (24) hours prior to the public hearing.

**BY ORDER OF THE
SMYTH COUNTY BOARD OF SUPERVISORS
Shawn Utt, County Administrator**

Mr. Utt provided detailed information regarding the Proposed Tax Exemption of Farm Equipment that would exempt farm machinery and equipment as provided in the Code of Virginia.



11/10/2021 5:36 With no one wishing to speak regarding the Proposed Personal Property Tax Exemption of Farm Equipment, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.



11/10/2021 5:36 PM A motion was made by North Fork District Supervisor Phil Stevenson to waive the rules of public hearings.

*Saltville District Supervisor Roscoe Call seconded the motion.
After consideration, the motion PASSED by the following vote:*

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 5:36 PM North Fork District Supervisor Phil Stevenson made a motion to approve the Amendment to Smyth County Code of Ordinances Chapter 23, Article III Section 23-44.1 to add exemptions for farm equipment as presented.

**AMENDMENT TO SMYTH COUNTY CODE OF ORDINANCES
CHAPTER 23, ARTICLE III
SECTION 23-44.1**

A public hearing was held on the 10th day of November 2021 at 5:00 p.m. in the Board Room of the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia to consider this amendment to Smyth County Virginia Code of Ordinances Section 23-44.1(a) titled "Exemption of certain animals and items from taxation."

ADD:

(8) Farm machinery other than the farm machinery described in subdivision 10, and farm implements, which shall include (i) equipment and machinery used by farm wineries as defined in § [4.1-100](#) in the production of wine; (ii) equipment and machinery used by a nursery as defined in § [3.2-3800](#) for the production of horticultural products; and (iii) any farm tractor as defined in § [46.2-100](#), regardless of whether such farm tractor is used exclusively for agricultural purposes.

(9) Equipment used by farmers or farm cooperatives qualifying under § 521 of the Internal Revenue Code to manufacture industrial ethanol, provided that the materials from which the ethanol is derived consist primarily of farm products.

(10) Farm machinery designed solely for the planting, production or harvesting of a single product or commodity.

(11) Privately owned trailers as defined in § [46.2-100](#) that are primarily used by farmers in their farming operations for the transportation of farm animals or other farm products as enumerated in subdivisions 1 through 7.

(12) Motor vehicles that are used primarily for agricultural purposes, for which the owner is not required to obtain a registration certificate, license plate, and decal or pay a registration fee pursuant to § [46.2-665](#), [46.2-666](#), or [46.2-670](#).

(13) Trucks or tractor trucks as defined in § [46.2-100](#), that are primarily used by farmers in their farming operations for the transportation of farm animals or other farm products as enumerated in subdivisions 1 through 7 or for the transport of farm-related machinery.

Supervisor Phil Stevenson made a motion to approve this amendment. The motion was seconded by Supervisor Roscoe Call and the roll call vote is as follows:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Charlie E. Atkins	X		
Roscoe D. Call	X		
Lori H. Deel	X		
Kristopher S. Ratliff, DPh			X
Charles P. Stevenson	X		
Mike Sturgill	X		
Judy Wyant	X		

This amendment shall be effective on and after 12:01 a.m. on the ____ day of ____ 2021.

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of November 10, 2021.

Shawn Utt, Clerk of the Board

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*


NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff





11/10/2021 5:37 Chair, Atkins District Supervisor Charles Atkins opened the public hearing regarding the Proposed Regional Industrial Facilities Authority.

 11/10/2021 5:38 Shawn Utt, County Administrator discussed the Proposed Regional Industrial Facilities Authority (RIFA). Mr. Utt noted that the proposed creation of the Pathway Industrial Facilities Authority was originally planned to include a partnership with Bland County and added that since the public hearing was scheduled, several considerable conversations have occurred with Washington County who had expressed an interest in participating as well. Mr. Utt also noted the proposed RIFA draft agreement has been developed to include Smyth County, Bland County & Washington County.

John Clark, Chilhowie Town Manager spoke in favor of the Regional Industrial Facilities Authority and added that he appreciates any help towards infrastructure. Mr. Clark also noted the upcoming Veteran's Day ceremony being held in the Town of Chilhowie on November 11, 2021 beginning at 11 a.m.

Vice Chair, Rye Valley District Supervisor Lori Deel added that any partnership needs to be taken advantage of and that it is important to continue to move the County forward.

 11/10/2021 5:39 With no one else wishing to speak regarding the Proposed Regional Industrial Facilities Authority, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

 11/10/2021 5:40 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to waive the rules of public hearings.

North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 11/10/2021 5:41 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to approve the Proposed Regional Industrial Facilities Authority Ordinance creating the Pathway Industrial Facility Authority, the Agreement Creating the Pathway Industrial Facilities Authority and the Pathway Regional Industrial Facilities Authority Participation Agreement as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

SMYTH COUNTY VIRGINIA—CODE OF ORDINANCES

ARTICLE VII --- Pathway Regional Industrial Facility Authority

**ORDINANCE CREATING THE PATHWAY
REGIONAL INDUSTRIAL FACILITY AUTHORITY**

WHEREAS, pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia (Va. Code Ann. §§ 15.2-6400 et al), as amended (hereinafter the “Act”), the General Assembly of Virginia Authorized the creation of regional industrial facilities authorities by localities in the Commonwealth of Virginia so that such authorities may exercise the powers set out in the Act; the undersigned Board has determined that the economic growth and development of the region and the comfort, convenience and welfare of its citizens require the development of facilities and that joint action through a regional industrial facility authority will facilitate the development of needed facilities; and,

WHEREAS, under and pursuant to the provision of the Act the County of Smyth acting by and through its Board of Supervisors, in conjunction with other governing bodies hereby proposes to create the Pathway Regional Industrial Facility Authority, a public body politic and corporate created pursuant to the Act; and,

WHEREAS, under and pursuant to the provisions of the Act the name of the Authority to be created by the Bland, Smyth and Washington Counties shall be the Pathway Regional Industrial Facility Authority;

NOW, THEREFORE, it is hereby ordained by the Board of Supervisors of Smyth County, Virginia, as follows:

Sec. 2-280 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. Act means the Regional Industrial Facilities Act (Code of Virginia, § 15.2-6400 et seq.).
2. Agreement means the Agreement for Cost Sharing and Revenue Sharing between Bland County, Virginia, Smyth County, Virginia and Washington County, Virginia.
3. Authority means the regional industrial facility authority created by Bland County, Virginia, Smyth County, Virginia and Washington County, Virginia.

4. Board of Directors means the board of directors of the Pathway Regional Industrial Facility Authority.
5. Governing Body/Bodies means the board of supervisors of counties and the councils of cities and towns that are members of the Authority or later become members of the Authority.
6. Member Locality/Localities means all members of the Pathway Regional Industrial Facility Authority, which initially includes Bland County, Virginia, Smyth County, Virginia and Washington County, Virginia.

Sec. 2-281 - Creation, Name, Powers, Dissolution, and Fiscal Year.

1. There is hereby created, pursuant to the Act and in conjunction with the adoption of a similar ordinance by the Bland County Board of Supervisors and Washington County Board of Supervisors, both of which are a political subdivision of the Commonwealth to be named the Pathway Regional Industrial Facility Authority. The Pathway Regional Industrial Facility Authority may use the short name PRIFA.
2. The authority is vested with the powers of a body corporate, including the power to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be deemed expedient. The authority shall have all rights, duties and powers provided by provision of the Act, and including such powers, rights, and duties as may hereafter be set forth from time to time in the Act.
3. The authority may be dissolved by resolution of the Board of Directors in compliance with provisions for dissolution stated in the Act.
4. The fiscal year of the Authority shall be the same as that of the Commonwealth.

Sec. 2-282 - Purpose.

The authority is charged with the specific purpose to develop Pathway Park, which is an Industrial Park located in Smyth County along Industrial Park Road, as a regional industrial park and for the additional purpose of future development of other industrial properties or other reasons as permitted by the Act and as agreed upon by the member localities.

Sec. 2-283 - Membership.

The member localities of the authority are Bland County, Smyth County, and Washington County, each of which is a political subdivision of the Commonwealth, and each of which is authorized by the Act to participate in the Authority. The membership may, with the approval of the Board of Directors, be expanded in compliance with provisions for expansion as stated in the Act. Those members of the Authority who were originally appointed for a two-year term can be reappointed.

Sec. 2-284 - Member Locality Agreement.

The Authority shall be governed by the Act, this article, and by the Agreement executed by the governing body of each Member Locality. The Agreement shall establish the respective rights and obligations of the Member Localities and shall provide for revenue and economic growth-sharing arrangements with respect to tax revenues and other income and revenues generated by any facility owned by and/or developed by the Authority.

Sec. 2-285 - Board of Directors.

1. The powers, rights, and duties conferred by the Act upon the Authority shall be exercised by a nine-member board of directors, which shall consist of three members appointed by the governing body of each Member Locality. The number of Directors of the Authority may be supplemented by decision of and appointment by the Governing Bodies as permitted by the Act.
2. Each Member Locality shall appoint to the Board of Directors one member from its Governing Body, one member from its industrial/economic development authority, and its Chief Administrative Officer.
3. Each member of the Board of Directors shall serve for a term of four years, commencing on January 1 of the first year and ending on December 31 of the fourth year, and may be reappointed for additional four-year terms, with the following exceptions to provide for staggered terms regarding the initial Board of Directors and the first term of office for the at-large members of the Board of Directors. One of the two members appointed from each Member Locality to the initial Board of Directors shall be appointed for a term of two years and may be reappointed for additional four-year terms. The term of office of the members of the initial Board of Directors shall begin on the date of the creation of the Authority and end on December 31 of the second or fourth year after creation of the Authority, as designated by the appointment. In the event of a vacancy during a term of office, the appropriate Governing Body shall in a timely manner appoint a new member whose term of office shall commence at the first meeting of the Board of Directors after appointment and shall end upon the end of term of the vacant position to which the member was appointed.

4. Each member of the Board of Directors, before entering upon the discharge of the duties of the office, shall take and subscribe to the oath prescribed in Code of Virginia, § 49-1, and shall serve in compliance with the Act, this article, and the agreement.
5. The Board of Directors shall adopt bylaws, rules and regulations to carry out the provisions of the Act. The bylaws, rules, or regulations shall, among other things, specify the principal office for the authority, identify the schedule and place for meetings of the Board of Directors, and provide for the general administration of the operations of the Authority.
6. Members of the Board of Directors shall be reimbursed for actual expenses incurred in the performance of their duties from funds available to the Authority.

Sec. 2-286 - Principal office location, records, and title to property.

The principal office of the Authority shall be located at the Smyth County Administrator's office, 121 Bagley Circle, Suite 100; Marion, VA 24354, and all records shall be kept at such office. The title to all property of every kind belonging to the Authority shall be titled to the Authority, which shall hold such title for the benefit of its Member Localities.

Sec. 2-287 - Funding.

Funding of the Authority shall be by appropriation as decided from time to time by the Governing Bodies of the Member Localities and from such other sources as are identified in the Agreement.

Sec. 2-288 - Required reports.

1. *Annual reports.* The Board of Directors shall report to the Governing Body of each Member Locality annually, on or before the last March meeting of the Governing Body, on the activities of the Authority. In addition to oral presentation at the meeting, a written annual report shall be provided prior to the meeting and shall contain, at a minimum, the following information:
 - (a) A financial update through December 31 of the current year;
 - (b) After completion of the first fiscal year, an audited financial report showing expenditures and revenues and a statement showing financial condition at the end of the preceding fiscal year;
 - (c) A written report, approved by the Board of Directors, of the activities and accomplishments of the Authority and recommendations regarding future activities of the Authority; and
 - (d) A list of tenants, purchasers or other persons occupying Pathway Park or any other regional industrial facilities developed by the Authority.

2. *Special reports.* Upon written request of the Governing Body of any Member Locality, the Board of Directors shall report to the Governing Body within thirty (30) days of receipt of the request or within a longer period if so provided in the written request. The special report shall describe the activities and financial status of the Authority within the six-month period immediately preceding the request, or as otherwise specified in the written request, and shall be furnished to each Member Locality. A written report shall be provided if requested.

A Public Hearing was held by the Smyth County Board of Supervisors on the 10th day of November 2021, at 5:00 p.m. to consider the adoption of this Ordinance, or this Section of the Smyth County, Virginia Code of Ordinances. This ordinance was adopted by the Board of Supervisors, after notice was advertised in accordance with the Code of Virginia, at its regular meeting held on November 10th, 2021, the members voting:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>	<u>ABSTAIN</u>
Charlie E. Atkins	X			
Roscoe D. Call	X			
Lori H. Deel	X			
Kristopher S. Ratliff, DPh			X	
Charles P. Stevenson	X			
Mike Sturgill	X			
Judy Wyant	X			

This Ordinance shall be effective on and after 12:01 a.m. on the 10th day of November 2021.

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of November 10th, 2021.

Shawn Utt, Clerk of the Board

**PATHWAY REGIONAL INDUSTRIAL FACILITY AUTHORITY
PARTICIPATION AGREEMENT**

THIS AGREEMENT, made this ____ day of _____, 2021 by and between Pathway Regional Industrial Facility Authority, a body corporate, organized and created pursuant to Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended, (the "Authority") and political subdivisions of the Commonwealth of Virginia of the Authority and participating jurisdictions herein (the "Participants").

WITNESSETH:

WHEREAS, the authority has been created under the provision of Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended, to promote economic development in the region; and,

WHEREAS, the participants and the Authority have identified the development of the Pathway Park (the "Project"), as an important project for the region; and,

WHEREAS, the Authority and the participants desire to enter into this agreement for the purpose of establishing the scope of the project, the investment therein of the Authority and the participant jurisdictions and the revenue sharing from the project.

NOW THEREFORE, in order to carry out the purposes for which the Authority was formed and to create a project(s) which will promote the economic development of the region and the participants, the parties hereto do hereby agree as follows:

I. PROJECT DESCRIPTION

The initial project shall include the following items: redevelopment of a 69.56-acre industrial tract to include infrastructure improvements, utility upgrades, site work and the contemplation of a future shell building.

II. PROJECT UNDERTAKEN IN THE NAME OF THE AUTHORITY

The development of the project shall be undertaken in the name of the Authority and, subject to the terms of this Agreement, the Authority, shall have the rights as transformed by the host locality.

III. PROJECT MANAGEMENT COMMITTEE

The Pathway Park Participation Committee (the "Committee"), consisting of the Pathway Regional Authority members, shall have sole responsibility for the decisions required for the overall implementation of the Project.

IV. ANNUAL BUDGETS AND DEFICITS

As soon as practicable after the Authority has formed, and by January of each future year, the Authority shall develop and present to the participants its operating and capital budgets for the fiscal year beginning the following July 1st, showing all contemplated expenditures for operations, capital expenses, debt service and all anticipated revenues from revenue sharing, federal and state grants, and other sources. Any budgeted expenditures in excess of revenue shall be divided among all the participants in proportion to their ownership of shares of a project. Each participant of a project agrees to appropriate and pay its respective share of the expenses each year.

V. FINANCING

Financing of the Project shall be arranged in the name of the Authority. All loan obligations for the Project shall be the sole responsibility of the Authority and the participants in the Project which shall reimburse the Authority for all expenses incurred by the Authority for the Project.

VI. LIMITATION OF LIABILITY

The Authority shall ensure the payment of all obligations, costs and expenses for the implementation of any project such that the participants are solely responsible for discharging the Authority's obligations in respect to the Project. Non-participating members of the Authority and the Authority itself are not responsible for the financing of debts of the Project.

VII. CONTRIBUTIONS AND OWNERSHIP

The ownership interest in the Project shall be determined as follows:

1. Each member locality in the Authority shall be offered equal shares in the Project, or 5,000 shares of a 15,000 Share Pool. The values of the shares are dependent upon the financing

structure of the Project. Localities can decide if they wish to accept any or all of the offered shares;

2. All shares not taken by action of member localities under provision 1 shall be offered in equal proportion to the localities which purchased shares (the "participating localities");
3. Any shares in the Project thereafter remaining shall first be offered to the participating jurisdiction in which the project is located (the "host jurisdiction");
4. Any shares thereafter remaining shall then be offered to others, including private or other non-member investors, on such terms and for such consideration as determined by the participating localities.
5. Each Participant will contribute to the costs and expenses of the Project, including repayment of any financing, with interest and expenses, in proportion to the amount of shares owned to the total outstanding shares. Each Participant will receive a distribution of revenue from the Project as provided by Article X of this Agreement. Should any Participant fail or neglect to make any such proportional contribution to support the Project, including the repayment of financing and all costs and expenses, and such failure exists for more than ten (10) days after demand by the Committee, such Participant shall forfeit and lose any and all interest and shares in the Project and such forfeited shares shall be redistributed among the participants as provided in this Article.

VIII. FINANCING PLAN

The financing plan for the implementation of the Project shall be determined by the project specifics.

In addition to the annual loan costs for capital expenditures, the Authority and the Participants shall commit to payment of all costs and expenses related to the Project, including the annual cost of any loan portion of the financing package for the terms as negotiated by the Authority.

IX. PARTICIPANTS MAY SELL SHARES

Participants in the Project are authorized to sell their shares in the Project provided such shares shall be first offered to the remaining Participants by the same method contained in Article VII of this Agreement. Any sale of shares must be approved by any bondholder or their representatives and any other secured creditors.

X. REVENUE SHARING

Revenue generated from the Project will be shared as follows:

1. The host locality shall pay to the Authority for distribution Revenue generated from all industries and businesses located on the Project site, subject to reduction for the host fee herein set forth. Such Revenue amount shall be not less than all real estate and machinery and tool taxes generated from all industries and businesses located on the Project site based upon the rate of such tax as established on the date of this agreement and shall increase should the host locality increase the rate of such tax. In addition to this Agreement, the amount and payment of the Revenue may be supported by performance agreements with any industry locating on the Project site. The Revenue will be due on January 1 of each year and paid on or before January 30th.
2. The Authority will retain an administrative fee of 1% of the Revenue received from the host locality.
3. The remaining Revenue shall be distributed first to pay any current installments of debt due on the Project, including financing payments of principle and interest, and all costs and expenses and then distributed to the Participants in the Project based upon the percentage of shares owned in the Project.
4. Because the locality in which the Project is located will incur costs, such as police, fire and public safety expenses, and will suffer loss of income from state and federal sources because of the location of the Project, such host locality shall retain 10% of the above Revenue subject to distribution to the Authority as a "host fee".

XI. WITHDRAWAL AS A PARTICIPATING JURISDICTION

Once obligations have been incurred by the Authority in favor of the Project, participants in the Project may withdraw from the Project only as the other participants may unanimously agree. The conditions of withdrawal must also be accepted by all secured debtors and bondholders or their representatives.

XII. ANNUAL APPROPRIATIONS

The revenue sharing, payments and contributions to the Authority herein required by the participants are specifically authorized as to local governments pursuant to §15.2-6406 and §15.2-6407 of the Code of Virginia, 1950, as amended. In the event such code provisions are

held to be invalid so the payments and contributions hereunder may be considered to be the debt of a local government pursuant to Article VII, Section 10 of the Virginia Constitution, such payments and contributions shall not be debt of the participating local governments but shall be subject to and dependent upon annual appropriations being made from time to time by its governing body and each participating locality agrees that its chief administrative officer shall annually request, and use his or her best efforts to secure the local governing body's approval of such annual appropriations necessary to make such payments and contributions as required by the provisions of this Agreement.

IN WITNESS WHEREOF, the Governing Bodies identified, by authorized action, have caused this Agreement to be executed, and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing this _____ day of _____, 2021.

Attest

Eric R. Workman, Ed.D.
Bland County Administrator

Attest

Shawn M. Utt
Smyth County Administrator

Attest

Jason N. Berry
Washington County Administrator

**AGREEMENT CREATING THE PATHWAY
REGIONAL INDUSTRIAL FACILITY AUTHORITY**

WHEREAS, in compliance with the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950 as amended (the "Act"), the undersigned governing bodies of the creating political subdivisions have determined that the economic growth and development of the localities and the comfort, convenience and welfare of their citizens require the development of facilities; and,

WHEREAS, such governing bodies have further determined that joint action through a regional industrial facility authority will facilitate the development of the needed facilities.

NOW THEREFORE, the named political subdivisions of the Commonwealth of Virginia hereby agree to create the Pathway Regional Industrial Facility Authority, a public body politic and corporate created pursuant to the Act, subject to the following terms and conditions:

I. NAME

The name of the authority shall be "Pathway Regional Industrial Facility Authority" and the address of its principal office is 121 Bagley Circle, Suite 100; Marion, VA 24354.

II. PARTIES TO THE PATHWAY REGIONAL INDUSTRIAL FACILITY AUTHORITY AGREEMENT

The initial members of the Authority are:

- The County of Bland, Virginia
- The County of Smyth, Virginia
- The County of Washington, Virginia

each of which is a political subdivision of the Commonwealth of Virginia, is authorized by the Act to participate in this Authority and collectively are the "Member Localities".

III. BOARD OF THE AUTHORITY

There shall be three (3) representatives appointed by each Member Locality to serve on the Board of the Authority which shall exercise the powers of the Authority. Members of the Board of the Authority shall be appointed, serve and be governed by the provisions of §15.2-6403 of the Code of Virginia, 1950, as amended. The initial term of office of the members shall begin on the date of the creation of the Authority. Each member of the board, before entering upon the discharge of the duties of the office, shall take and subscribe to the oath prescribed in §49-1 of the Code of Virginia, 1950, as amended.

IV. FINDINGS AND PURPOSE FOR WHICH THE AUTHORITY IS CREATED

The Member Localities hereby agree to the following findings and purposes for which the Authority is created:

- A. The economy of Western Virginia has not kept pace with those of much of the rest of the Commonwealth. Individual localities in the region often lack the financial resources to assist in the development of economic development projects. Providing a mechanism for localities in the region to cooperate in the development of facilities will assist the region in overcoming this barrier to economic growth. The creation of regional industrial facility authorities will assist this area of the Commonwealth in achieving a greater degree of economic stability.

- B. The purpose of the regional industrial facility authority is to enhance the economic base for the Member Localities by developing, owning, and/or operating one or more facilities on a cooperative basis involving its member localities.
- C. The exercise of the powers granted by the Act shall be in all respects for the benefit of the inhabitants of the region and other areas of the Commonwealth, for the increase of their commerce, and for the promotion of their safety, health, welfare, convenience and prosperity.
- D. That the economic growth and development of this region and the comfort, convenience and welfare of its citizens require the development of the facilitate and joint action through a regional industrial facility authority facilitating the development of the needed facilities.

V. INDUSTRIAL FACILITIES

There is a wide variety of projects which the Authority may select to undertake in meeting the purposes of the Act. The Authority may undertake any project authorized by the Act. The Authority may also support and participate in any project authorized by the Act for which any Member Locality requests assistance, provided that the assets, faith and credit of the Authority may not be pledged without the consent of all Member Localities. Where the Authority does not have adequate resources to undertake an additional project, the Authority shall seek the participation of Member Localities. No such project shall be undertaken by the Authority until it shall have received the support and adequate commitment of financial resources to fund the project.

VI. PARTICIPATION AGREEMENTS

The Authority may undertake to participate in any project authorized by the Act and undertaken by any one or more of the Member Localities. Such participation shall be on such terms and conditions as the Board of the Authority and the localities participating in the project may agree, and may include participation by public and private entities not members of the Authority, provided that the assets, faith and credit of the Authority may not be pledged without the consent of all Member Localities. The Authority may issue bonds and other indicia of debt based solely upon such participating agreements. Each Member Locality may consider its terms of participation in each proposed project in accordance with the participating agreement establishing such project. With the exception of any Authority bond fee and the possible recover of any of the Authority's costs and expenses, any benefits of any project to be distributed to the Member Localities shall be paid and apportioned in accordance with the participating agreement for that project.

VII. GENERAL OPERATIONS OF THE AUTHORITY

The general business of the Authority, including the issuance of bonds not based upon the full faith, credit and assets of the Authority and the expenditure of funds for general expenses, shall be conducted by majority action of the Board of the Authority, provided, such Board may crease an executive committee and such other committees as the Board may direct, including project committees. The Authority shall, from time to time, by majority action of the Board of the Authority, establish such fees as shall be necessary to support the general activities of the Authority, provided however that, without its express agreement, no Member Locality shall be required to pay any fees or assessments to support the general activities of the Authority.

VIII. POWERS OF THE AUTHORITY

The Authority is vested with the powers of a body corporate, including the power to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the same as may be

deemed expedient. The Authority shall have all rights, duties and powers provided by the provisions of the Act, Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended, including the power to issue bonds for any valid purpose.

IN WITNESS WHEREOF, the Governing Bodies identified, by authorized action, have caused this Agreement to be executed, and their respective seals to be affixed hereto and attested by their respective clerks or secretaries commencing this ____ day of _____, 2021.

Attest


Eric R. Workman, Ed.D.
Bland County Administrator


Attest

Shawn M. Utt
Smyth County Administrator

Attest

Jason N. Berry
Washington County Administrator

 11/10/2021 5:42 PM Amanda Livingston, Director of Smyth County Tourism gave a presentation on the Smyth County Tourism Report. Mrs. Livingston provided an update on various projects the Tourism Association is currently working on as well as presented information on a grant opportunity and noted that the County would need to be the applicant for but the Tourism Association would manage. Discussion ensued.

 11/10/2021 5:45 PM *A motion was made by Saltville District Supervisor Roscoe Call to approve the application for the American Rescue Plan Act Tourism Recovery Program.*

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


After consideration, the motion PASSED by the following vote:


*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 11/10/2021 5:47 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

 11/10/2021 5:51 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing:

<u>General County</u>	
Accounts Payable Listing - 10/01/2021-10/31/2021	<u>\$1,786,465.84</u>
Total General County	\$1,786,465.84
Fund Accounts	
EDA Fund 4	\$ 14,500.00
Fund 303 CDBG Food Pantry Grant	\$ 15,633.69
Sheriff Fund 748	\$ 1,361.98
Recovery Court Fund 749	\$ 1,051.46
Total Fund Accounts	\$ 32,547.13
TOTAL ACCOUNTS PAYABLE - OCTOBER 2021	
	\$1,819,012.97

North Fork District Supervisor Phil Stevenson seconded the motion.


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 11/10/2021 5:52 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Building & Grounds Committee meeting held on November 3, 2021 and presented the following recommendation:

- *Chilhowie District Supervisor Michael Sturgill made a motion to recommend the approval of \$10,000.00 for the Smyth County Public Library to go towards the jack seat repair change order for the elevator with the understanding that the funds will be pulled from the Capital Improvement Plan (CIP) Morrison elevator line-item and that the remaining required funds to be covered by the library. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*

After consideration, the Building & Grounds Committee recommendation FAILED by the following vote:

AYES: None.

*NAYS: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

Mr. Utt added that all three elevator repair estimates did contain the contingency regarding the jack seat repair initially. Mr. Atkins added that with ongoing costs the repair needs to be done. Mrs. Wyant said the elevator has been out of service for at least a year and in order to be ADA compliant the repair needs to be high order. Discussion ensued.

- *Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to approve \$13,759.00 for the Smyth County Public Library to go toward the jack seat repair change order for the elevator with the understanding that the funds will be pulled from the Capital Improvement Plan (CIP) Morrison elevator line-item and that the remaining funds to be covered by the library.*

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 6:01 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee meeting held on November 3, 2021 and presented the following recommendations:

- *Chilhowie District Supervisor Michael Sturgill made a motion to recommend sending the draft Automatic Aid agreement to the County Board of Supervisors and to the Town Councils of Marion, Chilhowie and Saltville for local approval. 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

- *Chilhowie District Supervisor Michael Sturgill made a motion to recommend the ordinance committee to review the need for an ordinance regarding junior fire-fighter programs throughout the County. 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 6:07 PM Saltville District Supervisor Roscoe Call read the minutes from the Redistricting Committee meeting held on November 10, 2021 and presented the following recommendation:

- *A motion was made by North Fork District Supervisor Phil Stevenson to recommend the scheduling of a public hearing for December 14, 2021 at 5:00 p.m. or shortly thereafter to consider the reenactment of the Smyth County Election Districts. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.*

After consideration, the Redistricting Committee recommendation PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 6:09 PM Saltville District Supervisor Roscoe Call read the minutes from the Surplus Committee meeting held on November 4, 2021 and presented the following recommendations:

- *Saltville District Supervisor Roscoe Call made a motion to recommend to declare all vehicles and equipment as surplus property and to authorize the County Administrator to dispose of the surplus via sealed bids. Chilhowie District Supervisor seconded the motion and it was unanimously approved.*

After consideration, the Surplus Committee recommendation PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

- *Chilhowie District Supervisor Michael Sturgill made a motion to recommend that the Board of Supervisors authorize the County Administrator to donate County Surplus vehicles or equipment to other County agencies. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.*

After consideration, the Surplus Committee recommendation PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 6:13 PM Vice Chair Rye Valley District Supervisor Lori Deel read the minutes from the Water & Sewer Committee meeting held on November 4, 2021 and presented the following recommendations:

- *Atkins District Supervisor Charles Atkins made a motion to recommend to credit accounts that were inadvertently billed for County sewer non-user fees following a full review by County Administration. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

- *Atkins District Supervisor Charles Atkins made a motion to recommend staff to work through the ranking and interview process for the County-Wide Water Study Request for*

Proposal with feedback from the committee members. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 6:21 PM County Administrator, Shawn Utt, presented the Resolution for Enterprise Zone Amendment from Washington County. Mr. Utt noted that currently Smyth County is blessed with two separate Enterprise Zones (Smyth/Saltville Zone #6 and Smyth/Washington/Chilhowie/Glade Spring Zone #51) and that Washington County is proposing an amendment to their portion of Zone #51. Mr. Utt discussed that Washington County is proposing removing a parcel mostly located in Washington County but a portion which is in Smyth County be removed from their zone and assigning that acreage to the Town of Abingdon. Since Smyth County is a partner in this zone, the County Board of Supervisors is required to adopt the Resolution.

- *A motion was made by North Fork District Supervisor Phil Stevenson to adopt the Resolution for Enterprise Zone Amendment from Washington County as presented.*

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION IN SUPPORT OF A PROPOSED WASHINGTON COUNTY ENTERPRISE ZONE AMENDMENT

WHEREAS, Smyth County, Washington County, the Town of Chilhowie and the Town of Glade Spring have a jointly-designated Enterprise Zone, identified as Zone #51; and

WHEREAS, Washington County has stated a need to amend the existing Enterprise Zone #51, a portion of amendment is located in Smyth County, to incorporate additional properties in and around the Town of Abingdon and along Interstate 81, Exit 22; and

WHEREAS, this proposed expansion will serve to benefit economic and industrial expansion of Washington County to meet the goals and objectives of the Virginia Enterprise Zone Program.

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors is in support of the amendment to the Enterprise Zone #51 as proposed by Washington County.

BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors authorizes the County Administrator to submit any additional documentation required by the Virginia Enterprise Zone Program to assist in the proposed amendment to the Enterprise Zone #51.

Adopted this the 10th day of November, 2021

ATTEST:

A handwritten signature in blue ink, appearing to read "S. Utt", written over a horizontal line.

Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

A handwritten signature in blue ink, appearing to read "Charles E. Atkins", written over a horizontal line.

Charles Atkins, Chair

11/10/2021 6:23 PM County Administrator, Shawn Utt presented and discussed the Opioid Abatement Fund Settlement. County Attorney added that the Board would need to decide by January 2, 2022 if entering. Vice Chair Rye Valley District Supervisor Lori Deel added that she highly recommends moving forward on the Opioid settlement and noted that Senator Todd Pillion's office is doing the same. Discussion ensued.

- *A motion was made by North Fork District Supervisor Phil Stevenson to adopt the Resolution of the Smyth County Board of Supervisors Approving of the County's Participation in the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding ("MOU") and the Resolution of the Smyth County Board of Supervisors Approving of the County's Participation in the Proposed Settlement of*

Opioid-Related Claims against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities and directing the County Attorney to execute the documents necessary to effectuate the County's participation in the MOU and Settlements.

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,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: Chair, Atkins District Supervisor Charles Atkins

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



SMYTH COUNTY BOARD OF SUPERVISORS

***A RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS APPROVING OF THE
COUNTY'S PARTICIPATION IN THE VIRGINIA OPIOID ABATEMENT FUND AND
SETTLEMENT ALLOCATION MEMORANDUM OF UNDERSTANDING ("MOU") AND
DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO
EFFECTUATE THE COUNTY'S PARTICIPATION IN THE MOU***

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its cities and counties by adversely impacting, amongst other things, the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services; and,

WHEREAS, the Commonwealth of Virginia and its cities and counties have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Virginia; and,

WHEREAS, in order to advance their common interests, Virginia local governments and the Commonwealth of Virginia, through counsel, have extensively negotiated the terms of a memorandum of understanding relating to the allocation and use of litigation recoveries relating to the opioid epidemic;

NOW THEREFORE BE IT RESOLVED that the Smyth County Board of Supervisors, this 10th day of November, 2021, hereby authorizes and approves of the Virginia Abatement Fund and Settlement Allocation Memorandum of Understanding ("MOU") attached hereto and incorporated by reference as Exhibit "A," and directs the County Attorney to execute the MOU.

Adopted this day the 10th of November, 2021.

ATTEST:

A handwritten signature in blue ink, appearing to read "S. Utt", is written over a horizontal line.

Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

A handwritten signature in blue ink, appearing to read "Charles E. Atkins", is written over a horizontal line.

Charles E. Atkins, Chair



SMYTH COUNTY BOARD OF SUPERVISORS

***A RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS APPROVING OF THE
COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED
CLAIMS AGAINST MCKESSON, CARDINAL HEALTH, AMERISOURCEBERGEN, JANSSEN,
AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY
TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S
PARTICIPATION IN THE SETTLEMENTS***

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its cities and counties by adversely impacting, amongst other things, the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services; and

WHEREAS, the Commonwealth of Virginia and its cities and counties have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Virginia; and

WHEREAS, settlement proposals have been negotiated that will cause McKesson, Cardinal Health, AmerisourceBergen, and Janssen to pay up to \$26 billion nationwide to resolve opioid-related claims against them;

NOW THEREFORE BE IT RESOLVED that the Smyth County Board of Supervisors, this 10th day of November, 2021, approves of the County's participation in the proposed settlement of opioid-related claims against McKesson, Cardinal Health, AmerisourceBergen, Janssen, and their related corporate entities, and directs the County Attorney to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against settling entities.

Adopted this day the 10th of November, 2021.

ATTEST:


A handwritten signature in blue ink, appearing to read "S. M. Utt", is written over a horizontal line.

Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

A handwritten signature in blue ink, appearing to read "Charles E. Atkins", is written over a horizontal line.

Charles E. Atkins, Chair

 11/10/2021 6:32 PM County Administrator, Shawn Utt, presented the Performance Agreement between Smyth County, Smyth County Economic Development Authority and Woodgrain Millwork, LLC, for the Governor's Agriculture and Forestry Industries Developments Fund (an "AFID Grant") regarding Woodgrain Millwork, LLC expansion. Discussion ensued.

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the Governor's Agriculture & Forestry Industries Development Fund Performance Agreement for Woodgrain Millwork, LLC as presented and to authorize County Administrator to execute the necessary documents on the County's behalf.*

Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*


NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

 11/10/2021 6:34 PM Chair, Atkins District Supervisor Charles Atkins called for a 5-minute recess.

 11/10/2021 6:40 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.

 11/10/2021 6:41 PM County Administrator, Shawn Utt, presented and discussed the Interagency Agreement with the Town of Saltville for Cardwell Town Water Main Replacement Project. The County has been working with the Town of Saltville with their proposed replacement of their waterline that serves the Cardwell Town community. The Town of Saltville will be applying for a Community Development Block Grant (CDBG) funding from the Virginia Department of Housing and Community Development (DHCD) for the project. Mr. Utt added that in conversations with the DHCD staff, they are requiring the Town and County to partner with the project since it is located outside of the Town's municipal boundaries and that the County will be the applicant and recipient of the grant involved since

it will be a County grant. At the end of the project, the water lines will be turned over to the Town for their continued maintenance. Discussion ensued.

- *A motion was made by North Fork District Supervisor Phil Stevenson to approve the County the ability apply for funding on behalf of the Town of Saltville for the Community Development Block Grant from the Virginia Department of Housing and Community Development.*

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 6:45 PM County Administrator, Shawn Utt, presented the Local Performance Agreement between Smyth County, Smyth County Economic Development Authority and Woodgrain Millwork, LLC, for the Tobacco Region Opportunity Fund Grant (a "TROF Grant") regarding Woodgrain Millwork, LLC expansion. Discussion ensued.

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the Local Tobacco Opportunity Fund Grant Agreement for Woodgrain Millwork, LLC as presented and to authorize County Administrator to execute the necessary documents on the County's behalf.*

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 6:46 PM County Attorney, Scot Farthing provided updates on various projects that he is currently working on.



11/10/2021 6:47 PM County Administrator Report -

Mr. Utt presented an appropriation request from the Commonwealth Attorney's office regarding additional funds received for their Federal Drug Asset fund (Fund 760) in the amount of \$2,170.00, which will match the current balance of the fund.

- A motion was made by North Fork District Supervisor Phil Stevenson to approve the following appropriation request from the Commonwealth Attorney's Office for the Federal Drug Asset Fund (Fund 760) in the amount of \$2,170.00.

Federal Drug Asset Fund 760	<u>\$2,170.00</u>
Total	\$2,170.00

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

Mr. Utt reminded the Board about the planned employee luncheon scheduled for December 3, 2021 to be held at the former W&L Hanger in Chilhowie.

Mr. Utt presented a Resolution of Appreciation for Curtis "Curty" Burgess, a 38-year employee in the Utilities Department who will be retiring effective December 31, 2021, for the Board's consideration and added he would like to present it to him at the employee luncheon scheduled for December 3, 2021.

- *A motion was made by Saltville District Supervisor Roscoe Call to adopt the Resolution of Appreciation in honor of Curtis "Curty" Burgess, a 38-year employee of the Utilities Department who will be retiring on December 31, 2021.*

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



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

*County Administrator
Assistant County Administrator*

*Shawn M. Utt
Alicia Richardson*

RESOLUTION OF APPRECIATION

HONORING RETIRED COUNTY EMPLOYEE

William Curtis Burgess

WHEREAS, William Curtis Burgess was employed continuously by Smyth County from August 1983 until December 2021 as a full time Water Operator in the Smyth County Water and Sewer Department, and

WHEREAS, William Curtis Burgess admirably served the citizens of Smyth County with a full commitment to his responsibilities, good natured personality and with his full dedication to provide the best level of service in the best interests of all the people of Smyth County, and

WHEREAS, William Curtis Burgess has served as a role model to his fellow employees by being one of the first to answer the call to help, even after normal hours of work without hesitancy and with little fanfare or need for recognition.

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby recognizes that the service of William Curtis Burgess was a true asset to the citizens of Smyth County and expresses its gratitude and sincere appreciation for his 38 years and 4 months of service to his community, and

BE IT FURTHER RESOLVED that a copy of this Resolution be presented to William Curtis Burgess, as a dedicated and faithful employee of Smyth County, with our sincere and upmost admiration for his commitment to his profession.

ADOPTED, APPROVED AND RECORDED this 10th day of November, 2021.

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles Atkins, Chair

Mr. Utt discussed a proposed Christmas bonus in the amount of \$500.00 for full-time County employees and \$250.00 for part-time County employees for the November 30, 2021 pay-cycle. Discussion ensued.

- *A motion was made by North Fork District Supervisor Phil Stevenson to approve 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, 2021 and for full-time sworn officers not included in the Compensation Board from the state to allow the Sheriff to pull \$3,000 for each officer for one-time bonus out of Fund 744 to be paid on November 30, 2021.*

Royal Oak District Supervisor Judy Wyant seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

Mr. Utt presented two additional seized vehicles from the Sheriff's Department to be added to the current approved Surplus list and noted that the proceeds from both vehicles will be returned to the Sheriff's Office for processing as required.

- 1) 2007 Chevrolet Tahoe – VIN 1GNEK13047R169372
- 2) 2000 Chevrolet Silverado – VIN 1GCEK19TOYE108040

- *A motion was made by North Fork District Supervisor Phil Stevenson to include the two additional seized vehicles from the Sheriff's department with the understanding that the proceeds from both vehicles will be returned to the Sheriff's office for processing as required.*

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

*Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 7:06 PM Supervisor Comment Time -

Saltville District Supervisor Roscoe Call said God Bless everyone and be safe going home.

Vice Chair, Rye Valley District Supervisor Lori Deel expressed her sincere thanks to all of our Veterans who protect us each and every day and added she appreciates everyone working together for the better of the County.

Royal Oak District Supervisor Judy Wyant thanked Dr. Wassum for coming to talk about Constitutional Rights and added that there is a lot to be thankful for.

Chair, Atkins District Supervisor Charles Atkins said as a Veteran the thank you means a lot and added he enjoyed the good conversations tonight and is happy to see the County moving forward.

Chilhowie District Supervisor Michael Sturgill had no comment.

North Fork District Supervisor Phil Stevenson had no comment.



11/10/2021 7:09 PM *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to enter into closed session under 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 volunteer fire department requirements with the invitation to Curtis Crawford and Courtney Widener to join the closed session discussion. Chilhowie District Supervisor Michael Sturgill seconded the motion.*

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 7:24 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel seconded by North Fork District Supervisor Phil Stevenson to adopt the following resolution certifying the business conducted in closed session as follows:

**RESOLUTION
CERTIFICATION OF CLOSED SESSION**

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

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

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

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
North Fork District Supervisor Phil Stevenson, and
Saltville District Supervisor Roscoe Call*

NAYS: None.

ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff



11/10/2021 7:25 PM With no further business to discuss, the meeting was adjourned. The next meeting will be a Joint meeting with the Planning Commission scheduled for November 18, 2021 at 7:00 PM.

The Smyth County Board of Supervisors held its regular meeting on Tuesday, December 14, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye Valley District Supervisor Lori Deel; Park District Supervisor Kris Ratliff; Saltville District Supervisor Roscoe Call; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Judy Wyant; North Fork District Supervisor Phil Stevenson


ABSENT: None


STAFF: County Administrator Shawn Utt (electronically); Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey; County Attorney Scot Farthing; Emergency Services Coordinator Curtis Crawford; Building & Grounds Superintendent Dennis Greer; Building & Zoning Administrator Clegg Williams; Clerk of Circuit Court John Graham


OTHERS: Smyth County Sheriff's Deputy and citizens

 12/14/2021 4:59 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 12/14/2021 5:01 PM Deputy Clerk, Paula Harvey led the Pledge of Allegiance. Pastor Justin Hall, Cedar Bluff Baptist Church in Atkins, gave the invocation.

 12/14/2021 5:02 PM Chair, Atkins District Supervisor Charles Atkins introduced and welcomed Mr. Dale Clark, CEO of Smyth County Community Hospital. Mr. Clark spoke about the hospital, reassuring that the plans are for them to continue to be there and continually look for ways to care for people and improve the underlying health of the community. Park District Supervisor Kris Ratliff asked Mr. Clark if there are any future plans to have an acute care facility for those with no primary health provider and Mr. Clark said the hospital recognizes those needs and is currently working on those issues. Clerk of the Circuit Court, John Graham introduced Dr. Mike Robinson as the new chair of the Smyth County Community Foundation. Chilhowie District Supervisor Michael Sturgill thanked the foundation for all of their hard work in the community. Chair, Atkins District Supervisor Charles Atkins thanked those in attendance and for making themselves available and answering questions and wished success with moving forward.

 12/14/2021 5:07 PM Emily Viers, with Robinson, Farmer and Cox Accounting Firm presented the Audit for the County for the Fiscal Year ending June 30, 2021. Ms. Viers asked for the Board members to review the document in full and to notify their firm with any questions.

 12/14/2021 5:08 PM *A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the November 10, 2021 meeting as presented.*

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


After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson*

NAYS: None.

ABSTAINERS: Park District Supervisor Kris Ratliff

ABSENT: None.

 12/14/2021 5:25 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing regarding the Request for Special Exception for Property located at 398 Sugar Street, Marion, VA. Clegg Williams, Building & Zoning Administrator read the following public hearing notice for the record:

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, December 14, 2021, at 5:00 P.M. or as soon thereafter as may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application to the Zoning Ordinance of Smyth County, Virginia:


An application from Roger Blevins for a Special Use Permit for an accessory building above 150 square feet in size, without a main building. The property was addressed as 398 Sugar Street, Marion Virginia, identified as Tax Map Number 67-A-50J and zoned Agricultural/Rural.


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

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

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

**BY ORDER OF THE
SMYTH COUNTY BOARD OF SUPERVISORS
Shawn Utt, County Administrator**

 12/14/2021 5:27 PM With no one wishing to speak regarding the Special Exception for Property located at 398 Sugar Street, Marion, VA, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

 12/14/2021 5:27 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to waive the rules of public hearings.

Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 12/14/2021 5:28 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to uphold the Planning Commission's recommendation to approve the Special Use Permit to construct an accessory building above 150 square feet in size, without a main building on a tract of land at 398 Sugar Street, Marion, VA.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,*

*Royal Oak District Supervisor Judy Wyant,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson*

NAYS: None.

ABSTAINERS: None.

ABSENT: None



12/14/2021 5:28 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing regarding the Reenactment of the Smyth County Code of Ordinances Chapter 17, Article III entitled, "Election Districts." Mr. Atkins added that the reenactment of this section will not change the existing election districts but updates the ordinance in accordance with the latest census.

NOTICE OF PUBLIC HEARING

In compliance with the Code of Virginia of 1950, and amendments thereto, the Smyth County Board of Supervisors will conduct a public hearing to consider Reenactment of the Smyth County Code of Ordinances Chapter 17, Article III entitled, "Election Districts". The Board of Supervisors shall hear comments from citizens concerning the reenactment of this section of the Smyth County Code of Ordinances. The reenactment of this section will not change the existing election districts but updates the ordinance in accordance with the latest census.


The public hearing shall be held on Tuesday, December 14, 2021, beginning at 5:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion Virginia, to receive comments on the proposed amendment and proposed ordinance.


All interested persons may express their views by emailing sutt@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered 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 p.m. on Tuesday, December 14, 2021.

A copy of each proposed ordinance is on file in the County Administrator's Office located at 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

In compliance with the provisions of the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this public hearing should contact Clegg Williams, ADA Coordinator at (276) 706-8315, at least twenty-four (24) hours prior to the public hearing.

**BY ORDER OF THE
SMYTH COUNTY BOARD OF SUPERVISORS
Shawn Utt, County Administrator**

 12/14/2021 5:28 With no one wishing to speak regarding the Reenactment of the Smyth County Code of Ordinances Chapter 17, Article III entitled, "Election Districts, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

 12/14/2021 5:28 PM *A motion was made by North Fork District Supervisor Phil Stevenson to waive the rules of public hearings.*

Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None

 12/14/2021 5:29 PM *A motion was made by North Fork District Supervisor Phil Stevenson to approve the Reenactment of the Smyth County Code of Ordinances Chapter 17, Article III entitled, "Election Districts".*

AMENDMENT TO SMYTH COUNTY CODE OF ORDINANCES

CHAPTER 17, ARTICLE III and IV

SECTION 23-44.1

A public hearing was held on the 14th day of December 2021 at 5:00 p.m. in the Board Room of the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia to consider this amendment/re-adoption of Smyth County Virginia Code of Ordinances Chapter 17 (Elections), Article III (Election Districts) and Article IV (Precincts).

WHEREAS, re - districting of election districts and precincts based on population counts from the United States Census occurs every ten years; and

WHEREAS, populations in the County have not fluctuated to necessitate a change of election district boundaries; and

WHEREAS, the Board of Supervisors of the County of Smyth, Virginia approves the re-adoption of Chapter 17, Article III (Election Districts) and Article IV (Precincts); and

NOW, THEREFORE BE IT ORDAINED, on this 14th day of December 2021, that the Smyth County Board of Supervisors readopts Chapter 17, Elections, Article III, Section 17-45 and 17-46, and Article IV, Section 17-67 as follows:

ARTICLE III. ELECTION DISTRICTS

Sec. 17-45. – Enumerated.

The election districts of the county are set forth as follows:

	Population
Election district 1-01, Saltville district	4,132
Election district 2-01, North Fork district	4,202
Election district 3-01, Chilhowie district	4,276
Election district 4-01, Park district	4,295
Election district 5-01, Atkins district	4,383
Election district 6-01, Royal Oak district	4,284
Election district 7-01, Rye Valley district	4,367

Sec. 17-46. – Boundaries.

(a) ELECTION DISTRICT 1-01: SALTVILLE DISTRICT

Beginning at a monument on the corner of the Russell-Washington-Smyth County line ; thence with the Washington-Smyth County line in a southeasterly direction passing through the Town of Saltville, to the top of Walker Mountain at Jammison Gap; thence with the top of Walker Mountain in an easterly direction to State Route 107 (Highway 107) thence northwardly with the west side of

State Route 107 (Highway 107) to its intersection with state Route 773 (Valley Road); thence with the west side of State Route 773 (Valley Road) to its intersection with state Route 610 (Valley Road); thence continuing with the west and northern boundary line of State Route 610 (Valley Road) to its intersection with state Route 633 (Beaver Creek Road) thence in a northwardly direction with the west side of State Route 633 (Beaver Creek Road into Possum Hollow Road) to State Route 91 (Saltville Highway); thence in an easterly direction with the north side of State Highway 91 (Saltville Highway) to the intersection of State Route 91 (Veterans Road); thence in a northerly direction with the west side of State Route 91 (Veterans Road) to the Smyth-Tazewell County line; thence in a northerly and westerly direction with the Tazewell county line to its intersection with the Russell county line; thence in a westerly direction with the Russell County line to the point of beginning.

(b) ELECTION DISTRICT 2-01: NORTH FORK DISTRICT

Beginning at a point in the Smyth - Tazewell County line where State Route 91 (Veterans Road) meets said county line; thence in a southerly direction with the eastern side of State Route 91 (Veterans Road) to the intersection of State Route 91 (Saltville Highway); thence in a southerly and westerly direction with the southern side of State Route 91 (Saltville Highway) to the intersection of State Route 633 (Possum Hollow Road into Beaver Creek); thence in a southerly direction with the east side of State Route 633 (Possum Hollow Road into Beaver Creek Road) to State Route 610 (Valley Road); thence with the south side of State Route 610 (Valley Road) to its intersection with State Route 773 (Valley Road); thence with the east side of state Route 773 (Valley Road) to its intersection with State Route 107 (Highway 107); thence in a southerly direction with the east side of State Route 107 (Highway 107) to the top of Little Brushy Mountain; thence with the top of Little Brushy Mountain in an eastwardly direction to its intersection with State Route 637 (Carlock Creek Road); thence with the east side of State Route 637 (Carlock Creek Road) to the corporate limits of the Town of Chilhowie; thence with the corporate limit line in an easterly direction to its intersection with State Route 638 (Apple Valley Road); thence in a southerly direction with the east side of State Route 638 to its intersection with U. S. Route 11; thence in a westwardly direction with the south side of U. S. Route 11 to the intersection of State Route 638 (Tattle Branch Road); thence in a southerly direction with the east side of State Route 638 (Tattle Branch Road) to the intersection of State Route 647 (Shawnee Trail); thence in an easterly direction with the north side of State Route 647 (Shawnee Trail) to the intersection of State Route 645 (Chestnut Ridge Road); thence in a northerly and eastwardly direction with west side of State Route 645 (Chestnut Ridge Road) to its intersection with Interstate 81, Exit 39, Seven Mile Ford; thence with Interstate 81 east to its intersection with State Route 660 (Railroad Drive) at McMullin Bridge; thence north with the west side of U.S. Route 11 (Lee Hwy) to the Norfolk Southern Railway; thence with the Norfolk Southern Railway east to its intersection with state Route 659 (Old Ebenezer Road); thence north with the west side of State Route 659 (Old Ebenezer Road) to its intersection with State Route 664 (Farmview Road); thence in a northerly direction with the west side of State Route 664 (Farmview Road) to the intersection of State Route 658 (Spring Valley Road); thence in a westerly direction with the south side of State Route 658 (Spring Valley Road) to the intersection of State Route 664 (Church Hill Road); thence in a northerly direction with the west side of State Route 664 (Church Hill Road) to the intersection of State Route 645 (Wassum Valley Road); thence with the west side

of State Route 645 (Wassum Valley Road) north to its intersection with State Route 664 (Murray Road); thence with the west side of State Route 664 (Murray Road) north to its intersection with state Route 617 (Walker Creek Road) ; thence with the north side of State Route 617 (Walker Creek Road) a distance of approximately .6 mile crossing the watershed break of Walker Creek to a point; thence in an easterly direction 2,000 feet more or less to the southwestern corner of the former Hungry Mother State Park boundary; thence proceeding north along the old Hungry Mother State Park boundary to the top of Walker Mountain ; thence in an eastwardly direction with the top of Walker Mountain to the Smyth-Wythe-Bland County line; thence north with the Bland County line to the Tazewell County line; thence west with the Tazewell County line to its point of beginning.

(c) ELECTION DISTRICT 3-01: CHILHOWIE DISTRICT

Beginning at a point in the Smyth-Washington County line at the top of Walker Mountain; thence in an eastwardly direction with the top of Walker Mountain to State Route 107 (Highway 107); thence south with the west side of State Route 107 (Highway 107) to the top of Little Brushy Mountain; thence with the top of Little Brushy Mountain in an eastward direction to State Route 637 (Carlock Creek Road); thence in a southerly direction with the west side of State Route 637 (Carlock Creek Road) to the corporate limits of the Town of Chilhowie; thence in an easterly direction with the Chilhowie corporate limit line to its intersection with state Route 638 (Apple Valley Road); thence in a southerly direction with the west side of State Route 638 (Apple Valley Road) to its intersection with U. S. Route 11 (Lee Highway); thence in a westerly direction with the north side of U.S. Route 11 (East Lee Highway) to the intersection of State Route 638 (Tattle Branch Road) ; thence in a southerly direction with the west side of State Route 638 (Tattle Branch Road) to the intersection of State Route 647 (Shawnee Trail); thence in an easterly direction with the south side of State Route 647 (Shawnee Trail) to the intersection of State Route 645 (Chestnut Ridge Road); thence with the west side of state Route 645 (Chestnut Ridge Road) in a westerly and southerly direction to its intersection with state Route 660 (Riverside Road); thence east with the south side of state Route 660 (Riverside Road) to its intersection with state Route 645 (Redstone Road); thence south with the west side of State Route 645 (Redstone Road) to its intersection with State Route 651 (Carriage Road); thence west with the north side of State Route 651 (Carriage Road) to its intersection with State Route 605 (Wet Springs Road) ;thence in a southerly direction with the west side of State Route 605 (Wet Springs Road) for approximately 0.86 miles to the intersection of an unnamed farm road ; thence in an easterly and southerly direction with the west side of the unnamed farm road to the intersection of State Route 800 (St Clairs Creek Road, old 600) ; thence south , on State Route 800 (St. Clair's Creek Road) to the intersection of State Route 600 (Whitetop Road); thence in a southerly direction with State Route 600 (Whitetop Road) to the top of Grosses Mountain ; thence west across the top of Grosses Mountain to the Washington-Smyth county line; thence north with the Washington County line to the point of beginning.

(d) ELECTION DISTRICT 4-01: PARKDISTRICT

Beginning at a point at the top of Walker Mountain, a corner to District 2-01 and at the boundary line of Hungry Mother State Park; thence in a southerly and eastwardly direction with the boundary line of Hungry Mother State Park to a point, at the southwest corner of Hungry Mother State Park; thence in a westwardly direction 2,000 feet , more or less, to the east side of State Route 617

(Walkers Creek Road); thence crossing State Route 617 (Walkers Creek Road) to the west side thereof; thence with the western boundary of State Route 617 (Walkers Creek Road) to its intersection with State Route 664 (Murray Road); thence with the southern and eastern boundary line of State Route 664 (Murray Road) to its intersection with State Route 645 (Wassum Valley Road); thence with the southern boundary line of State Route 645 (Wassum Valley Road) to its intersection with state Route 664 (Church Hill Road); thence in a southerly direction with the east side of State Route 664 (Church Hill Road) to the intersection of State Route 658 (Spring Valley Road); thence in an easterly direction with the north side of State Route 658 (Spring Valley Road) to the intersection of State Route 664 (Farmview Road); thence in a southerly direction with the east side of State Route 664 (Farmview Road) to the intersection of State Route 659 (Old Ebenezer Road); thence with the eastern boundary line of State Route 659 (Old Ebenezer Road) in a southerly direction to the Norfolk Southern Railway line; thence in an eastwardly direction with the Norfolk Southern Railway line to the western corporate limits of the Town of Marion; thence with the western corporate limits of the Town of Marion in a southerly direction to Interstate 81; thence with the northern boundary line of Interstate 81 to the bridge over South Church Street, within the Town of Marion; thence with the western boundary line of South Church Street in a northerly direction to Park Street; thence north with South Park Street to its intersection with Cherry street; thence with the north side of Cherry Street to its intersection with Pendleton Street; thence with the western side of Pendleton Street to Main Street; thence with the north side of Main Street and North Main street to the Norfolk Southern Railway line; thence westerly with the Norfolk Southern Railway line to its intersection with Prater Lane; thence with the west side of Prater Lane to its intersection with Sprinkle Avenue; thence with the south side of Sprinkle Avenue to its intersection with Henry Street; thence with the west side of Henry Street to its intersection with Fowler Street; thence in an easterly direction with the north side of Fowler Street to its intersection with Prater Lane, thence in a northerly direction with the west side of Prater Lane to its intersection with State Route 16 (Park Boulevard); thence with the west side of State Route 16 (Park Boulevard) to its intersection with State Route 617 (Mitchell Valley Road); thence in an eastwardly direction with the north side of State Route 617 (Mitchell Valley Road) to its intersection with state Route 689 (Snider Branch Road); thence with the west side of State Route 689 (Snider Branch Road) to its terminus; thence with the north side of a Forest Service Road (the original 1970 boundary line) to state Route 622 (Bear Creek Road); thence with the west side of State Route 622 (Bear Creek Road, which changes to Nebo Mountain Road) to the top of Walker Mountain; thence with the top of Walker Mountain in a westwardly direction to the point of beginning.

(e) ELECTION DISTRICT 5-01: ATKINSDISTRICT

Beginning at a point on the top of Walker Mountain at a corner to the county lines of Smyth - Wythe-Bland Counties; thence in a westwardly direction with the top of Walker Mountain to State Route 622 (Nebo Mountain Road); thence in a southerly direction with the east side of State Route 622 (Nebo Mountain Road, which changes to Bear Creek Road) to its intersection with a Forest Service Road (1970 boundary line); thence with the south side of the Forest Service Road in a westward direction to the terminus of State Route 689 (Snider Branch Road); thence with the east side of State Route 689 (Snider Branch Road) to its intersection with state Route 617 (Mitchell

Valley Road) ; thence in a westwardly direction with the south side of State Route 617 (Mitchell Valley Road) to its intersection with state Route 16 (Park Boulevard); thence with the east side of state Route 16 (Park Boulevard) to the intersection of Prater Lane; thence in a southerly direction with the east side of Prater Lane to the intersection of Fowler Street; thence in a westerly direction with the south side of Fowler Street to the intersection of Henry Street; thence with the east side of Henry Street to its intersection with Sprinkle Avenue; thence with the north side of Sprinkle Avenue to its intersection with Prater Lane ; thence in a southerly direction with the east side of Prater Lane to the Norfolk Southern Railway line; thence with the Norfolk Southern Railway line in an eastwardly direction to U. S. Route 11; thence with the north side of U. S. Route 11 to Johnston Road; thence with the northeast side of Johnston Road (State Route 691) in an eastwardly direction to its intersection with state Route 689 (Hutton Branch Road) ; thence in a southerly direction with the eastern side of state Route 689 (Hutton Branch Road) to its intersection with State Route 688 (Pierce Road); thence with the north side of State Route 688 (Pierce Road) to its intersection with State Route 686 (Kelly Hill Road) ; thence with the north side of State Route 686 (Kelly Hill Road) to its intersection with state Route 622 (Nicks Creek Road); thence in a southerly direction , with the eastern side of state Route 622 (Nicks Creek Road) to the top of Locust Mountain; thence with the top of Locust Mountain and Glade Mountain in an eastwardly direction to the Smyth-Wythe County line; thence in a northwardly direction with the Wythe County line to the point of beginning, a corner between Smyth County, Bland County, and Wythe County.

(f) ELECTION DISTRICT 6 – 01: ROYAL OAK DISTRICT

Beginning at a point on the top of Locust Mountain where state Route 622 (Nicks Creek Road) crosses said mountain; thence in a northerly direction with the west side of State Route 622 (Nicks Creek Road) to the northern intersection of State Route 686 (Kelly Hill Road); thence in a westwardly direction, with the southern side of state Route 686 (Kelly Hill Road) to its intersection with State Route 688 (Pierce Road) ; thence in a westwardly direction to the intersection of State Route 689 (Hutton Branch Road); thence in a northerly direction , and with the southern side of State Route 689 (Hutton Branch Road) to its intersection with state Route 691 (Johnston Road) ; thence with the southern side of State Route 691 (Johnston Road) to U. S. Route 11 , in the Town of Marion ; thence with the south side of U. S. Route 11 to the intersection of Main Street at Pendleton Street; thence with the east side of Pendleton Street in a southerly direction to its intersection with East Cherry Street; thence with the south side of East Cherry Street to its intersection with South Park Street; thence in a southerly direction with South Park Street to its intersection with South Church Street; thence with the east side of South Church Street to Interstate 81 , at a bridge ; thence in a westwardly direction , with the southern right-of-way of interstate 81 to Exit 44 at the Town of Marion corporate limits (Washington Avenue); thence in a northerly direction with the western corporate limits of the Town of Marion to the Norfolk Southern Railway line ; thence westwardly with the Norfolk Southern Railway line to a point where State Route 660 (Adwolfe Road) crosses the railroad at McMullin Bridge; thence with the east side of State Route 660 (Adwolfe Road) to U. S. Interstate 81; thence with the southern boundary line of U.S. Interstate 81 to the interchange at Seven Mile Ford (Exit 39) ; thence in a southerly direction with U.S. Route 11 and State Route 645 (Chestnut Ridge Road) to their intersection; thence with the eastern boundary line of State Route 645 (Chestnut Ridge Road) to its intersection with State Route 648 (Cherokee Lane); thence in an

easterly direction with the north side of State Route 648 (Cherokee Lane) to State Route 660 (Riverside Road); thence in a northerly direction with the north side of State Route 660 (Riverside Road) to its intersection with State Route 657 (Thomas Bridge Road) ; thence in an southeasterly direction with State Route 657 (Thomas Bridge Road) to its intersection with State Route 658 (Scratch Gravel Road); thence in a northerly direction with the north side of State Route 658 (Scratch Gravel Road) to an un-named creek between State Route 702 (Dancy Road) and Kennedy Lane (private road); thence in a southerly direction with the east side of the creek for approximately 3500 feet to the beginning of the creek; thence in a straight line in a southerly direction for approximately 5000 feet to the top of Rich Mountain thence in an eastwardly direction crossing Rocky Hollow to the top of Brushy Mountain ; thence with the top of Brushy Mountain in an eastwardly direction to state Route 662 (Nicks Creek Road) , the point of beginning.

(g) ELECTION DISTRICT 7-01: RYE VALLEY DISTRICT

Beginning at a point in the eastern boundary line of Smyth County at the top of Glade Mountain at its intersection with the Wythe County line ; thence in a southerly direction with the Wythe County line to the Grayson County line; thence in a westwardly direction with the Grayson County line to the Washington County line; thence in a northerly direction with the Washington County line to the top of Grosses Mountain; thence with the top of Grosses Mountain to State Route 600 (Whitetop Road); thence in a northerly direction with State Route 600 (Whitetop Road) to its intersection with State Route 800 (St. Clairs Creek Road , old 600); thence in a northerly direction with the east side of State Route 800 (St. Clairs Creek) approximately 2.59 miles to an unnamed farm road; thence in a northerly direction with the east side of the unnamed farm road approximately 0.5 miles to the intersections with State Route 605 (Wet Springs Road) ; thence east , and north with State Route 605 (Wet Springs Road) to its intersection with State Route 651 (Carriage Road) ; thence east on State Route 651 (Carriage Road) to its intersection with State Route 645 (Red Stone Road); thence in a northwardly direction with the east side of State Route 645 (Red Stone Road) to State Route 660 (Riverside Road) ; thence in a westwardly direction with the north side of State Route 660 (Riverside Road) to State Route 645 (Chestnut Ridge Road); thence with the south-east boundary line of State Route 645 (Chestnut Ridge Road) in a north and eastwardly direction to its intersection with state Route 648 (Cherokee Lane) ; thence in a eastwardly direction with the north side of State Route 648 (Cherokee Lane) to State Route 660 (Riverside Road); thence in a northeasterly direction with the south side of State Route 660 (Riverside Road) to State Route 657 (Thomas Bridge Road); thence in a southeasterly direction with the west side of Route 657 (Thomas Bridge Road) to its intersection with State Route 658 (Scratch Gravel Road); thence in a northeasterly direction with the south side of State Route 658 (Scratch Gravel Road) to an un- named creek between State Route 702 (Dancy Road) and Kennedy Lane (private road); thence in an southerly direction with the west side of the creek approximately 3500 feet to the beginning of the creek; thence in a straight line approximately 5000 feet to the top of Rich Mountain; thence with the top of Rich Mountain, crossing Rocky Hollow, to the top of Brushy Mountain; thence with the top of Brushy Mountain in an eastwardly direction to the top of Locust Mountain; thence with the top of Locust Mountain to the top of Glade Mountain; thence with the top of Glade Mountain to the point of beginning.

(h) Central Absentee Voter Election District.

There is hereby established for the county, in the Smyth County Administrative Office Building, 121 Bagley Circle, Marion, Virginia, a Central Absentee Voter Election District. Such district is hereby established in accordance with section 24.1-233 of the Code of Virginia and all other applicable statutes of the Code of Virginia contained in section 24.1-227 et seq.

ARTICLE IV. PRECINCTS

SEC. 17-67. Polling Places; precinct boundaries.

(a) ELECTION DISTRICT 1-01. SALTVILLE PRECINCT - at the Town Hall in Saltville, Virginia.

Beginning at a monument on the corner of the Russell-Washington-Smyth County line ;
thence with the Washington-Smyth County line in a southeasterly direction passing through
the Town of Saltville, to the top of Walker Mountain at Jammison Gap; thence with the top of
Walker Mountain in an easterly direction to State Route 107 (Highway 107); thence
northwardly with the west side of State Route 107 (Highway 107) to its intersection with
state Route 773 (Valley Road) ; thence with the west side of State Route 773(Valley Road) to
its intersection with state Route 610 (Valley Road); thence continuing with the west and
northern boundary line of State Route 610 (Valley Road) to its intersection with state Route
633 (Beaver Creek Road); thence in a northwardly direction with the west side of State
Route 633(Beaver Creek Road into Possum Hollow Road to State Route 91 (Saltville
Highway); thence in an easterly direction with the north side of State Highway 91 (Saltville
Highway) to the intersection of State Route 91 (Veterans Road) ; thence in a northerly
direction with the west side of State Route 91 (Veterans Road) to the Smyth- Tazewell
County line; thence in a northerly and westerly direction with the Tazewell county line to its
intersection with the Russell county line ; thence in a westerly direction with the Russell
County line to the point of beginning.

(b) ELECTION DISTRICT 2-01.

(1) RICH VALLEY PRECINCT - at Northwood Middle School.

Beginning at a point in the Smyth-Tazewell County line where State Route 91 (Veterans
Road) meets said county line; thence in a southerly direction with the eastern side of State
Route 91 (Veterans Road) to the intersection of State Road 91 (Saltville Highway); thence in
a southerly and westerly direction with the southern side of State Road 91 (Saltville
Highway) to the intersection of State Route 633 (Possum Hollow Road into Beaver Creek
Rd); thence in a southerly direction with the east side of State Route 633 (Possum Hollow
Road into Beaver Creek Rd) to State Route 610 (Valley Road) ; thence with the south side of
State Route 610 to its intersection with State Route 773 (Valley Road) ; thence with the east

side of state Route 773 (Valley Road) to its intersection with State Route 107; thence in a southerly direction with the east side of State Route 107 to its intersection with the top of Walker Mountain; thence with the top of Walker Mountain in an eastward direction to the Smyth -Bland -Wythe county line; thence with the Bland county line north to the Tazewell County line; thence west with the Tazewell County line to the point of beginning.

(2) SEVEN MILE FORD PRECINCT -at Smyth County Vocational School.

Beginning at a point on the top of Walker Mountain and State Route 107; thence in a southerly direction with the east side of State Route 107 to the top of Little Brushy Mountain; thence in a eastwardly direction with the top of Little Brushy Mountain to its intersection with state Route 637 (Carlock Creek Road) ; thence with the east side of State Route 637 (Carlock Creek Road) to the corporate limits of the Town of Chilhowie; thence with the corporate limit line in an easterly direction to its intersection with State Route 638 (Apple Valley Road); thence in a southerly direction with the east side of State Route 638 to its intersection with U. S. Route 11 ; thence in a westwardly direction with the south side of U.S. Route 11 to the intersection of State Route 638 (Tattle Branch Road) ; thence in a southerly direction with the east side of State Route 638 (Tattle Branch Road) to the intersection of State Route 647 (Shawnee Trail); thence in an easterly direction with the north side of State Route 647 (Shawnee Trail) to the intersection of State Route 645 (Chestnut Ridge Road) ; thence in a northerly and eastwardly direction with the west side of State Route 645 (Chestnut Ridge Road) to its intersection with Interstate 81 , Exit 39 , Seven Mile Ford ; thence in an eastwardly direction with Interstate 81 to its intersection with U.S. Route 11 (Lee Hwy) at McMullin Bridge ; thence north with the west side of state Route 660 (Railroad Drive) to its intersection with the Norfolk Southern Railway line ; thence east with the Norfolk Southern Railway line to its intersection with state Route 659 (Old Ebenezer Road); thence north with the west side of State Route 664 (Farm view Road) ; thence in a northerly direction with the west side of State Route 664 (Farm view Road) to the intersection of State Route 658 (Spring Valley Road); thence in a westerly direction with the south side of State Route 658 (Spring Valley Road) to the intersection of State Route 664 (Church Hill Road); thence in a northerly direction with the west side of State Route 664 (Church Hill Road) to the intersection of State Route 645 (Wassum Valley Road) ; thence with the west side of State Route 645 (Wassum Valley Road) north to its intersection with state Route 664 (Murray Road) ; thence north with the west side of State Route 664 to its intersection with state Route 617 (Walker Creek Road) ; thence with the north side of State Route 617 a distance of approximately 0.6 mile crossing the Walker Creek watershed to a point; thence in an eastward direction 2,000 feet, more or less , to the former Hungry Mother State Park boundary; thence north with the old Hungry Mother State Park boundary to the top of Walker Mountain; thence in a westward direction with the top of Walker Mountain to the point of the beginning.

(c) ELECTION DISTRICT 3-01.

(1) CHILHOWIE PRECINCT at the Town Hall in Chilhowie, Virginia.

Beginning at a point in the Smyth - Washington county line at the top of Walker Mountain; thence in an eastwardly direction with the top of Walker Mountain to State Route 107(Highway 107) ; thence south with the west side of State Route 107 (Highway 107) to the top of Little Brushy Mountain; thence with the top of Little Brushy Mountain in an eastward direction to its intersection with state Route 637 (Carlock Creek Road) ; thence in a southerly direction with the west side of State Route 637 (Carlock Creek Road) to the corporate limits of the Town of Chilhowie; thence in an easterly direction with the Chilhowie corporate limit line to its intersection with State Route 638 (Apple Valley Road) ; thence in a southerly direction with the west side of State Route 638 (Apple Valley Road) to its intersection with U.S. Route 11 (Lee Highway); thence in a westerly direction with the north side of U.S. Route 11 (East Lee Highway) to the intersection of State Route 638 Tattle Branch Road) ; thence in a southerly direction with the west side of State Route 638 (Tattle Branch Road) to the intersection of State Route 647 (Shawnee Trail); thence in an easterly direction with the south side of State Route 64 7 (Shawnee Trail) to the intersection of State Route 645 (Chestnut Ridge Road); thence west with state Route 645 (Chestnut Ridge Road) to its intersection of State Route 660 (Riverside Road) ; thence crossing state Route 660 (Riverside Road) to the South Fork of the Holston River ; thence west with the South Fork of the Holston River to the Washington County-Smyth county line ; thence north with the Washington county line to the point of beginning.

(2) ST. CLAIR PRECINCT - at the Riverside Community Center.

Beginning at a point on the Smyth- Washington County line and the South Fork of the Holston River; thence east with the South Fork of the Holston River to its intersection with state Route 645 (Chestnut Ridge Road) (west intersection) and State Route 660 (Riverside Road); thence with state Route 660 (Riverside Road) east to its intersection with state Route 645 (Redstone Road) ; thence with the west side of State Route 645 (Red Stone Road) to its intersection with State Route 651 (Carriage Road) ; thence west with state Route 651 to its intersection with State Route 605 (Wet Springs Road) ; thence in a southerly direction with the west side of State Route 605 (Wet Springs Road) for approximately 0 .86 miles to the intersection of an unnamed farmed road ; thence in an easterly and southerly direction with the west side of the unnamed farm road to the intersection of State Route 800 (St Clairs Creek Road , old 600; thence south on State Route 800 (St Clairs Creek Road) to the intersection of State Route 600 (Whitetop Road); thence in a southerly direction with State Route 600 (Whitetop Road) to the top of Grosses Mountain ; thence west across top of mountain to the Washington - Smyth County line ; thence north with the Washington County line to the point of beginning.

(d) ELECTION DISTRICT 4-01.

(1) EAST PARK PRECINCT at the Marion Recreation Center.

Beginning at a point at the top of Walker Mountain, a corner to District 2 - 01 and at the boundary line of Hungry Mother State Park; thence in a southerly and eastwardly direction with the boundary line of Hungry Mother State Park to a point at the southwest corner of Hungry Mother State Park; thence in a westwardly direction 2,000 feet, more or less, to the east side of State Route 617 (Walkers Creek Road); thence crossing state Route 617 to the west side thereof; thence with the western boundary of State Route 617 to its intersection with State Route 664 (Murray Road); thence with the southern and eastern boundary line of State Route 664 to its intersection with State Route 658 (Spring Valley Road); thence with the northern boundary line of State Route 658 to its intersection with the western corporate limits of the Town of Marion; thence south with the western corporate limits of the Town of Marion to the intersection of the Middle Fork of the Holston River; thence east with the Middle Fork of the Holston River to its intersection with U.S. Route 11, Main street; thence east with the north side of Main Street to its intersection with the Norfolk Southern Railway line; thence west with the Norfolk Southern Railway line to its intersection with Prater Lane; thence north with the west side of Prater Lane to its intersection with Sprinkle Avenue; thence west with the south side of Sprinkle Avenue to its intersection with Henry Street; thence north with the west side of Henry Street to its intersection with Fowler Street; thence in an easterly direction with the north side of Fowler Street to its intersection with Prater Lane; thence in a northerly direction with the west side of Prater Lane to its intersection with State Route 16 (Park Boulevard); thence north with the west side of State Route 16 to its intersection with State Route 617 (Mitchell Valley Drive); thence with the north side of State Route 617 to its intersection with State Route 689 (Snider Branch Road); thence with the north side of State Route 689 to its terminus; thence with the north side of a Forest Service Road (1970 boundary line) in an eastwardly direction to the west side of State Route 622 (Bear Creek Road which turns to Nebo Mountain Road) to the top of Walker Mountain thence west with the top of Walker Mountain to the point of beginning.

(2) WEST PARK PRECINCT at the Smyth County Courthouse in Marion, Virginia.

Beginning at a point at the intersection of State Route 658 (Spring Valley Road) and State Route 664 (Farm view Road); thence east with the south side of State Route 658 to its intersection with the Town of Marion corporate limits; thence south with the Town of Marion corporate limits to its intersection with the Middle Fork of the Holston River, thence east with the Middle Fork of the Holston River to its intersection with North Main Street; thence west with North Main street and Main Street to its intersection with Pendleton Street; thence south with Pendleton Street to its intersection with Cherry Street; thence west with the north side of Cherry Street to its intersection with South Park Street; thence south with South Park to its intersection with South Church Street; thence south with Church Street to a bridge on Interstate 81; thence with Interstate 81 west to the Town of Marion corporate limits (Washington Avenue); thence north with the western corporate limits of the Town of Marion to the Norfolk Southern Railway line; thence west with the Norfolk Southern Railway line to its intersection with State Route 659 (Old Ebenezer Road); thence north with State Route 659 to its intersection with state Route 664 (Farm view Road); thence north with State Route 664 (Farm view Road) to the point of beginning.

(e) ELECTION DISTRICT 5-01.

(1) ATKINS PRECINCT at the Atkins Elementary School.

Beginning at a point on the top of Walker Mountain at a corner to the county lines of Smyth, Wythe and Bland counties; thence in a westwardly direction with the top of Walker Mountain to state Route 622 (Nebo Mountain Road which becomes Bear Creek Road); thence in a southerly direction with the west side of State Route 622 to an old Forest Service road; thence with the north side of the Forest Service Road { 1970 boundary line} to the terminus of State Route 689 (Snider Branch Road); thence in a southerly direction with the east side of State Route 689 to the intersection of U. S. Route 11; thence east with the north side of u. S. Route 11 to its intersection with State Route 689 (Hutton Branch Road); thence south with the east side of State Route 689 to its intersection with State Route 688 (Pierce Road); thence east with State Route 688 to its intersection with State Route 686 (Kelly Hill Road); thence east with State Route 686 to its intersection with State Route 622 (Nicks Creek Road); thence with State Route 622 to the top of Locust Mountain; thence with the top of Locust Mountain and Glade Mountain in an eastward direction to the Smyth-Wythe county line; thence north with the Wythe County line to the point of beginning.

(2) WASSONA PRECINCT at the Marion Senior High School.

Beginning at the intersection of State Route 617 (Mitchell Valley Road) and State Route 689 (Snider Branch Road); thence in a southerly direction with the west side of State Route 689 to U. S. Route 11; thence with U. S. Route 11 east to its intersection with state Route 689 (Hutton Branch Road); thence south with state Route 689 to its intersection with State Route 691 (Johnston Road); thence with State Route 691 to U.S. Route 11 (Main Street); thence with Main Street to its intersection with Norfolk Southern Railway line; thence with the Norfolk and Western Railway line to Prater Lane; thence with the east side of Prater Lane to Sprinkle A venue; thence with the north side of sprinkle A venue to Henry Street; thence with the east side of Henry Street to Fowler Street; thence in a westerly direction with the south side of Fowler Street to the intersection of Prater Lane; thence in a northerly direction with the east side of Prater Lane to the intersection of State Route 16 (Park Boulevard); thence with the east side of State Route 16 north to State Route 617 (Mitchell Valley Road); thence with the south side of State Route 617 to the point of beginning.

(f) ELECTION DISTRICT 6-11.

(1) ROYAL OAK EAST PRECINCT at the Marion Senior Citizens Building at 307 Park Street.

Beginning at a point on the top of Locust Mountain where State Route 622 (Nicks Creek Road) crosses such mountain; thence in a northerly direction with the west side of Route 622 to the northern intersection of State Route 686 (Kelly Hill Road); thence in a westwardly direction with the southern side of State Route 686 to its intersection with State Route 689 (Hutton Branch Road); thence in a northerly direction and with the southern

side of State Route 689 to its intersection with state Route 691 (Johnston Road); thence with the southern side of State Route 691 (Johnston Road) to U.S. Route 11 (Main Street) in the Town of Marion; thence with the south side of Main Street to its intersection with Pendleton Street; thence with the east side of Pendleton Street in a southerly direction to its intersection with East Cherry Street; thence with the south side of East Cherry Street to its intersection with South Park Street; thence in a southerly direction with South Park Street to its intersection with South Church Street; thence with the east side of South Church Street to Interstate 81 at a bridge; thence in a westwardly direction with the southern right-of-way of interstate 81 to Exit 44 at the Town of Marion Corporate limits (Washington Avenue); thence in a northerly direction with the western corporate limits of the Town of Marion to the Norfolk Southern Railway line; thence westwardly with the Norfolk Southern Railway line to a point north of State Route 707 (Laurel Springs Road which becomes Willow Springs Road); thence in a southerly direction with the east side of State Route 707 to its intersection with State Route 658 (Scratch Gravel Road); thence in a northerly direction with the north side of State Route 658 (Scratch Gravel Road) to an un-named creek between State Route 702 (Dancy Road) and Kennedy Lane (private road); thence in a southerly direction with the east side of the creek for approximately 3500 feet to the beginning of the creek; thence in a straight line in a southerly direction for approximately 5000 feet to the top of Rich Mountain; thence in a eastwardly direction crossing Rocky Hollow to the top of Brushy Mountain; thence with the top of Brushy Mountain in an eastwardly direction to State Route 622 (Nicks Creek Road) to the point of beginning.

(2) ROYAL OAK WEST PRECINCT at the Adwolfe Volunteer Fire Department Building.

Beginning at the Norfolk Southern Railway line, at a point projected north from the intersection of state Route 707 (Laurel Springs Road) and U. S. Route 11; thence westwardly with the Norfolk Southern Railway Line to state Route 660 (Adwolfe Road), where it crosses the railroad at McMullin Bridge; thence south with the east side of State Route 660 to U.S. Interstate 81; thence proceeding west with the southern right-of-way of interstate 81 to Exit 39, Seven Mile Ford and to its intersection with U. S. Route 11 and State Route 645 (Chestnut Ridge Road); thence south with U. S. Route 11 to the intersection of U.S. Route 11 and State Route 645; thence with the eastern boundary line of State Route 645 (Chestnut Ridge Road) to its intersection with State Route 648 (Cherokee Lane); thence in an easterly direction with the north side of State Route 648 (Cherokee Lane) to State Route 660 (Riverside Road); thence in a northerly direction with the north side of State Route 660 (Riverside Road) to its intersection with State Route 657 (Thomas Bridge Road); thence in an southeasterly direction with State Route 657 (Thomas Bridge Road) to its intersection with State Route 658 (Scratch Gravel Road); thence in a northerly direction with the north side of State Route 658 (Scratch Gravel Road) to its intersection with state Route 707 (Willow Springs Road which becomes Laurel Springs Road); thence north with State Route 707 to its intersection with U.S. Route 11 the point of beginning.

(g) ELECTION DISTRICT 7-01.

(1) SUGAR GROVE PRECINCT at the Sugar Grove School Shop.

Beginning at a point in the eastern boundary line of Smyth County at the top of Glade Mountain at its intersection with the Wythe County line; thence in a southerly direction with the Wythe County line to the Grayson county line; thence westwardly with the Grayson County line to its intersection with State Route 16 (Sugar Grove Highway); thence north with the southern side of State Route 16 to its intersection with State Route 650 (Comers Creek Road) ; thence with the east side of State Route 650 to its intersection with state Route 670 (Teas Road); thence from the point of intersection in a straight line in a northerly direction to the top of Rich Mountain; thence east with the top of Rich Mountain crossing Rocky Hollow to Brushy Mountain; thence with the top of Brushy Mountain to the top of Locust Mountain; thence with the top of Locust Mountain to the top of Glade Mountain; thence with the top of Glade Mountain to the point of beginning.

(2) ADWOLFE PRECINCT at the Volunteer Fire Department Building.

Beginning at a point on the Washington-Smyth county line on the top of Grosses Mountain; thence with the top of Grosses Mountain to State Route 600 (Whitetop Road); thence in a northerly direction with State Route 600 (Whitetop Road) to its intersection with State Route 800 (St Clairs Creek Road, Old 600); thence in a northerly direction with the east side of State Route 800 (St Clairs Creek) approximately 2.59 miles to an unnamed farm road; thence in a northerly direction with east side of the unnamed farm road approximately 0.5 miles to the intersection with State Route 605 (Wet Springs Road); thence east and north with State Route 605 (Wet Springs Road) to its intersection with state Route 651 (Carriage Road) ; thence east on State Route 651 to its intersection with state Route 645 (Red Stone Road); thence in a northerly direction with the east side of State Route 645 (Red Stone Road) to State Route 660 (Riverside Road) ; thence in a westwardly direction with the north side of State Route 660 (Riverside Road) to State Route 645 (Chestnut Ridge Road); thence with the south - east boundary line of State Route 645 (Chestnut Ridge Road) in a north and eastwardly direction to its intersection with state Route 648 (Cherokee Lane); thence in an easterly direction with the north side of State Route 648 (Cherokee Lane) to State Route 660 (Riverside Road); thence in a northeasterly direction with the south side of State Route 660 (Riverside Road) to State Route 657 (Thomas Bridge Road) ; thence in a southeasterly direction with the west side of Route 657 (Thomas Bridge Road) to its intersection with State Route 658 (Scratch Gravel Road) ; thence in a northeasterly direction with the south side of State Route 658 (Scratch Gravel Road) to an un- named creek between State Route 702 (Dancy Road) and Kennedy Lane (private road); thence in an southerly direction with the west side of the creek approximately 3,500 feet to the beginning of the creek; thence in a straight line approximately 5,000 feet to the top of Rich Mountain; thence with the top of Rich Mountain to a point ; thence from said point to the intersection of State Route 670 (Teas Road) and state Route 650 (Comers Creek Road) in a southerly direction; thence with State Route 650 to its intersection with State Route 16 (Sugar Grove Highway); thence with

state Route 16 to the Smyth-Grayson County boundary; thence west with the Grayson County boundary to the top of Grave Mountain; thence west with the top of Grave Mountain to the top of Straight Mountain; thence with the top of Straight Mountain to the Washington County line; thence north with the Washington County line to the point of beginning.

(3) KONNAROCK PRECINCT at the Konnarock Community Center.

Beginning at a point on the Smyth-Grayson County line at the top of Grave Mountain; thence with the top of Grave Mountain west to the top of Straight Mountain; thence west with the top of straight Mountain to the Washington county line; thence south with the Washington County line to the Grayson County line; thence east with the Grayson County line to the point of beginning.

North Fork District Supervisor Phil Stevenson made a motion to approve the re-adoption of Chapter 17 (Elections), Article III (Election Districts) Section 17-45 and 17-46, and Article IV (Precincts), Section 17-67 as stated herein.

The motion was seconded by Saltville District Supervisor Roscoe Call and vote as follows:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Charlie E. Atkins	X		
Roscoe D. Call	X		
Lori H. Deel	X		
Kristopher S. Ratliff, DPh	X		
Charles P. Stevenson	X		
Mike Sturgill	X		
Judy Wyant	X		

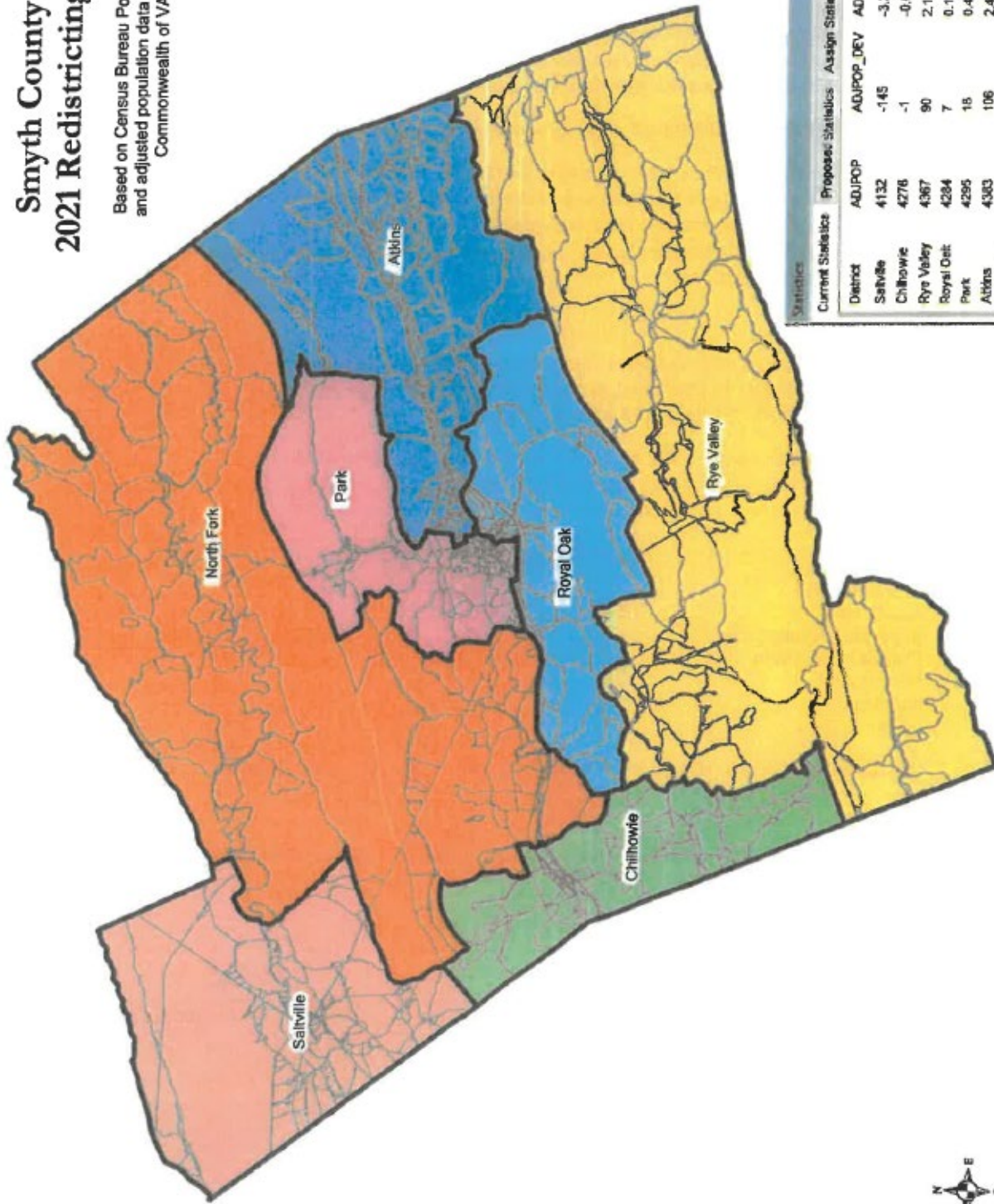
This amendment shall be effective on and after 12:01 a.m. on the 15th day of December 2021.

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting December 14, 2021.


Shawn Utt, Clerk of the Board

Smyth County VA 2021 Redistricting Stats

Based on Census Bureau Population
and adjusted population data from the
Commonwealth of VA



Statistics	Current Statistics	Proposed Statistics	Assign Statistics
District	ADJPOP	ADJPOP_DEV	ADJPOP_DVP
Saltville	4132	-145	-3.3902267...
Chillhowie	4278	-1	-0.0233308...
Rye Valley	4367	90	2.10427870...
Royal Oak	4284	7	0.16366612...
Park	4295	18	0.42085574...
Atkins	4303	106	2.47837269...
North Fork	4202	-75	-1.7535655...

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None



12/14/2021 5:30 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.



12/14/2021 5:34 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing:

<u>General County</u>	
Accounts Payable Listing 11/1/2021-11/30/2021	<u>\$1,406,568.19</u>
Total General County	\$1,406,568.19
<u>Fund Accounts</u>	
EDA Fund 4	\$107.59
CDBG Food Pantry Grant Fund 303	\$9,976.00
Sheriff Fund 748	\$3,051.83
Recovery Court Fund 749	\$32,845.58
Commonwealth Atty Drug Asset Account Fund 760	<u>\$541.00</u>
Total Fund Accounts	\$46,495.00
TOTAL ACCOUNTS PAYABLE - NOVEMBER 2021	
	\$1,453,063.19

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:


AYES: Chair, Atkins District Supervisor Charles Atkins,


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


NAYS: None.


ABSTAINERS: None.

ABSENT: None

 12/14/2021 5:35 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

 12/14/2021 5:35 PM Charles Wassum, 321 Wassona Circle, Marion spoke about Constitutional rights and passed out a copy of the United States Constitution to each Supervisor.

 12/14/2021 5:38 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

 12/14/2021 5:39 PM Chair, Atkins District Supervisor Charles Atkins read the minutes from the Animal Control Committee meeting held on December 7, 2021 and presented the following recommendations:

- 1) Martha Burke, 296 Packing House Road, Chilhowie, VA – 4 Cayuga Ducks. After review and discussion *Saltville District Supervisor Roscoe Call made a motion to recommend the approval of the Smyth County Damage Claim form in the amount of \$40.00. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

After consideration, the Animal Control committee recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None

- 2) Ted Hunt, 1576 Buckeye Hollow Road, Saltville, VA – 2 9-month old female goats. After review and discussion *Saltville District Supervisor Roscoe Call made a motion to recommend the approval of the Smyth County Damage Claim form in the amount of \$300.00. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

After consideration, the Animal Control committee recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None



12/14/2021 5:44 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the American Rescue Plan Act (ARPA) committee meeting held on December 2, 2021. No action required. Discussion ensued.



12/14/2021 5:46 PM Chair, Atkins District Supervisor Charles Atkins read the minutes from the Budget Committee meeting held on December 7, 2021 and December 14, 2021 and presented the following recommendations:

- A motion was made by Rye Valley District Supervisor Lori Deel to approve the FY21/22 Budget Amendment #4 to include the Qualified School Construction Bond (QSCB) payment request in the amount of \$487,113. Atkins District Supervisor Charles Atkins seconded the motion and it was unanimously approved.*

After consideration, the Budget committee recommendation PASSED by the following vote:

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

*Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson*

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: None.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION

SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #4

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, on August 26, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #1) for Fiscal Year 2021-2022 in the amount of \$100,246,861 to allow for FY21 budget rollovers; and,

WHEREAS, on September 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #2) for Fiscal Year 2021-2022 in the amount of \$99,996,861 to allow for the loss of revenues related to the County meals tax implementation delay; and,

WHEREAS, on October 12, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #3) for Fiscal Year 2021-2022 in the amount of \$100,126,223; and,

WHEREAS, the aggregate amount of budget amendment #4 is \$487,113 which would increase the Fiscal Year 2021-2022 budget to a total of \$100,613,336 as shown 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 2021-2022 in the amount of \$100,613,336.

BE IT FURTHER RESOLVED, the approval of this budget amendment #4 shall indeed constitute an appropriation of the same funds.

Adopted this the 14th day of December, 2021

ATTEST:


Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**


Charles Atkins, Chair

- *Royal Oak District Supervisor Judy Wyant made a motion to recommend the approval of the FY21/22 Budget Amendment #5 to include the American Rescue*

Plan Act Utility Funding in the amount of \$172,866.00. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.

Assistant County Administrator, Lisa Richardson provided a brief description of the Utility Relief Fund and added that the County was awarded \$5,858.67, while Chilhowie received \$141,928.74 and Marion received \$25,078.98 for a total of \$172,866.00.

After consideration, the Budget committee recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #5

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, on August 26, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #1) for Fiscal Year 2021-2022 in the amount of \$100,246,861 to allow for FY21 budget rollovers; and,

WHEREAS, on September 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #2) for Fiscal Year 2021-2022 in the amount of \$99,996,861 to allow for the loss of revenues related to the County meals tax implementation delay; and,

WHEREAS, on October 12, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #3) for Fiscal Year 2021-2022 in the amount of \$100,126,223; and,

WHEREAS, on December 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #4) for Fiscal Year 2021-2022 in the amount of \$100,613,336; and,

WHEREAS, the aggregate amount of budget amendment #5 is \$172,866 which would increase the Fiscal Year 2021-2022 budget to a total of \$100,786,202 as shown 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 2021-2022 in the amount of \$100,786,202.

BE IT FURTHER RESOLVED, the approval of this budget amendment #4 shall indeed constitute an appropriation of the same funds.

Adopted this the 14th day of December, 2021

ATTEST:


Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**


Charles Atkins, Chair

 12/14/2021 5:53 PM Saltville District Supervisor Roscoe Call read the minutes from the Ordinance committee meeting held on December 7, 2021 and presented the following recommendations:

- *Atkins District Supervisor Charles Atkins made a motion to recommend staff to develop a draft ordinance for a Smyth County Junior Firefighter Program. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.*

After consideration, the Ordinance committee recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None

- *Atkins District Supervisor Charles Atkins made a motion to recommend directing staff to develop a draft ordinance to amend the Smyth County Code regarding the Transient Occupancy Tax as recommended by the Commissioner of Revenue. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.*

After consideration, the Ordinance committee recommendation FAILED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None

After discussion, North Fork District Supervisor Phil Stevenson recommended tabling the Transient Occupancy Tax recommendation to allow the Board of Supervisors to review in further detail.

- *Atkins District Supervisor Charles Atkins made a motion to recommend directing staff to develop a draft ordinance that would eliminate the sliding scale qualification to allow seniors who are eligible to be eligible for maximum relief and to increase the Real Estate Relief for the Elderly or Permanently and Totally*

Disabled from \$25,000 to \$27,000. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.

After consideration, the Ordinance committee recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None



12/14/2021 6:02 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety meeting held on December 7, 2021 and presented the following recommendations:

- Chilhowie District Supervisor Michael Sturgill made a motion to recommend the approval of the County Fire Automatic Aid agreement to the Board of Supervisors. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*



Smyth County Public Safety

Section: **Administrative**

Version: **1**

Section Number:

Effective Date:

Title: **Smyth County Fire Response Agreement**

Authorized By:

1. Purpose

1.1. The purpose of the Standard Operating Procedure (SOP) is to establish Smyth County's response guidelines for fire departments determined by Smyth County, Virginia (Smyth County Public Safety/SCPS), The Town of Marion (Station 1 and 2), The Town of Chilhowie (Station 3), The Town of Saltville (Station 4 and 10), Sugar Grove Fire and Rescue (Station 5), Atkins Fire Department (Station 6), Nebo Fire Department (Station 7 and 8), Adwolfe Fire Department (Station 9) to be in the best interest of public safety and to the mutual benefit of both all communities. The fire territories identify perceived target hazards in each jurisdiction for which the benefits of an enhanced initial response have been identified. This agreement provides for the simultaneous dispatch of a combination of agencies, resulting in the delivery of a greater initial response force to these target hazards within a shorter period of time. This plan also sets up multiple alarms for each area for further assistance. This agreement does not preclude the use of Mutual Aid agreements between all entities nor does it supersede or supplant either statewide or local contracts.

2. Scope

- 2.1. This SOP will lay out the parameters for a countywide fire response. In NFPA 1720, Automatic Aid is defined as a plan developed between two or more fire departments for immediate joint response on first alarms. In 1720 the standard for staffing initial firefighting operations in a single household dwelling is 15 trained members. As operations such as search and rescue or aerial are needed, more members are required. Working Structure Fires is a staff intensive operation and the majority of operations are in the first 15 to 30 minutes of the incident. This plan can provide the NFPA 1720 standard for staffing and citizen safety.
- 2.2. Response plans are determined prior to the incident. The required resources will be identified and arranged in the dispatch computer by the Smyth County Emergency Services Coordinator or Designee(s). Response responsibilities are determined through preplans of territory by Town/County departments and the Smyth County Department of Public Safety.

3. Procedure

- 3.1. **Authority Having Jurisdiction (AHJ):** In this Standard Operational Procedure, the AHJ is the agency in which the incident occurs. The AHJ is responsible for accountability and safety of all individuals on scene. AHJs will continue to follow its regular SOPs during incidents. All responding agencies shall follow the incident commander of the AHJ unless directions are in direct contradiction to safety.
- 3.2. **Agency Responsibilities:** All agencies that respond to calls outside of its home jurisdiction shall follow this plan during fire responses. All agencies in Smyth County shall be responsible to keep



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all equipment and apparatus maintained and safe for use. All Apparatus should be maintained to the NFPA 1911 standard for upkeep and service. All Ground Ladders should be maintained to the NFPA 1932 standard. All Rescue Tools should be maintained and serviced to manufacture guidelines. All Fire Hose, Couplings, Nozzles, and Fire Hose Appliances should be maintained to the NFPA 1962 standard. All SCBA shall meet OSHA 1910.132 and each department shall have a respiratory plan or adopt the Smyth County Public Safety Respiratory Plan. All Personnel Protective Equipment should be maintained to NFPA standards 1851, 1855, 1877, and 1891. All Life Safety Rope and Equipment should be maintained to NFPA 1858 standard. All apparatus should be equipped to meet NFPA 1901. All staffing should meet OSHA 1910.132 and 1910.120 as well as NFPA 1001. If agency is found to not be in accordance to this responsibility, it should be brought to the attention of the Emergency Services Coordinator of Smyth County or the Smyth County Chiefs' Meeting.

- 3.3. **Non-AHJ Responding Units:** Non-AHJ responding Units in the Response Plan shall be staffed with the appropriate individuals. All responders will have at minimal VDFP Firefighter 1. Each unit will have a minimal of 1 staffed individual that is trained VDFP Firefighter 2 that has been ordained with officer decision making power. The Officer will be responsible for the responding crew and completing the task as advised by the incident commander. **No Personal Vehicles will be allowed to respond to other jurisdictions.** Apparatus should ask for placement assignments from incident command. If incident command is unable or does not give the assignment then apparatus should be placed upwind and uphill of the incident if possible. Considerations should be given to using the apparatus as a barrier, to shield the incident scene from traffic hazards. Warning lights should be left operating, in conjunction with the use of traffic cones and/or fusees where needed. Additional consideration should be given to positioning the apparatus at an angle to better allow removal of any hose from pre-connect compartments. Apparatus that are not in use should remain back from the scene to prevent congestion and confusion. Apparatus that are not in use should have one member remaining with said apparatus for equipment or if apparatus needs to be deployed quickly for another assignment on the fire ground. Avoid blocking in other apparatus or parking apparatus with no clear route of egress. Ambulances should be positioned away from the scene with an easy line of egress for quick transport if needed. Ambulances parked on scene can be blocked by other apparatus causing delays in patient care.

3.3.1. **Engines/Wagon:** These units will be staffed with 3 or more individuals.

3.3.2. **Truck/Quint:** These units will be staffed with 4 or more individuals.

3.3.3. **Tankers:** Tankers will be staffed with 1 or more individuals. It is preferred to have 2 staffing for accountability.

3.3.4. **Ambulance/Medics:** These units will be staffed with at least 1 Emergency Medical Technician for Basic Life Support and at least 1 Emergency Medical Technician and/or 1 Intermediate or Paramedic.



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- 3.3.5. **Incident Commander (IC):** ICs will have at least VDFP Firefighter 2, HazMat Operations, ICS 300 and Officer 1.
- 3.3.6. **Utilities:** These units will be staffed with 2 or more individuals and only responds upon request for manpower during an incident.
- 3.3.7. **Understaffed Units:** If a responding unit is understaffed to the standards previously mentioned, the unit will advise first dispatch of the understaffing and then advise the Incident commander upon request of assignment. (Example: Engine# responding with 2)
- 3.4. **Incident Command:** The first arriving company shall establish incident command within the National Incident Management System (NIMS). If the first arriving company is not from the AHJ, then command shall be transferred to the agency's first arriving unit by the best means available in the NIMS process. Each agency shall supply a ranking officer to the command post to assist the incident commander as needed.
- 3.5. **Incident Command Structure:** The Smyth County Fire Response plan will follow the ICS system prescribed by NIMS. Chain of Command will follow the structure provided below:





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3.6. Accountability:

3.6.1. Accountability involves a personal commitment to work within the safety system at a Smyth County Fire Response Incident.

3.6.1.1. Command will always maintain an accurate tracking and awareness of where resources are committed at an incident.

3.6.1.2. Command will always be responsible for including accountability as a major element in strategy and attack planning and must consider and react to any barriers to effective accountability.

3.6.1.3. Company Officers will always maintain an accurate tracking and awareness of crews assigned to them. This will require the Company officer to be in his/her assigned area and maintaining close supervision of crews assigned to them.

3.6.1.4. All crews will work with Command – **No Free-Lancing.**

3.6.1.5. Crews arriving on scene should remain intact for all intents and purposes. A minimum crew size will be two or more members equipped with a radio.

3.6.1.6. If a radio fails while in a hazard zone, the crew will exit unless there is another working radio with the crew.

3.6.2. Personnel Accountability Reports

3.6.2.1. Command should initiate Personnel Accountability Reports (PAR). The PAR involves a roll call of personnel assigned. For the company officer, a PAR is a confirmation that members assigned to his/her crew are visually accounted for. For the Sector Officer, a PAR is an accounting for all crew members of a companies assigned to his/her sector. Reports of PAR should be conducted face-to-face within the company or with the sector whenever possible.

3.6.2.2. A PAR will be required for the following situations:

3.6.2.2.1. Any report of a missing or trapped firefighter.

3.6.2.2.2. Any change from offensive to defensive operations.

3.6.2.2.3. Any sudden hazardous event at the incident-Flash over, Backdraft, Collapse, etc.

3.7. **Evacuation:** Evacuation is appropriate when the risk to firefighter is exceeded by the reward of further interior operations. When this threshold is reached. The procedure for evacuation is as follows:

3.7.1. Incident Command will announce over all fire ground channels the following:

3.7.1.1. "Emergency Traffic, Evacuate" x3

3.7.2. Incident Command will then instruct the closest Fire Apparatus to give three blast on the air horn.

3.7.3. Incident Command will contact dispatch to time stamp and record the change in status and evacuation was given.



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- 3.8. Assignments:** Assignments will be given to certain responders by arrival status. Assignments are as follows:
- 3.8.1. First Arriving Officer:** The first arriving officer on scene of a working structure fire will have the following task:
- 3.8.1.1. Give the appropriate scene size up at the time of marking on scene that will include the following information:
 - 3.8.1.1.1. Structure Type (Size, Stories, Construction)
 - 3.8.1.1.2. Present Conditions
 - 3.8.1.1.3. Initial Scene Hazards
 - 3.8.1.1.4. Confirm A side (if necessary)
 - 3.8.1.1.5. Establish Command
 - 3.8.1.1.6. Current Task (Offensive or Defensive Attack)
 - 3.8.1.2. Perform an initial 360 check of the surroundings and give full report to second in apparatus.
 - 3.8.1.3. Give assignment to second in apparatus or perform NIMS prescribed command transfer.
 - 3.8.1.4. If a scene is unsafe due to violence or other situation, First Arriving Officers can make the determination to clear a scene or stage units until conditions change.
- 3.8.2. First Arriving Apparatus:** The first apparatus staff, under the direction of the First Arriving Officer, will perform:
- 3.8.2.1. Task as assigned by First Arriving Officer.
 - 3.8.2.2. Rescue-Protect occupants, remove those who are threatened and to treat the injured.
 - 3.8.2.3. Fire Control-Stop the forward progress of the fire and to bring the fire under control.
 - 3.8.2.4. Property Conservation-Stop or reduce additional loss to property.
 - 3.8.2.5. The first arriving apparatus must consciously avoid committing itself to a dangerous situation until other apparatus arrive to provide a second team for the 2 in/2 out.
- 3.9. Safety:** All agencies shall use the Personal Accountability Support System (PASS) and policies governing this system shall continue to be used. All agencies use Rapid Intervention Teams (RIT) and policies governing this system shall continue to be used. All agencies shall adhere to two in/two out procedures in accordance with OSHA 1910.134 until RIT can be established. Mayday procedures shall be utilized by both agencies when needed, governed by departmental policy.
- 3.10. Untrained/Junior/Cadet/Explorers:** Departments will be able to respond with probationary fire members with limitations. If a department has filled an assignment on an apparatus with the appropriate staffing, 1 additional member that is untrained may respond. This member is the responsibility of the Officer in Charge and shall not perform outside of the



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parameters of training. This individual must follow all guidelines and procedures of the AHJ and must not be unsupervised or given individual task on scene.

3.10.1. **Untrained Personnel:** All untrained personnel that respond in this system will be denoted with a Green helmet, shield, or helmet piece.

3.11. **Public Information:** All media releases about Smyth County Fire Response incidents will follow the AHJ policy for informational releases. No information will be released that is in contradiction to the Health Insurance Portability and Accountability Act (HIPAA). All informational releases and devices used for recording or disseminating information will be subject to the Freedom of Information Act (FOIA) and investigations by law enforcement agencies.

3.12. **Line of Duty Death:** The death of staff of any agency while on duty, or while undergoing medical treatment for any injury or disease resulting from such duty, is considered a line of duty death. The following should be completed in the situation of a death on scene of a Smyth County Fire Response incident.

3.12.1. Incident Command should secure the scene of the incident with the assistance of law enforcement.

3.12.2. Law enforcement should be contacted to begin investigative procedures.

3.12.3. Notification should be made by phone to dispatch to contact the Emergency Services Coordinator if not present on scene. The next alarm should be toned to provide additional resource to the scene as needed.

3.12.4. Radio traffic about the nature of the emergency should be held to a minimal on repeated channels and information should be controlled from leaving the scene to prevent the accidental release of information to the next of kin.

3.12.5. Incident Command should begin to gather all available information concerning the incident and circumstances leading to the death.

3.12.6. All Personnel Protective Equipment (PPE) and other equipment pertaining to the death should be placed in large paper bags and given to law enforcement on scene.

4. Grace Period

4.1. It is understood that Smyth County is growing its structure and that not all AHJs meet the standards laid out in this document. It will be understood by all parties involved that a grace period of one year will be in place to allow parties to obtain these standards. During this year the county will provide the following:

4.1.1. Incident Command training to prepare company officers to lead incidents.

4.1.2. Officer 1 and 2 classes for all who qualify

4.1.3. Fire Academy to train individuals to the Firefighter 2 standard

4.1.4. Firefighter 2 and HazMat Operations courses.

4.1.5. ICS 300 course for Incident Commanders.



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4.1.6. Training and Exercises on Smyth County Fire Response

5. General Terms

- 5.1. Any problems or concerns related to this SOP shall be addressed to the Emergency Services Coordinator of Smyth County or at the Monthly Smyth County Chiefs' Meeting. The AHJ's department's policies and guidelines shall be adhered to at all times. The relationship of the entities shall be that of an independent contractor. No principal-agent or employer-employee relationship is created by this Agreement. The entities hereto shall not hold themselves out in a manner contrary to the terms of this paragraph. No party shall become liable for any representation, act or omission of any other entity shall maintain its own identity in providing services. Each entity is separately responsible for establishing its own policies and financing its own activities.
- 5.2. No party shall have any liability to the other hereunder by reason of any delay or failure to perform any obligation or covenant if the delay or failure to perform is occasioned by force majeure, meaning any act of God, storm, fire, casualty, unanticipated work stoppage, strike, lockout, labor dispute, civil disturbance, riot, war, national emergency, act of Government, act of public enemy, or other cause of similar or dissimilar nature beyond its control.
- 5.3. The initial term of this agreement shall be six (6) months from its effective date. The agreement may be extended by one (1) additional six (6) month term if agreed to in writing by all parties.
- 5.4. This agreement can be terminated by any jurisdiction or party upon written notice to the other party with a thirty (30) day notice.
- 5.5. Each party shall be liable for its actions as well as the actions of the respective party's employees, volunteers, agents, subcontractors, and officers. No party to this Agreement has the authority to act on behalf of the other party or bind the other party to any obligation. This Agreement is not intended to be enforceable in any court of law or dispute resolution form. The remedy for non-performance under this Agreement shall be termination of this Agreement. No party shall be responsible for personal injury or property damage or loss except that resulting from its own negligence or the negligence of its employees, members, officers or others for whom the party is responsible.
- 5.6. All parties shall not subscribe to any policy or practice which permits or allows the refusal of services to individuals in need due to the individual's race, creed, color, national origin, age, sex or which is in violation of any applicable laws.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- Chilhowie District Supervisor Michael Sturgill made a motion to recommend entering into a contract with Voice Language Services, LLC for a language line for dispatch and law enforcement agencies. 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill
Royal Oak District Supervisor Judy Wyant,
Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Board briefly discussed the Radio Feasibility Study and the costs associated with it.

- Chilhowie District Supervisor Michael Sturgill made a motion to recommend sending the request to the Budget Committee to consider a Budget Amendment in the amount of \$1,000 to cover additional costs in ballistic plates. 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: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Rye Valley District Supervisor Lori Deel,
Park District Supervisor Kris Ratliff,
Chilhowie District Supervisor Michael Sturgill
Royal Oak District Supervisor Judy Wyant,
Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 12/14/2021 6:31 PM County Administrator, Shawn Utt discussed the project Shared Solar for Southwest Virginia. Mr. Utt said the County has been approached by representatives of Solar Workgroup of Southwest Virginia, who originated from the University of Virginia's College at Wise in 2016. Mr. Utt indicated that the Solar Workgroup has been working with state legislators to get legislation passed that would require APCo and Dominion Power to make shared solar programs available in Southwest Virginia as it is currently in Northern Virginia. North Fork District Supervisor Phil Stevenson shared his concern with the Solar saying that if the County makes a commitment to this project then what does it obligate the County to on down the road in the future. Chilhowie District Supervisor Michael Sturgill added he thinks that Solar would be a good thing to pursue and that he is an advocate for it. Chair, Atkins District Supervisor Charles Atkins noted he would like to get more information and have a representative from the Shared Solar Group possibly attend a Board meeting sometime early next year. Discussion ensued.

 12/14/2021 6:38 PM County Attorney, Scot Farthing provided updates on various projects that he is currently working on and also said he will be working on completing various draft ordinances and also noted that the Opioid settlement is progressing on.

 12/14/2021 6:45 PM County Administrator Report -

Mr. Utt discussed the Smyth County Broadband Initiative that has been working toward universal broadband for the citizens and businesses for many years. Mr. Utt noted that last year Smyth County joined Washington and Wythe Counties, partnered with Point Broadband and Mount Rogers Planning District Commission applying to the Virginia Telecommunication Initiative (VATI) for a regional broadband expansion crossing all three localities and added that just this week it was announced that the Mount Rogers area received approximately a \$66 million grant in funds for universal broadband.

 12/14/2021 6:47 PM Emergency Services Coordinator, Curtis Crawford presented an update on the current Smyth County Covid 19 Statistics.

 12/14/2021 6:48 PM Supervisor Comment Time -

Chilhowie District Supervisor Michael Sturgill wished everyone a Merry Christmas and thanked all staff, Board Members and law enforcement for a job well done and added that he enjoys working with everyone.

North Fork District Supervisor Phil Stevenson thanked Royal Oak District Supervisor Judy Wyant for her good service for the last four years serving on the Board and added that he was impressed with her financial wisdom and her appreciation in serving.

Saltville District Supervisor Roscoe Call thanked Royal Oak District Supervisor Judy Wyant for her service and wished her luck. Mr. Call presented the following nomination for the Smyth County Library Board.

- *Saltville District Supervisor Roscoe Call nominated Tracy Prater to serve on the Smyth County Library Board to fill the unexpired term of Heather Colley to expire on June 30, 2022.*

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Park District Supervisor Kris Ratliff said he was glad to see 2021 almost in the rear view mirror and added that work has taken a lot of his time lately. Dr. Ratliff added he would also like to commend Royal Oak District Supervisor Judy Wyant for the last four years of service to the Board and added that she will be missed. Dr. Ratliff also thanked Chair, Atkins District Supervisor Charles Atkins for his leadership to the Board and commended the rest of the

Board on good round-table discussions on various projects and thinks the County is on the right track.

Vice Chair, Rye Valley District Supervisor Lori Deel wished all the staff and Board members a Merry Christmas and added for everyone to remember the true meaning of Christmas.

Royal Oak District Supervisor Judy Wyant was surprised and thankful for her flowers and added that it has been her pleasure to serve as the Royal Oak District Supervisor and be their voice for the last four years. Mrs. Wyant congratulated the new incoming Royal Oak District Supervisor Courtney Widener and wished him luck and knows he will do a good job. Mrs. Wyant also thanked each Board member for their friendship and added that she appreciates the work and support of all the staff and wished everyone a Merry Christmas and lots of success in the future.

Chair, Atkins District Supervisor Charles Atkins noted that the next Board meeting would be a Joint Meeting with the Planning Commission on December 30, 2021 at 7:00 p.m. Mr. Atkins thanked the Board for good discussion and added that several County employees have thanked him for the bonus and wanted him to express their gratitude. Mr. Atkins said the County was blessed with a good set of employees and wished everyone a Merry Christmas.



12/14/2021 6:57 PM With no further business to discuss, the meeting was adjourned. The next meeting will be a Joint meeting with the Planning Commission scheduled for December 30, 2021 at 7:00 PM.

The Smyth County Board of Supervisors held a Joint Public Hearing with the Smyth County Planning Commission on Thursday, December 30, 2021 at 7:00 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.

Board of Supervisors (BOS) Members Present: Charlie Atkins, Chairman, Atkins District; Lori Deel, Vice- Chairman Rye Valley District; Michael Sturgill, Chilhowie District; Roscoe Call, Saltville District; Kris Ratliff, Park District

Board of Supervisors (BOS) Members Absent: Phil Stevenson, North Fork District; Judy Wyant, Royal Oak District

Planning Commissioners (PC) Present: Joel Pugh, Chairman, Park District; Graham Davidson, Jr., Vice- Chairman Chilhowie District; Hazel Wagoner, Atkins District; Paul Shepherd, Rye Valley District; David Spence, Saltville District; Robert Campbell

Planning Commissioners (PC) Absent: Tony Dean, Royal Oak District

Staff Present: Shawn Utt, County Administrator; Clegg Williams, Zoning Administrator; Sarah Parris and Paula Harvey, Administrative Assistants. Approximately ten citizens were present.



12/30/2021 7:00 PM Charlie Atkins, Chairman of the Board called the Board of Supervisors meeting to order and Joel Pugh, Chairman of the Planning Commission called the Planning Commission to order for a joint public hearing.



12/30/2021 7:01 PM Mr. Williams read the advertisement as placed in the Smyth County News and Messenger.

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, December 30, 2021, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application to the Zoning Ordinance of Smyth County, Virginia:

An application from Robert de Camara for a Special Use Permit to establish an airport. The property was addressed as 592 South Fork Road, Marion Virginia, identified as Tax Map Number 67-A-45 and zoned Agricultural/Rural.

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

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

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

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

Shawn Utt, County Administrator

Joel Pugh, Chairman of the Planning Commission



12/30/2021 7:02 PM Saltville District Supervisor Roscoe Call made a motion to waive the reading of the rules of public hearings

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None

ABSTAINERS: None


*ABSENT: Royal Oak District Supervisor Judy Wyant,
North Fork District Supervisor Phil Stevenson*




12/30/2021 7:02 PM Mr. Williams presented an application for Robert de Camara. Mr. de Camara is requesting to establish a grass airstrip on a tract of land formerly addressed as 592 South Fork Road. The property is zoned agricultural/rural and is further identified as tax map number 67-A-45. In accordance with State Code 15.2-2204, notice of the hearing was advertised in the Smyth County News on December 18 and 25, 2021. In addition, notification was sent to each of the adjoining property owners by first class mail. Mr. Williams highlighted Section 3-2.2 (fff) which allows *airports* in the Agricultural/Rural district by issuance of a special use permit and Article 6 which contains the provisions for Special Use Permits. He also noted the 2013 Comprehensive Plan identifies this property as Rural Residential on the Future Land Use Map.





12/30/2021 7:03 PM Robert de Camara of 1640 Redstone Road, Chilhowie presented his application. Mr. de Camara proposed a private grass airstrip that will not be a commercial airport. He stated with the airstrip being private, anyone wanting to land would have to get approval from him as the owner. Mr. de Camara presented a Federal Aviation Administration (FAA) report and letters of support for his airstrip from the following: 1) Rebecca Harris who lives near another grass airstrip in the county, she stated the planes were not a nuisance to surrounding homes or livestock. 2) John Goodwin who leases the adjoining farm to the proposed airstrip, wrote a letter indicating the airstrip would have no effect on his livestock. As a Visual Flight Rules (VFR) airstrip, Mr. de Camara stated that he is limited to daylight and fair-weather flights.


 **12/30/2021 7:06 PM** Veda Odle of 506 South Fork Road, Marion. Ms. Odle stated the following concerns: 1) A flight pattern that crosses over her home. 2) Disruption to her when a plane is taking off and landing, especially if she is outside. 3) No provisions have been put in place to provide privacy to her property. 4) Fears of decreasing her property value. 5) She feels it would not be an enhancement to the Adwolfe area. 6) The height of future structures allowed on her property may be affected. 7) She would not be able to operate a drone to check on livestock effectively. 8) Planting future trees near to airstrip would be affected. 9) She stated concerns about storage of fuel and equipment on the airstrip. 10) She questioned if EPA standards are being met or reviewed. 11) Noise may be an issue, causing decreased productivity of her livestock, and 12) Decrease peace and enjoyment at her home.


She also stated the airstrip is a hobby for Mr. de Camara and her farm is a livelihood and she had enjoyed her farm for twenty-six years and would like to continue.


 **12/30/2021 7:15 PM** Curtis Pennington of 148 Hiler Bridge Road, Chilhowie. Mr. Pennington is the Smyth-Wythe Airport Commission Chairman. Mr. Pennington stated the FAA rules states a plane can land anywhere with the owner's permission and Virginia has no regulations. He has been operating Catron Field near Whitetop Road in Chilhowie since 1985 and has never received a complaint of noise or disturbance of the livestock. He also stated no fuel is stored at this airstrip.


 **12/30/2021 7:18 PM** Brain Burkett of Mountain Empire Airport stated when you are landing a plane, your focus should be on the airplane instrument panel and the runway, in reference to Ms. Odle's concern about privacy. He also noted several aircraft fly in the area and he felt the proposed airstrip would be an advantage to the county.

 **12/30/2021 7:18 PM** Sharon Hayden of 1604 Redstone Road, Chilhowie pointed out a revised site plan had been submitted that relocated the airstrip in such a way as to ensure it doesn't cross any structures. As a point of reference, she indicated the flags placed on the property represented the proposed location of the runway.

 **12/30/2021 7:20 PM** Mr. Ratliff, BOS Park District Representative asked if the plane would land and take off in both directions. Mr. de Camara stated it would be dictated by the prevailing winds, but typically, they would land on the South end of the runway. He added that it typically takes 500 feet to land and take off.

 **12/30/2021 7:22 PM** Ms. Deel, BOS Rye Valley District Representative asked the length of airstrip. Mr. de Camara stated it is proposed to be 2400 feet.

 **12/30/2021 7:23 PM** Mr. Atkins, BOS Atkins District Representative asked if someone builds on the adjoining property, are there any height regulations from FAA. Mr. Pennington stated the FAA does not regulate private airstrips and height requirements were not regulated.

 **12/30/2021 7:28 PM** Ms. Deel, BOS Rye Valley District Representative asked if FAA states private airstrips are allowed, then why is there a reason for a public hearing. Mr. Williams stated there are different federal, state, and local regulations. He stated the Smyth County Zoning Ordinance is a local ordinance. Having adopted the zoning ordinance, he stated all potential land uses in Smyth County are regulated. As far as the distinction between private and commercial airstrips, we did not distinguish between the two when "airports" were added to the ordinance.



12/30/2021 7:35 PM Mr. Call, BOS Saltville District Representative stated his family member flies a plane over his home on occasion and the noise from the aircraft is minimal and not an issue.



12/30/2021 7:38 PM There being no further comments from the public, Mr. Atkins, Chairman of the Board and Mr. Pugh, Chairman of the Planning Commission closed the public hearing. Mr. Atkins, Chairman of the Board adjourned the Board of Supervisors portion of the meeting until the next meeting scheduled for January 11, 2022 at 5:00 PM.