

BOARD OF SUPERVISORS



THURSDAY, JANUARY 27, 2022
5:00 P.M.



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

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

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

County Administrator
Assistant County Administrator

Shawn M. Utt
Alicia Richardson

MEETING AGENDA

SMYTH COUNTY BOARD OF SUPERVISORS

Thursday, January 27, 2022
5:00 PM

- 1) **CALL MEETING TO ORDER** Board Chair
Pledge of Allegiance & Invocation
- 2) **AMENDMENTS TO AGENDA** Board Chair
- 3) **MINUTES OF PREVIOUS MEETINGS** Board Chair
Minutes of the January 11, 2022 meeting (pg. 6-26)
- 4) **PUBLIC HEARINGS** Board Chair
 - a. Proposed Amendments to Smyth County Code Section 23, Article VII in regards to Tax Exemptions for Certain Elderly and Disabled Persons (pg. 27-30)
 - b. Proposed Amendments to Smyth County Code Section 23, Article XIII in regards to the Transient Occupancy Tax (pg. 31-38)
 - c. Proposed Ordinance Authorizing a Junior Firefighter Program (pg. 39-40)
- 5) **PRESENTATIONS** Board Chair
 - a. Appalachian Center for Hope (pg. 41-43)
 - b. Smyth County Economic Development Team report (pg. 44-46)
 - c. Veda Odle / David Scyphers (pg. 47-48)
 - d. Robert de Camara
- 6) **CITIZENS TIME** Board Chair
The Board welcomes your input. You may address the Board using the sign-in sheet located in the rear of the room. At this time, you may address the Board on items that may or may not be on the agenda. Time limit is three (3) minutes.
- 7) **OLD BUSINESS** Board Chair
 - a. Planning Commission's recommendation on a Special Use Permit request from Robert de Camara
 - b. Nuisance Complaints Follow-up
 - i. 243 Quail Run, Sugar Grove
 - ii. 500 Riverside Road, Chilhowie
 - c. Committee Reports / Recommendations
 - i. ARPA Committee (pg. 49-51)
 - ii. Budget Committee (pg. 52-70)

Agenda continued on back

- | | | |
|-----|---|-----------------------------|
| 8) | NEW BUSINESS | Board Chair |
| | a. ARC Planning Grant Request – Smyth County Public Library
(pg. 71) | |
| 9) | REPORT FROM COUNTY ATTORNEY | Scot Farthing, County Att’y |
| 10) | REPORT FROM COUNTY ADMINISTRATOR / STAFF | Shawn Utt, County Admin. |
| 11) | SUPERVISOR COMMENT TIME | Board Members |
| 12) | CLOSED SESSION
<i>None scheduled</i> | |



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

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

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

*County Administrator
Assistant County Administrator*

*Shawn M. Utt
Alicia Richardson*

January 24, 2022

To: Members, Smyth County Board of Supervisors

CC: Smyth County Leadership Team

From: Shawn M. Utt, Smyth County Administrator

RE: Packet summary – January 27, 2022 Board meeting

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

1. **Call to Order, Pledge of Allegiance & Invocation** – The pledge of allegiance will be led by Shawn Utt, County Administrator. The invocation will be provided by Kendra Hayden, Economic Development Project Manager.
2. **Amendments to Agenda** – if any are necessary, they will be presented at the meeting.
3. **Minutes of Previous Meeting(s)** – the minutes of the January 11, 2022 meeting are **enclosed (Att. 1)** for the Board's review and approval.
4. **Public Hearings**
 - a. **Proposed Amendments to Smyth County Code Section 23. Article VII in regards to Tax Exemptions for Certain Elderly and Disabled Persons** – For the Board's consideration, **enclosed (Att. 2)** is a draft ordinance (along with a draft of the public hearing advertisement) providing for the amendments to the County Code in regards to the Elderly and Disabled Tax Relief program. Prior to adopting the ordinance, the Board will need to hold the official public hearing.
 - b. **Proposed Amendments to Smyth County Code Section 23. Article XIII in regards to the Transient Occupancy Tax** – For the Board's consideration, **enclosed (Att. 3)** is a draft ordinance (along with a draft of the public hearing advertisement) providing for the amendments to the County Code in regards to the Transient Occupancy Tax. Prior to adopting the ordinance, the Board will need to hold the official public hearing.
 - c. **Proposed Ordinance Authorizing a Junior Firefighter Program** – For the Board's consideration, **enclosed (Att. 4)** is a draft ordinance (along with a draft of the public hearing advertisement) providing for the amendments to the County Code in regards to the development of a Junior Firefighter Program. Prior to adopting the ordinance, the Board will need to hold the official public hearing.

5. **Presentations**

- a. **Appalachian Center for Hope** – Stakeholders and leaders of the Appalachian Center for Hope initiative will be at the Board meeting to provide the Board with an update on their current standing and projects. John Graham and Joey Carico will lead the presentation, which will include updates on fundraising efforts as well as the former TB building acquisition. As a reminder, I have **enclosed** (**Att. 5**) a news article providing some background.
 - b. **Smyth County Economic Development Team report** – Kendra Hayden, Amanda Livingston and Sarah Gillespie will provide the Board with an update on the #SmythStrong initiative as well as other items the Board should find interesting. **Enclosed** (**Att. 6**) is a copy of their quarterly review for your information.
 - c. **Veda Odle/David Scyphers** – Following the public hearing related to the SUP request for a private airport, Ms. Odle and her attorney have formally requested time on the Board's agenda to allow them to present additional information regarding their concerns. They have provided the **enclosed** (**Att. 7a**) letter for your review and consideration. Also, after the deadline, we received an additional letter from a second attorney, which is **enclosed** (**Att. 7b**). Mr. Farthing is reviewing both letters and will likely have input at the Board meeting.
 - d. **Robert de Camara** – After discussion with Mr. Camara, he has formally requested time on the Board's agenda to answer any questions that may come up as a result of the previous presentation.
6. **Citizen's Time** – Time has been set aside for citizens to provide comments to the Board on general items of interest or concern.

7. **Old Business Items:**

- a. **Planning Commission's recommendation on a Special Use Permit request from Robert de Camara to establish an airport** – As you know, the Planning Commission has recommended the approval of Mr. de Camara's request for a special use permit to establish a private airport with the condition that it be a Visual Flight Rules (VFR) grass strip only. At the Board's January 11th meeting, action was tabled until the January 27th meeting to allow for an adjacent property owner to have more time for her own due diligence.
- b. **Nuisance Complaints Follow-up** – The County Attorney asked that these items be placed on the agenda for updates and additional action. Basically, we all believe it best to not only work to enforce the zoning violations, which have hit various roadblocks, but we would also like to recommend the Board schedule public hearings for each of the following properties relative to the Nuisance Ordinance.
 - i. 243 Quail Run, Sugar Grove
 - ii. 500 Riverside Road, Chilhowie

c. Committee Reports / Recommendations

- i. ARPA Committee – minutes of the meeting are **enclosed** for your information (**Att. 8**). In addition, items related to committee recommendations are also **enclosed** for your review.
- ii. Budget Committee – minutes of the meeting are **enclosed** for your information (**Att. 9**). In addition, items related to committee recommendations are also **enclosed** for your review.

8. New Business Items:

- a. **ARC Planning Grant Request from Smyth County Public Library** – The Smyth County Library's Saltville branch has been dealing with several problems lately related to their building. The Town of Saltville owns the building and has been very responsive to the issues but as shown on the **enclosed** (**Att. 10**) email from Ms. Rose Likins, Library Director, the building has long outlived its useful life. They would like to request the County serve as applicant for a planning grant to help identify options for a new facility or location. Ms. Likins will be at the meeting along with some staff to answer any questions the Board may have. After discussing the needs with the library staff as well as the Saltville Town Manager, I would not have any concerns with the County serving as lead applicant with the library and Town being contributing partners.
- 9. Report from County Attorney:** Time has been reserved on the agenda to allow the County Attorney to provide input and various updates as needed.
- a. **Update on Pathway Regional Industrial Facilities Authority (PRIFA)**
- 10. Report from County Administrator/Staff:** Time has been reserved on the agenda to allow the County Administrator and/or staff to provide input and various updates as needed.
- 11. Supervisor Comment Time:** Roundtable discussion for individual Board members.
- 12. Closed Session under Code of Virginia Section 2.2-3711(a)**

The Smyth County Board of Supervisors held its regular meeting on Tuesday, January 11, 2022 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: Atkins District Supervisor Charles Atkins; Rye Valley District Supervisor Lori Deel; Park District Supervisor Kris Ratliff; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Courtney Widener


ABSENT: Saltville District Supervisor Roscoe Call; North Fork District Supervisor Phil Stevenson

STAFF: County Administrator Shawn Utt; Administrative Assistant Paula Harvey; County Attorney Scot Farthing; Building & Zoning Administrator Clegg Williams; Economic Development Project Manager Kendra Hayden

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

 1/11/2022 5:00 PM Shawn Utt, County Administrator called the meeting to order and welcomed everyone.

 1/11/2022 5:01 PM Economic Development Project Manager, Kendra Hayden led the Pledge of Allegiance. Rev. Emily Edmonson, Christ Episcopal Church in Marion, gave the invocation.

 1/11/2022 5:02 PM Mr. Utt opened the floor for discussion and nominations for the election of officers for calendar year 2022.

Rye Valley District Supervisor Lori Deel nominated Atkins District Supervisor Charles Atkins as Chairperson for calendar year 2022. The motion was seconded by Chilhowie District Supervisor Michael Sturgill.

With no further nominations, Rye Valley District Supervisor Lori Deel made a motion to close the nominations for Chairperson. The motion was seconded by Park District Supervisor Kris Ratliff.

After consideration, the motion PASSED by the following vote:

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

*Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

Shawn Utt, County Administrator, called for a vote on the nomination for Atkins District Supervisor Charles Atkins to serve as Chairperson for the calendar year 2022.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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



1/11/2022 5:03 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for nominations for Vice Chairperson for calendar year 2022.

Chilhowie District Supervisor Michael Sturgill nominated Rye Valley District Supervisor Lori Deel as Vice Chairperson for calendar year 2022. Park District Supervisor Kris Ratliff seconded the motion.

With no further nominations, Park District Supervisor Kris Ratliff made a motion to close the nominations for Vice-Chairperson. The motion was seconded by Rye Valley District Supervisor Lori Deel.

After consideration, the motion PASSED by the following vote:

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and*

Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None.

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

Chair, Atkins District Supervisor Charles Atkins called for a vote on the nomination for Rye Valley District Supervisor Lori Deel to serve as Vice-Chairperson for the calendar year 2022.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

Chair, Atkins District Supervisor Charles Atkins opened the floor for nominations for Clerk and Deputy Clerk(s) for calendar year 2022.

- *Chilhowie District Supervisor Michael Sturgill made a motion to appoint Shawn Utt, County Administrator, as Clerk for calendar year 2022 and Lisa Richardson, Assistant County Administrator and Paula Harvey, Administrative Assistant to each serve as Deputy Clerks for calendar year 2022 and to close nominations. 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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

 1/11/2022 5:05 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for discussion regarding the Board's desired meeting schedule for calendar year 2022. The Board's bylaws currently call to meet at 5:00 p.m. on the second Tuesday of every month and, if needed, on the fourth Thursday of the month. After discussion the Board agreed to move the meeting schedule to the second and fourth Thursday of each month, which allows for a full two weeks in between meetings as well as keeping the monthly schedule of the Planning Commission with the exception of November with standard practice to move that meeting to the third Thursday if it is needed.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to adopt the 2022 Board of Supervisors meeting schedule as presented, which includes moving to the 2nd and 4th Thursdays.*

Royal Oak District Supervisor Courtney Widener 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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

Proposed Board Meeting Schedule for 2022:

(Beginning February, second Thursday and fourth Thursday)

January – Legislative meeting January 11 th Second meeting January 27 th	February – Legislative meeting February 10 th Second meeting February 24 th
March – Legislative meeting March 10 th Second meeting March 24 th	April – Legislative meeting April 14 th Second meeting April 28 th
May – Legislative meeting May 12 th Second meeting May 26 th	June – Legislative meeting June 9 th Second meeting June 23 rd

<p>July –</p> <p>Legislative meeting July 14th Second meeting July 28th</p>	<p>August –</p> <p>Legislative meeting August 11th Second meeting August 25th</p>
<p>September –</p> <p>Legislative meeting September 8th Second meeting September 22nd</p>	<p>October –</p> <p>Legislative meeting October 13th Second meeting October 27th</p>
<p>November –</p> <p>Legislative meeting November 10th *Second meeting November 17th</p>	<p>December –</p> <p>Legislative meeting December 8th Second meeting December 22nd</p>

* subject to needs of Planning Commission – if they do not have a public hearing scheduled, we will likely cancel the 2nd November meeting



1/11/2022 5:09 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for discussion on the Board's Rules of Procedures. Mr. Utt added that with the adoption of the 2022 Board of Supervisors Meeting schedule and with the meetings now being on the second and fourth Thursday of the month that the Rules of Procedures would need to be corrected to reflect the following changes:

- Article II – Meetings Section 2.2 Regular Meetings shall state: Pursuant to this section, the Board shall designate the meetings dates to be the second and fourth Thursday of each month. The meeting times shall be 5:00 p.m with the understanding that the Joint Public hearing with the Planning Commission (normally occurring on the fourth Thursday) will continue to begin at 7:00 p.m. (on an as needed basis).
- Article IV – Order of Business Section 4.1 Commencement of Meeting shall state: "At 5:00 p.m., the presiding officer shall call the meeting to order,..."
- *A motion was made by Chilhowie District Supervisor Michael Sturgill to amend the Smyth County Board of Supervisors Rules of Procedures with the required changes.*

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 Courtney Widener,*

*Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to adopt the state holiday schedule as approved by the Governor and amended throughout the year.*

Royal Oak District Supervisor Courtney Widener 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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *Chilhowie District Supervisor Michael Sturgill made a motion to amend the agenda to add "Woodgrain/AFID Check presentation" to item # 5 Special Recognitions/Presentations.*

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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the minutes from the December 14, 2021 and the December 30, 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,
Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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



1/11/2022 5:13 PM County Administrator, Shawn Utt, Economic Development Project Manager, Kendra Hayden and Chairman, Charlie Atkins presented Woodgrain Millwork with a check for \$250,000. Mr. Utt noted these are grant funds awarded through the AFID grant and is a part of Woodgrain's most recent expansion. Mr. Atkins said that Woodgrain Millwork is a fantastic employer. Wendi Hurd, HR Director for Woodgrain, thanked the Board for their continued support and provided an update on the new building obtained in Smyth County and said they have started the roof updates and have a contract to install the dust system.



1/11/2022 5:14 PM County Administrator, Shawn Utt, reviewed the County financial information. Following discussion,

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the General County – Accounts Payable Listing for 12/1/2021-12/31/2021 in the amount of \$1,023,703.54.*

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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the CDBG Food Pantry Grant Fund 303 accounts payable in the amount of \$7,892.75.*

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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the Sheriff Fund 748 accounts payable in the amount of \$1,362.43*

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, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Courtney Widener

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the Recovery Court Fund 749 accounts payable in the amount of \$573.68.*

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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the Commonwealth Attorney Drug Asset Account Fund 760 accounts payable in the amount of \$16.00.*

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 Courtney Widener
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the CARES Act Fund 775 – Utility Relief Funds accounts payable in the amount of \$172,866.39*

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 Courtney Widener
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*


NAYS: None.

ABSTAINERS: None.


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

 1/11/2022 5:22 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

 1/11/2022 5:22 PM Veda Odle, 506 South Fork Road, Marion expressed her continued concerns regarding the proposed airstrip adjacent to her property.

 1/11/2022 5:28 PM David Scyphers, attorney for Mrs. Odle, requested the Board to table any decision on the proposed airstrip in order to allow him and Ms. Odle time to completely vet the matter at hand.

 1/11/2022 5:32 PM Robert De Camara, 1604 Redstone Road, Chilhowie spoke regarding his concern for Ms. Odle requesting time to review the matter.

 1/11/2022 5:34 PM Keith Browning, Sugar Grove, VA spoke regarding the need for a homeless shelter in the County. He requested the Board to consider helping to fund a homeless shelter for the less fortunate of Smyth County. Mr. Browning added he would be happy to help out with the shelter if needed.

 1/11/2022 5:38 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

 1/11/2022 5:39 PM Building & Zoning Administrator, Clegg Williams read and discussed the recommendation from the Planning Commission regarding the proposal for Robert De Camara for a Special Use Permit for an Airport. An excerpt of that recommendation as follows:

After the joint public hearing held on Thursday, December 30, 2021, the Planning Commission reconvened their meeting. The following motion was rendered:

Recommendation of the Proposal for Robert de Camara for a Special Use Permit for an Airport

David Spence, Planning Commissioner Saltville District Representative, made a motion to recommend the Board of Supervisors approve Robert de Camara's application for a special use permit to establish an airport with the condition that it be a Visual Flight Rules (VFR) grass strip only. Graham Davidson, Jr., Planning Commissioner Chilhowie District Representative seconded the motion. The following vote was recorded:

Vote: 5 yeas Pugh, Davidson, Jr, Wagoner, Shephard, Spence
0 nays
1 abstain Campbell
1 absent Dean

Vice Chair, Rye Valley District Supervisor Lori Deel asked Mr. Williams to clarify the difference between an airport and an airstrip. Mr. Williams explained that the Zoning Ordinance amendment only included the term private “airport” to include all related uses under one term and treat them equally. Mrs. Deel also asked for further clarifications regarding the recommended restrictions for Visual Flight Rule (VFR) grass strip to which Mr. Williams stated the goal of the Planning Commission was to limit the use from night flights and during inclement weather.

Chilhowie District Supervisor Michael Sturgill asked Mr. Williams to clarify the direction of the airstrip referring back to the public hearing and the neighbor’s statement that the airplane would fly over her house. Mr. Williams shared a map that had been created earlier in the day with specific coordinates from the site marking each end of the proposed airstrip and showing its location in proximity to the neighboring house to be approximately 500 feet.

Vice Chair, Rye Valley District Supervisor Lori Deel asked Mr. Williams to clarify what oversight FAA may have with the proposed airport. Mr. Williams explained that like the private airport located south of Chilhowie, the FAA does not regulate properties that adjoin private airports. Due to the fact it is a public airport, the only facility in the County that is subject to that oversight is the Mountain Empire Regional Airport in Groseclose. Following further discussion,

- *Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to delay action on the request and to give the neighbor until Friday, January 21st, 2022 to provide time for her attorney to have any questions answered and to reconsider the matter at the Board’s January 27th Board meeting.*

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,
Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

 1/11/2022 5:53 PM County Administrator, Shawn Utt discussed the three (3) draft ordinances (Elderly & Disabled Tax Relief amendment, Transient Occupancy Tax amendment and Junior Firefighter Program) and recommended the next step would be for the Board to schedule a public hearing for each of the three for January 27, 2022 at 5:00 p.m. or soon thereafter.

- *Chilhowie District Supervisor Michael Sturgill made a motion to schedule individual Public Hearings to be held on January 27, 2022 at 5:00 p.m. or shortly thereafter for the Ordinance Authorizing Junior Firefighter Program, Elderly Tax Relief Program Amendment and the Transient Occupancy Tax Amendment.*

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,
Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

 1/11/2022 6:00 PM County Administrator, Shawn Utt presented the quarterly appropriation listing for the Board's consideration and approval.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the FY 21/22 Budget Appropriation for the General County Fund for the 3rd Quarter in the amount of \$6,545,118.*

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 Courtney Widener,*

*Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the FY 21/22 Budget Appropriation for the Schools – Operating Fund for the 3rd Quarter in the amount of \$13,070.920*

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,
Royal Oak District Supervisor Courtney Widener, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the FY 21/22 Budget Appropriation for the Social Services Fund for the 3rd Quarter in the amount of \$1,374,530.*

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,
Royal Oak District Supervisor Courtney Widener, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the FY 21/22 Budget Appropriation for the Sheriff's Fund 746 for the 3rd Quarter in the amount of \$6,000.*

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, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Courtney Widener

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



1/11/2022 6:02 PM County Administrator, Shawn Utt discussed information about the Southwest Virginia Regional Jail (SWVRIA) Amendment to Agreement and added that by adding the City of Bristol as a full member, it will result in the County's overall liability lowering and thus lowering anticipated budget costs. Mr. Utt also added that the City of Bristol is also committing to pay for a minimum of 200 prisoners for the initial ten years whether they have that many or not. He noted that the Authority Agreement includes a requirement for each current member locality to officially approve an additional member memorialized as the "Second Amendment Service Agreement". Mr. Utt recommended the Board authorize the County Administrator to execute the necessary documents required by the County to allow the City of Bristol to join the Authority.

- *Chilhowie District Supervisor Michael Sturgill made a motion to approve the inclusion of the City of Bristol, Virginia as a member of the Southwest Virginia Regional Jail Authority and authorize the County Administrator and Chair to execute any document necessary to complete the transaction.*

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,
Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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



1/11/2022 6:05 PM County Administrator, Shawn Utt presented a memo summarizing the calendar year 2022 Miscellaneous Committee Appointments. Following discussion,

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to appoint the following individuals to the Area Beautification Committee for a one-year term through December 31, 2022.*
 - Phyllis Griffith (Rye Valley)
 - Loretta Hogston (Saltville)
 - Sherian Medley (Park)
 - Tina Henderson (Royal Oak)
 - Melissa Hall (Atkins)
 - Rachel Beverly (Chilhowie)
 - Sharon Buchanan (North Fork)

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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to appoint the following individuals to the Community Policy Management Team for a one-year term through December 31, 2022.*
 - Chris Austin (DSS rep, Committee Chair)
 - Darcy Janson (Juvenile Court Service)
 - Amy Johnson & Kevin Downs (Juvenile Court Service alt)
 - Lisa Bourne (Private Provider rep, TDT Director)

- Blake Frazier (Parent Representative)
- Kim Sturgill (SCSB rep)
- Julie Earp (Health Dept. rep)
- KJ Holbrook (Mt. Rogers CBS rep)
- Morgan Greer (Mt. Rogers CSB alt.)
- Shawn Utt (Smyth County rep)
- Kendra Hayden (Smyth County alt)

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,
Royal Oak District Supervisor Courtney Widener, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

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

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to appoint Manuel Street to the Keep Southwest Virginia Beautiful committee for a one-year term through December 31, 2022.*

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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to Charles Atkins (voting member) and Kris Ratliff (alternate) to the District Three Governmental Cooperative Board for a one-year term through December 31, 2022.*

Royal Oak District Supervisor Courtney Widener 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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: Chair, Atkins District Supervisor Charles Atkins

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

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to appoint Charles Atkins (voting member) and Kendra Hayden (alternate) to the Marion Downtown Revitalization Committee for a one-year term through December 31, 2022.*

Vice Chair, Rye Valley District Supervisor Lori Deel 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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: Chair, Atkins District Supervisor Charles Atkins

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

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the reappointment of Joanne Groseclose to the Mount Rogers Community Services Board for a 3-year term set to expire 12-31-2024.*

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 Courtney Widener,*

*Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the reappointment of Roscoe Call to the Mount Rogers PDC Board for a 4-year term set to expire 12-31-2025.*

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,
Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

Mr. Utt also noted that the County is awaiting a recommendation from the Town of Saltville for their representative for the PDC Board.

It was deemed to be a consensus of the Board was to refer appointments to the Mount Rogers ASAP Board and the Pathway Regional Industrial Facilities Authority to the Appointment Committee.



1/11/2022 6:12 PM County Administrator, Shawn Utt reminded the Board members to complete the Annual Statement of Economic Interests forms and return by February 1, 2022.



1/11/2022 6:13 PM County Administrator Report -

Mr. Utt provided an update regarding the acquisition of the Morrison Building and was happy to report that one of the largest obstacles has been conquered with the approval of the subdivision plat by the Attorney General's office. He also noted that the County is now undergoing the final review of legal documents and hopes to close in the next 4-6 weeks. Mr.

Utt also added that at this point, the County needs to begin work on procuring the replacement of the heating and cooling system for the building as a whole.

Mr. Utt advised the Board about a complaint the County received from a citizen who has expressed some disagreements with the Smyth County School System as well as many others around the Commonwealth and country regarding STEAM (Science, Technology, Engineering, Arts and Math) curriculum currently being used in the school system. Mr. Utt noted the citizen requested for him to formally review contracts between the School Board and other agencies in regards to this curriculum. He reported that after conferring with legal counsel, it was determined the state code may not allow for this specific review over operational decisions of the school board and that he referred her to the Superintendent and the School Board as a whole. This was noted to be an informational item only.

Mr. Utt advised the Board that Evergreen Soil & Water Conservation District has requested a potential joint meeting with the Board to discuss areas of common need between the two groups and advised that it was suggested to consider the 2nd meeting in March as the joint meeting with the meal being provided. After discussion, the Board members agreed on the date of March 24, 2022 at 5:00 p.m. in the Board Room at the County Office Building.

Mr. Utt reminded the Board about the upcoming VIAA Economic Development Orientation to be held on January 27, 2022 at the Wytheville Community College's Snyder Auditorium (Grayson Hall) beginning at 12-noon (lunch provided) and for those interested in attending to please let him know.



11/11/2022 6:17 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 noted that he is also working on several zoning issues as well.



1/11/2022 6:20 PM Supervisor Comment Time -

Park District Supervisor Kris Ratliff welcomed Royal Oak District Supervisor Courtney Widener and added that he is looking forward to working with him.

Chilhowie District Supervisor Michael Sturgill welcome Royal Oak District Supervisor Courtney Widener to the Board and said he is looking forward to everyone working together in County challenges for the best solution and hopes to see an end to the pandemic soon. Mr. Sturgill also added he hopes the campgrounds will get back open and prays for a good fiscal year for the County. Mr. Sturgill extended his thanks to Royal Oak District Supervisor Courtney Widener and his SRO crew for their hard work and for working well with the staff.

Chair, Atkins District Supervisor Charles Atkins welcome Royal Oak District Supervisor Courtney Widener to the Board and encouraged Mr. Widener to not be afraid to speak up and

express his point of view. Mr. Atkins said if any Board member is having water and sewer issues in their district to be able to have water extended to pass that information on to him or Mr. Utt so they know where to put their emphasis on water and sewer for the next few years. Mr. Atkins also noted he would like to see the campgrounds get back open and added he would like to see new restaurants and lodging in the County.

Vice Chair, Rye Valley District Supervisor Lori Deel extended her appreciation to Royal Oak District Supervisor Courtney Widener. Mrs. Deel also expressed her sincere appreciation for Judy Wyant serving on the Board noting that Mrs. Wyant's time as chair was also her (Mrs. Deel) first year on the Board. She expressed appreciation for Mrs. Wyant providing her guidance and support and thanked her for her service to Smyth County. Mrs. Deel noted she was excited for the Woodgrain expansion and excited to see movement with economic development. Mrs. Deel said she appreciated all the men and women across the state and US for their sacrifices as part of the National Law Enforcement Appreciation Day that was on January 9, 2022 and added that a simple thank you was just not enough. Mrs. Deel said Ms. Ann Pennington of the Konnarock Community Center reached out to her to extend her thanks to the Board for supporting the center and added she prays for a good year and thanked Charlie Atkins for stepping back in the role as chair.

Royal Oak District Supervisor Courtney Widener thanked the Board members for their kind words and thanked his constituents for entrusting in him and promises to do the best job he can for the County. Mr. Widener added he wants to work hard to make Smyth County a safer and better place to live.



1/11/2022 6:30 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to enter into closed session under Code of Virginia Section 2.2-3711(a)1 – discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding the County Attorney position recruitment.

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,
Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson,

Saltville District Supervisor Roscoe Call

 1/11/2022 6:55 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion 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.

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 Courtney Widener,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: None.

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

 1/11/2022 6:56 PM With no further business to discuss, the meeting was adjourned. The next meeting will be January 27, 2022 at 5:00 p.m.

Attachment 2

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 an Amendment and the Reenactment of the Smyth County Code of Ordinances Chapter 23 Article VII entitled, "Tax Exemptions for Certain Elderly and Disabled Persons." The Board of Supervisors shall hear comments from citizens concerning the amendment and reenactment of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, January 27th, 2022, 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 pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to Shawn M. Utt, 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 2:00pm on Thursday, January 27, 2022.

A copy of this proposed amendment and proposed reenacted 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

Legals: Please print in the ***January 15th*** and ***January 22nd*** 2022, editions of the **Smyth News & Messenger**. Please forward a certificate of publication to Shawn Utt, County Administrator, 121 Bagley Circle, Marion, VA 24354.

AMENDMENT TO SMYTH COUNTY CODE OF ORDINANCES
CHAPTER 23, ARTICLE VII
SECTION 23-218(3) and 23-220

A public hearing was held on the 27th day of January 2022 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 23-218(3) titled "Requirements for Exemption" and Section 23-220 titled "Amount of Exemption."

DELETE:

Sec. 23-218(3). The gross combined income of the owner during the year immediately preceding the taxable year shall be determined by the commissioner of the revenue to be in an amount not to exceed \$25,000.00. The term "gross combined income" shall include all income from all sources of the owner and of the owner's relatives living in the dwelling for which claimed; provided that the first \$1,500.00 of income of each relative other than the spouse of the owner who is living in the dwelling shall not be included in such total.

ADD:

Sec. 23-218(3). The gross combined income of the owner during the year immediately preceding the taxable year shall be determined by the commissioner of the revenue to be in an amount not to exceed \$27,000.00. The term "gross combined income" shall include all income from all sources of the owner and of the owner's relatives living in the dwelling for which claimed; provided that the first \$1,500.00 of income of each relative other than the spouse of the owner who is living in the dwelling shall not be included in such total.

DELETE:

Sec. 23-220. - Amount of exemption.

(a)The person qualifying for and claiming exemption under this article shall be relieved of that portion of real estate tax levied on the qualifying dwelling and land in the amount calculated as set forth in accordance with the following schedule:

<i>If gross combined income as described in section 23-218 is:</i>	<i>Tax exemption or relief that may be claimed is:</i>
<i>\$10,000.00 or less</i>	<i>80%</i>
<i>\$10,001.00 to \$14,000.00</i>	<i>70%</i>
<i>\$14,001.00 to \$18,000.00</i>	<i>55%</i>
<i>\$18,001.00 to \$25,000.00</i>	<i>40%</i>

This amount shall be adjusted, if necessary, by net worth as follows:

<i>If the income is:</i>	<i>And net worth is:</i>	<i>The percentage is:</i>
<i>\$0.00 to \$10,000.00</i>	<i>0 to \$28,500.00</i>	<i>80</i>
	<i>\$28,501.00 to \$41,000.00</i>	<i>64</i>
	<i>\$41,000.00 to \$65,000.00</i>	<i>56</i>
<i>\$10,001.00 to \$14,000.00</i>	<i>0 to \$28,500.00</i>	<i>70</i>
	<i>\$28,501.00 to \$41,000.00</i>	<i>55</i>
	<i>\$41,000.00 to \$65,000.00</i>	<i>40</i>
<i>\$14,001.00 to \$18,000.00</i>	<i>0 to \$28,500.00</i>	<i>55</i>
	<i>\$28,501.00 to \$41,000.00</i>	<i>40</i>
	<i>\$41,000.00 to \$65,000.00</i>	<i>30</i>
<i>\$18,001.00 to \$25,000.00</i>	<i>0 to \$28,500.00</i>	<i>40</i>
	<i>\$28,501.00 to \$41,000.00</i>	<i>25</i>
	<i>\$41,000.00 to \$65,000.00</i>	<i>15</i>

(b) The maximum relief permitted under this section shall be \$200.00.

ADD:

Sec. 23-220. - Amount of exemption.

(a) The person qualifying for and claiming exemption under this article shall be relieved of that portion of real estate tax levied on the qualifying dwelling and land in an amount not to exceed \$200. A person qualifies for this exemption if their gross combined income as described in Section 23-218 is less than \$27,000.00 and their total net worth is less than \$65,000.00.

Supervisor _____ made a motion to approve this amendment. The motion was seconded by Supervisor _____ and the roll call vote is as follows:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Charlie E. Atkins			
Roscoe D. Call			
Lori H. Deel			
Kristopher S. Ratliff, DPh			
Charles P. Stevenson			
Mike Sturgill			
Courtney Widener			

This amendment shall be effective on and after 12:01 a.m. on the ____ day of _____ 2022.

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of _____, 2022.

Shawn Utt, Clerk of the Board

DRAFT

Attachment 3

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 an Amendment and the Reenactment of the Smyth County Code of Ordinances Chapter 23 Article XIII entitled, "Transient Occupancy Tax." The Board of Supervisors shall hear comments from citizens concerning the amendment and reenactment of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, January 27th, 2022, 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 pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to Shawn M. Utt, 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 2:00pm on Thursday, January 27, 2022.

A copy of this proposed amendment and proposed reenacted 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

Legals: Please print in the January 15th and January 22nd 2022, editions of the Smyth News & Messenger. Please forward a certificate of publication to Shawn Utt, County Administrator, 121 Bagley Circle, Marion, VA 24354.

**AMENDMENT TO SMYTH COUNTY CODE OF ORDINANCES
CHAPTER 23, ARTICLE XIII**

A public hearing was held on the ____ day of _____ 2022 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 the Smyth County, Virginia, Code of Ordinances Article XIII "Transient Occupancy Tax."

WHEREAS, Chapter 23, Article XIII of the Smyth County, Virginia Code of Ordinances (, as amended), established for Smyth County the levy of a transient occupancy tax and provisions governing collection and remittance of such tax on short term rentals of rooms or spaces for lodging;

WHEREAS, Section 58.1-3819 of the Code of Virginia, which enabled localities to levy a transient occupancy tax, was significantly revised by action of the Virginia General Assembly in 2021 to provide for collection of the tax when accommodations are booked through an intermediary; and

WHEREAS, the Board of Supervisors desires to conform the County's ordinance governing collection and remittance of a transient occupancy tax to the revised form of Section 58.1-3819 of the Code of Virginia, and it approves the re-adoption of Chapter 23, Article XIII (Transient Occupancy Tax);

NOW, THEREFORE, ON THE BASIS OF THE FOREGOING, and in consideration of the best interests of the public health, welfare, and safety, and having held a public hearing on this proposed ordinance, the Board of Supervisors of Smyth County, Virginia hereby ordains and adopts the following as the Transient Occupancy Tax Ordinance of Smyth County:

Sec. 23-426. - 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:

Accommodations means any room or space for which tax is imposed on the retail sale of the same pursuant to this article.

Formatted: No underline

Accommodations fee means the room charge less the discount room charge, if any, provided that the accommodations fee shall not be less than \$0.

Formatted: No underline

Accommodations intermediary means any person other than an accommodations provider that facilitates the sale of an accommodation, charges a room charge to the customer, and charges an accommodations fee to the customer, which fee it retains as compensation for facilitating the sale. For purposes of this definition, "facilitates the sale" includes brokering, coordinating, or in any other way arranging for the purchase of the right to use accommodations via a transaction directly, including via one or more payment processors, between a customer and an accommodations provider. Accommodations intermediary does not include a person:

Formatted: No underline

1. If the accommodations are provided by an accommodations provider operating under a trademark, trade name, or service mark belonging to such person; or

Formatted: Indent: First line: 0.5"

2. Who facilitates the sale of an accommodation if (i) the price paid by the customer to such person is equal to the price paid by such person to the accommodations provider for the use of the accommodations and (ii) the only compensation received by such person for facilitating the sale of the accommodation is a commission paid from the accommodations provider to such person.

Formatted: Indent: Left: 0.5"

Accommodations provider means any person that furnishes accommodations to the general public for compensation. The term "furnishes" includes the sale of use or possession or the sale of the right to use or possess. Accommodations provider shall include hotel, motel, inn, tourist camp, tourist cabin, camping grounds, club, boarding houses, travel campgrounds, and other persons offering a room or space that is suitable or intended for occupancy by transients for dwelling, lodging, or sleeping purposes.

Formatted: No underline

Affiliate means with respect to any person, any other person directly or indirectly controlling, controlled by, or under common control with such person. For purposes of this definition, "control" (including controlled by and under common control with) shall mean the power, directly or indirectly, to direct or cause the direction of the management and policies of such person whether through ownership or voting securities or by contract or otherwise.

Formatted: No underline

Commissioner means the commissioner of the revenue of the county.

Formatted: No underline

Discount room charge means the full amount charged by the accommodations provider to the accommodations intermediary, or an affiliate thereof, for furnishing the accommodations.

Formatted: No underline

Hotel means any public or private hotel, inn, apartment hotel, hostelry, tourist home or house, motel, boardinghouse, rooming house or other lodging place in the county which offers lodging to any transient for compensation.

Lodging means any space or room furnished to any transient.

Person includes any individual, firm, partnership, association, corporation, person acting in a representative capacity, or any group of individuals acting as a unit.

Retail sale means a sale to any person for any purpose other than for resale.

Formatted: No underline

Room charge means the full retail price charged to the customer by the accommodations intermediary or by the accommodations provider, as applicable, for the use of the accommodations, including without limitation any accommodations fee and accommodations intermediary fee, before taxes.

Formatted: No underline

Room rental means the total charge, exclusive of any tax imposed on such charge, made by any hotel or travel campground for lodging furnished to any transient. If the charge made by the hotel or travel campground to a transient includes any charge for services or accommodations in addition to that of lodging and/or use of space, then such portion of the total charge representing only lodging and/or space rental shall be distinctly set out and billed to such transient by such hotel or travel campground as a separate item.

Short-term rental means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty (30) consecutive days, in exchange for a charge for the occupancy.

Formatted: Underline

Transient means any person who, for a period of fewer than thirty (30) consecutive days not more than 29 consecutive days, either at his own expense or at the expense of another, obtains lodging or use of space in any hotel or travel campground room or space from an accommodations provider for which a charge is made.

Travel campground means any area, site, lot, field or tract of land offering spaces for recreational vehicles, campers or campsites for transient dwelling purposes, or temporary dwelling during travel, camping, recreation or vacation uses.

Treasurer means the treasurer of the county.

Formatted: Underline

Sec. 23-427. - Levy and rate.

(a) In addition to any other tax imposed by law, there is hereby imposed and levied on each and every transient a tax equivalent to five percent of the total amount paid for room rental by or for such transient to any hotel or travel campground as defined in section 23-426. A transient occupancy tax on hotel, motel, inn, tourist camp, tourist cabin, camping grounds, club, boarding houses, travel campgrounds, and other facilities offering room or space rented out for continuous occupancy for fewer than thirty (30) consecutive days.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

(b) The transient occupancy tax imposed pursuant to the authority of this article shall be imposed only for the use or possession of any room or space that is suitable or intended for occupancy by transients for dwelling, lodging, or sleeping purposes.

Formatted: Indent: Left: 0.5"

(c) The transient occupancy tax shall be imposed at the rate of five percent of the room charge paid by the customer for the use or possession of the room or space.

Formatted: Indent: Left: 0.5", No bullets or numbering

(d) The revenue from three percent of such tax shall be designated and spent solely for tourism and travel, marketing of tourism or initiatives that as determined after consultation with the local tourism industry organizations, including representatives of

Formatted: Indent: Left: 0.5", No bullets or numbering

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

lodging properties located in the county, attract travelers to the locality, increase occupancy at lodging properties, and generate tourism revenues in the locality.

Any excess over two percent shall be designated and spent solely for tourism and travel, marketing of tourism or initiatives that, as determined after consultation with the local tourism industry organizations, including representatives of lodging properties located in the county, attract travelers to the locality, increase occupancy at lodging properties, and generate tourism revenues in the locality.

Formatted: Indent: Left: 0.5"

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Sec. 23-428. - Exceptions to tax.

(a) No transient occupancy tax shall be payable under this article on room rental charges for rooms or spaces paid to any hospital, medical clinic, convalescent home, or home for the aged.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0.5"

(b) The transient occupancy tax shall not be levied on charges for rooms or spaces rented and continuously occupied by the same individual or same group of individuals for thirty (30) or more days in hotels, motels, boarding houses, travel campgrounds, and other facilities offering short-term rentals.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Sec. 23-429. - Collection.

(a) Every person receiving any payment for room rental with respect to which a tax is levied under this article shall collect the amount of tax imposed by this article from the transient on whom the tax is levied, or from the person paying for such room rental, at the time payment for such room rental is made. Such tax shall be deemed to be held in trust by the person required to collect the tax until remitted to the county as required by section 23-430.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0.5"

(b) For any retail sale of accommodations not facilitated by an accommodations intermediary, the accommodations provider shall collect the tax imposed pursuant to this article and shall remit the same to the locality and shall be liable for the same.

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

(c) For any retail sale of accommodations facilitated by an accommodations intermediary, the accommodations intermediary shall collect the tax imposed pursuant to this article and shall remit the same to the locality and shall be liable for the same, except as follows: when the accommodations are at a hotel, the accommodations intermediary shall remit the taxes on the accommodations fee to the locality and shall remit any remaining taxes to the hotel, which shall remit such taxes to the locality.

Formatted: List Paragraph, Left, No bullets or numbering

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

(d) An accommodations intermediary shall not be liable for taxes under this article remitted to an accommodations provider but that are then not remitted to the locality by the accommodations provider. For any retail sale of accommodations facilitated by an accommodations intermediary, an accommodations provider shall be liable for that portion of the taxes under this article that relate to the discount room charge only to the

Formatted: List Paragraph, Left, No bullets or numbering

extent that the accommodations intermediary has remitted such taxes to the accommodations provider.

- (e) In any retail sale of any accommodations in which an accommodations intermediary does not facilitate the sale of the accommodations, the accommodations provider shall separately state the amount of the tax in the bill, invoice, or similar documentation and shall add the tax to the room charge. In any retail sale of any accommodations in which an accommodations intermediary facilitates the sale of the accommodation, the accommodations intermediary shall separately state the amount of the tax on the bill, invoice, or similar documentation and shall add the tax to the room charge; thereafter, such tax shall be a debt from the customer to the accommodations intermediary, recoverable at law in the same manner as other debts.

Formatted: List Paragraph, Left, No bullets or numbering

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Sec. 23-430. - Reports required and remittance of tax.

The person collecting the tax levied under this article shall make a report upon such forms and setting forth such information as the eCommissioner ~~of the revenue~~ may prescribe and require. Such report shall show the amount of room ~~charge rental charges fees, and tax~~ collected and the amount of transient occupancy tax required to be collected. The form shall be signed by a duly authorized representative of the person; and shall be ~~and~~ delivered to the eCommissioner ~~of the revenue~~ with the remittance of such tax. Such reports and remittances shall be made quarterly on or before October 31, January 31, April 30 and July 31 in each year and shall include the amount of tax collected during the three months immediately preceding the months in which such reports and remittances are required. If the remittance is by check or money order, the check or money order shall be made payable to the county treasurer. The eCommissioner ~~of the revenue~~ and ~~county~~ Treasurer shall have the power to examine pertinent records for the purpose of administering or enforcing the provisions of this article.

Sec. 23-431. - Commission allowed for collection of tax.

The person collecting the transient occupancy tax ~~provided for in this article~~ shall be allowed a commission of five percent of the total amount of transient occupancy tax collected during each quarterly reporting period. The commission shall be deducted from the remittance of the amount of tax due and accounted for in each quarterly reporting period specified in this article. No commission shall be allowed if the amount due is delinquent. The commission allowed in this section is for the purpose of defraying the expenses incurred by persons required to collect this tax.

Sec. 23-432. - Surcharge and interest.

If any person fails or refuses to remit to the eCommissioner ~~of the revenue~~ the tax required to be collected and paid under this article within the time and in the amount specified in this article, there shall be added to such tax by the ~~county~~ Treasurer a surcharge of ten percent. Further, if the tax remains delinquent and unpaid for a period of one month from the date it is due and payable, there shall be added to such tax by the treasurer interest at the rate of ten percent per annum, which shall be computed on the taxes and surcharge from the first day of the month for

each month or portion thereof from the date upon which the tax was due as provided in this article.

Sec. 23-433. - Penalty.

It shall be unlawful for any person to fail or refuse to collect the taxes proposed under this article, or to fail or refuse to make the reports and remittance as required. Whoever violates or fails to comply with any of the provisions of this article, or any regulation promulgated pursuant thereto, shall upon conviction of this failure be guilty of a class 3 misdemeanor and punished as provided in section 1-6 of this Code. The punishment provided for in this section shall be in addition to any other remedy for the collection of taxes provided for by law.

Sec. 23-434. - Applicability.

The provisions of this article shall apply throughout the county, including the incorporated towns within the county that do not impose a tax on transient occupancy.

Supervisor _____ made a motion to approve this amendment. The motion was seconded by Supervisor _____ and the roll call vote is as follows:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Charlie E. Atkins			
Roscoe D. Call			
Lori H. Deel			
Kristopher S. Ratliff, DPh			
Charles P. Stevenson			
Mike Sturgill			
Cortney Widener			

This amendment shall be effective on and after 12:01 a.m. on the ____ day of _____ 2022.

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of _____, 2022.

Shawn Utt, Clerk of the Board

Amendment to Smyth County Code
Article XIII
Page 7 of 7

Attachment 4

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 an Amendment and the Reenactment of the Smyth County Code of Ordinances Chapter 26 – Fire Prevention & Protection to include “allowances related to persons sixteen and older allowed to engage in firefighting activities.” The Board of Supervisors shall hear comments from citizens concerning the amendment and reenactment of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, January 27th, 2022, 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 pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to Shawn M. Utt, 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 2:00pm on Thursday, January 27, 2022.

A copy of this proposed amendment and proposed reenacted 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

Legals: Please print in the ***January 15th*** and ***January 22nd*** 2022, editions of the Smyth News & Messenger. Please forward a certificate of publication to Shawn Utt, County Administrator, 121 Bagley Circle, Marion, VA 24354.

ORDINANCE AUTHORIZING JUNIOR FIREFIGHTER PROGRAM

Chapter 26, Article IV, Sec. 9-400. - Persons sixteen and older allowed to engage in firefighting activities.

The Board of Supervisors authorizes Smyth County fire departments to provide junior firefighter programs as authorized by Virginia Labor and Industry and the policies of the Virginia Department of Fire Programs, for juveniles ages sixteen (16) through seventeen (17).

- A. Subject to any restriction that may be placed by the Virginia Department of Fire Programs, any person who is sixteen (16) years of age or older may engage in firefighting activity, only if allowed in the bylaws of the volunteer fire department after first obtaining his or her parents' or guardians' approval, in writing, provided that such person attained their certification under National Fire Protection Association 1001, Level One, firefighters' standards, as administered by the state department of fire programs, as soon as the course is locally available, or within twelve months of joining the volunteer department.
- B. The certification record and parental or guardian consent shall be kept on file in the office of the volunteer fire department for each participant who is enrolled in a fire company pursuant to this section.
- C. 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.
- D. Effective date. This Ordinance was duly considered following the required public hearing held on January 27, 2022 and was adopted by the Board of Supervisors of Smyth County, Virginia, at its regular meeting held on _____, the members voting as follows:

<u>Member</u>	For	Against	Abstain
Charles E. Atkins			
Roscoe D. Call			
Lori H. Deel			
Kristopher S. Ratliff, DPh			
Charles P. Stevenson			
Michael L. Sturgill			
Courtney Widener			

This amendment shall be effective on and after 12:01 a.m. on the ____ day of _____ 2022.

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of _____, 2022.

Shawn Utt, Clerk of the Board

[State Law reference— Authority for above Ordinance, Code of Virginia, § 40.1-79.1]

Attachment 5

https://swvatoday.com/article_076235e6-6bbd-11eb-8144-67f09e00dad1.html

Proposal moves ahead for treatment center to serve region

Stephanie Porter-Nichols | Smyth County News & Messenger

Feb 11, 2021



File Photo

Stephanie Porter-Nichols | Smyth County News & Messenger

The Virginia Senate has passed a bill 39-0 that would bring a residential drug treatment center closer to reality for Smyth County and all of Southwest Virginia. The bill is now being evaluated by the House of Delegates Committee on General Laws.

The legislation would allow the governor to lease a now-unused building on the Southwestern Virginia Mental Health Institute campus to Mount Rogers Community Services Board for the center. The center is part of a vision created by a cross-section of Smyth County and regional leaders who recognized the critical need for a residential treatment center in the region where none currently exists.

A longtime leader of the project is John Graham, Smyth County's clerk of circuit court, a pastor and community advocate. Graham was a part of that consortium of leaders who were tapped to help assess Smyth County's health needs when Mountain States Health Alliance and Wellmont were preparing to merge and form Ballard Health. Members of the group included Legal Aid's director, the school superintendent, county sheriff and a variety of health and mental health leaders among others.

People are also reading...

- 1 Inn at Foster Falls nearing completion**
 - 2 Local stonemason continues work he learned at his father's side**
 - 3 Wytheville native breaking barriers in Army**
 - 4 Wythe man convicted of trying to kill deputy**
-

In 2019, Graham explained that once they assessed the needs and saw how serious many of them were, the group members couldn't walk away once their report was filed. They had to act.

Residential treatment has proved to be one of the greatest and most daunting challenges. However, the plan they're pursuing would establish the Appalachian Center for Hope, a regional, multi-faceted treatment facility in Marion on the grounds of the institute.

The consortium has its eye on a long unused building at the institute that is in need of some rehab.

All of this region's legislators have toured the building and expressed support for the project.

Last week, Graham remembered the late Sen. Ben Chafin suggesting during that tour, "Why don't you all go big and serve all of Southwest Virginia?"

Those words provided the group the necessary incentive to do just that.

"That gave us the encouragement to press the go pedal," Graham said.

Speaking before the Senate's General Laws Committee last month, Graham shared Chafin's role in the project with the legislators, who continue to mourn their peer's loss to COVID-19.

Graham also gave a nod to Sen. Todd Pillion for championing the legislation.

In 2019, Del. Israel O'Quinn expressed his support for the proposal, saying, "I've toured the proposed facility, which currently is not being utilized to its best and highest use. There is certainly a need for such a facility in our region so folks don't have to travel to the other side of the state. Our delegation will be supporting the conveyance of the property to help make this a reality."

A similar bill was introduced in the 2020 General Assembly session, but became bogged down because it contained a request for funding in addition to the use of the building.

Graham said the consortium is applying for grants and exploring the best avenues for funding.

The bill would need to be approved by the House and signed by the governor before a lease could be set up.

QUARTERLY REVIEW

OCTOBER – DECEMBER 2021
with a glimpse into the New Year



Economic Development Update

Local FAM Tour

We completed our first local FAM tour for the EDA. This tour consisted of a driving tour of each Town that identified key properties and projects. Site visits included:

- a. Callan Drive property
- b. Teleperformance building
- c. Natalie Mills Sewing building
- d. Pathway Park
- e. Chilhowie's downtown revitalization areas
- f. Saltville's Old Town Shopsite
- g. Virginia Tech site in Saltville
- h. Blue Ridge Discovery Center

Projects:

- Woodgrain Expansion
- The local ED office and VIAA continue to work diligently on unannounced projects for Smyth County.

Broadband Update:

Smyth County's portion of the current VATI expansion is well underway. The backbone from exit 35 to Konnarock is more than 50% complete with the remaining areas currently being built out. The two Atkins cabinets have been fully spliced with 431 passings ready for residential connections. The field walkout and design is complete for the Whitetop section of the grant with plans to begin construction in Q4 of 2021.

The news is out! On December 13, 2021 Governor Northam announced over \$2 Billion in VATI awards and the Mt. Rogers PDC application for Smyth-Wythe-Washington County was one of the awardees! Our application totaled \$100,061,828 and provides universal broadband coverage to 95% +/- to all three counties.

GROUP PROJECTS

ARPA FUNDING REQUEST

Smyth County Tourism submitted a request for ARPA funding in collaboration with Smyth County Chamber and Smyth County Local Economic Development

HOLIDAY GATHERING

December 7th Smyth Strong Holiday gathering for Tourism, Chamber, EDA, Board of Supervisors and each Towns respective Council's. This is a great opportunity to network and celebrate!

DESIGN WORK PROJECTS

Smyth County Tourism and the Local Economic Development office are working together to partner with Friends of Southwest Virginia, Virginia Tech Center for Economic & Community Engagement, and Hill Studios. The efforts will include conceptual development designs for Exit 54 – the former General Shale property.

We held a site visit with all partners on December 13, 2021 and are excited at the opportunities ahead!

GO Virginia Grant

The local ED office and VIAA was recently awarded a \$600,000.00 GO Virginia Region One grant for Pathway Park Site Work. This grant will be utilized as matching funds for the Tobacco Commission \$600,000.00 grant award. Progress is also being made toward additional funding through VDOT for solutions to create a safer flow of traffic into and out of the park.

Logo Finalization

Smyth County EDA and Smyth Strong have received the final versions of the new logos! We are excited to begin using those and unifying our marketing presence.



#SMYTHSTRONG

EPA Clean-Up Grant

Smyth County EDA with the help of Town of Saltville and the Cardno Group has successfully submitted our application for the \$250,000 EPA Brownfields Cleanup grant for the former Town Shop site in Saltville, Virginia. The Town of Saltville along with the Community Design Assistance Center at Virginia Tech have created a community-inspired plan to redevelop the site into a needed campground within the Town. This project will assist the Town of Saltville with their overall vision to boost their small-town amenities including; hospitality facilities, sightseeing trails, and outdoor activities.

The EDA is proud to partner with the Town of Saltville and to assist them in a project that will bring about a boost in their economic and tourism activities.

Tourism Update

The J. Stuart Staley Memorial Overlook on Route 16 is substantially complete. This spring we will be installing the memorial plaque, as well as a map of The Back of the Dragon and a brochure rack, to provide visitors with information about Smyth County. We will schedule a dedication ceremony in May 2022.

Our PR campaign continues, focusing on lifestyle and travel media. One outstanding result this fall:

Smyth County featured in Southern Living

[15 Virginia Parks Where You Can Catch The Best Fall Foliage](#)

Also published by [MSN](#) Travel and [Yahoo Sports](#)

Total Impressions: 9.1 Billion

Chamber Update

Thank you to everyone who attended the Holiday Gathering!

We are excited to announce the Town of Saltville has received the VTC Drive 2.0 grant and work will begin on implementing that grant in January. The Chamber welcomes new board members Avery Cornett from the Marion Town Council and Julie Sturgill from the Chilhowie Town Council to our Board of Directors.

The Chamber podcast "Peaks & Valleys" recorded its first video/recording this month. If you'd like to be a guest or have a topic covered, please reach out to us.

Our new website launches this month and upcoming publications include the Chamber Magazine and a County Map in partnership with Tourism.

Coming Soon...

Smyth Strong Swag! Our team is currently looking at pricing for the following:

- Water Bottles with Smyth Strong wrap
- Enamel Pins
- Tote Bags
- Stickers
- Insulated Tumblers

Marketing & Promotions

The Smyth Strong team will also be launching a PR campaign, and building a website to highlight the many successes of our county! We will share more details as we work through this process.

Additional Studies and Grants

DRIVE 2.0

This is a grant program with Virginia Tourism Corporation that serves as a strategic blueprint for promotion and tourism development that will make our communities more competitive in today's tourism economy. This model helps us to work with community sparkplugs to decide what we should be promoting and what we should be building.

Smyth County is very blessed to receive two of those grants in 2022. Smyth County will be served via a Drive 2.0 grant managed by the Tourism Department and The Town of Saltville will be served by a separate Drive 2.0 grant managed by the Chamber of Commerce.

REGIONAL HOUSING STUDY

Mt. Rogers PDC was awarded a CDBG planning grant through Virginia Department of Housing and Community Development for \$60,000. Additionally, they received a \$160,000 Virginia Housing grant as well as \$21,000 in local funds.

Smyth County Economic Development office will assist in the grant activities as well as provide additional support where needed.

This study will identify areas of need, allow the County to be "builder friendly" by looking into ways to incentivize and spur development.

Exciting News!

Lindsey Holman, Community Relations for the Hard Rock Hotel and Casino in Bristol gave a great presentation to inform us of their progress and needs.

This project will bring in over 2,000 direct jobs, tax revenue for all localities within the Bristol Transportation District, and over 4 million visitors to the region!!

The Chamber and the local ED office are working with Lindsey to connect her with local vendors for potential partnerships.

Below are some mock-up images of the design and layout of the future property.



Attachment 7a

SCYPHERS & AUSTIN, P. C.

Attorneys at Law
189 Valley Street, N. E.
Abingdon, VA 24210
276-628-7167
276-628-8736 (fax)

David L. Scyphers
R. Wayne Austin

dlsa@bvu.net
rwasa@bvu.net

January 21, 2022

Scott S. Farthing

By email only: scott@sfarthinglaw.com

IN RE: Veda Odle

Dear Scott:

First of all, let me state that we have been put under such strict time constraints that we feel we have not had the opportunity to fully investigate all aspects of this special use permit. This is one of our objections to how this has been handled by the county, in that it seems it has been rushed without investigating all aspects.

In compliance with your request by email, I would state that we have concerns that the granting of this special use permit by a private airport could have the following problems:

1. We feel it conflicts with the current noise and nuisance ordinance in effect in Smyth County, Virginia.
2. We feel it conflicts with the county's comprehensive plan and the goals of same. It does not conserve farmland which is one of the primary goals.
3. We reserve the right to bring up additional concerns since we are still looking at any and all aspects of this special use permit.

Thanking you, I am

Very truly yours,

SCYPHERS & AUSTIN, P. C.

David L. Scyphers

David L. Scyphers

DLS/jj

THE LAW OFFICE OF KEITH C. MARTIN PLLC

Phone: (703) 309-1419
Email: kcmartinlaw@gmail.com
Website: kcmartinlaw.com

1077 SPRING HILL ROAD
MCLEAN, Virginia 22102

January 24, 2022

VIA EMAIL

To: SCOT FARTHING, ESQ.
email: scot@farthlinglaw.com

Re: 592 South Fork Road SUP For An Airstrip

Dear Mr. Farthing:

I represent Veda Odle, the owner of 506 South Fork Road, the abutting property to the application property. My client objects to the approval by the Board of Supervisors for the application for a private airstrip. Based on my review of the record, the Board will have appealable flaws with its approval.

First, there is a legal notice of the public hearing. Ms. Odle's notice was sent to the wrong address and she did not receive the notice until 2 days before the hearing.

Second, there appears to be a conflict between the requested use and the recommendations of the Comprehensive Plan for Agriculture.

Third, both the Board and Planning Commission refused to answer Ms. Odle's request for the exact location of the air strip, which is a very reasonable request.

Fourth, the necessary grading for the strip and the construction of a hangar should be in violation of the Conservation Easement recorded on the property.

In the event you and the Board decide to move forward with the approval, at a minimum, it is hereby requested that a development condition be added by the Board to restrict use of the air strip for take offs and landings be restricted only to the owner's aircraft and no guest, agents or friends may use the strip for take offs and landings with other aircraft.

Please feel free to call me with any questions. I request a transcript of the Boards' motions on this hearing.

Keith Martin

Keith C. Martin

Attachment 8

A meeting of the Smyth County American Rescue Plan Act (ARPA) Committee was held at the County Office Building Thursday, January 20, 2022 at 4:00 p.m.

Committee Members Present:

Chair, Atkins District Supervisor Charles Atkins
Vice Chair, Rye Valley District Supervisor Lori Deel (virtually)
Chilhowie District Supervisor Mike Sturgill
Atkins District representative Vincent Adams
Chilhowie District representative Ronnie Corvin
North Fork District representative John McLean
Park District representative Dr. Mike Robinson
Rye Valley District representative Bob de Camara
Royal Oak District representative David Collett
Saltville District representative Kaylan Bales (virtually)

Committee Members Absent:

None.

Staff Members Present:

County Administrator Shawn Utt
Assistant County Administrator Lisa Richardson
Building & Zoning Administrator Clegg Williams
Administrative Assistant Emily Moore
Economic Development Assistant Kendra Hayden

Vice Chair, Rye Valley District Supervisor Lori Deel called the meeting to order at 4:00 p.m.

Building & Zoning Administrator Clegg Williams welcomed everyone to the meeting and led the discussion.

Mr. Williams informed the committee that the U.S. Department of the Treasury recently released a final rule offering jurisdictions a standard allowance for revenue loss of up to \$10 million. With the county having received only \$5.9 million, it has been interpreted that the money can be used for any expense typically allowed by general funds.

Mr. Williams informed the committee of the recently proposed County-Wide Water Study. He also informed the committee that some of the applicants had expressed an immediate need for the requested funds. Anticipating the results of the water study may impact the committee's decision and knowing those results are six to eight months away, Mr. Williams suggested they consider a small percentage of the fund be spent now on immediate needs and most of the fund be held until the conclusion of the water study.

Mr. Williams summarized that between meetings, an online survey was conducted. The survey asked each committee member to rank project categories by priority (see attachment). After reviewing the outcome of the survey, the committee evaluated each of the twenty-three applications. The results of that process are as follows:

It was decided the following organizations will be invited to present their proposals at the next meeting:

- Smyth County Public Safety
- Smyth County Tourism (Smyth County Chamber of Commerce)
- Virginia's Industrial Advancement Alliance (VIAA)

It was decided the following funding requests would be removed from the list for consideration:

- Hungry Mother Sewer Bike Trail
- Hungry Mother State Park
- Morrison Building Heating & A/C System
- Mount Rogers Health District
- Mountain Empire Airport Commission
- Smyth County Animal Control
- Smyth County Historical Society
- Smyth County IT
- Smyth County Sheriff's Office
- Town of Chilhowie (Request 1)
- Town of Chilhowie (Request 2)

It was decided the following funding requests would be considered after the results of the water study are released and further information is received:

- Appalachian Center for Hope
- Blue Ridge Discovery Center
- Mount Rogers Community Services
- Rye Valley Water Authority
- Salt Trail
- Smyth County EDA
- Thomas Bridge Water Corporation

Regarding RCJD Incorporation's application for premium pay for essential employees, the committee forwarded the matter to Smyth County Tourism and asked that they consider amending their application to include a county wide program.

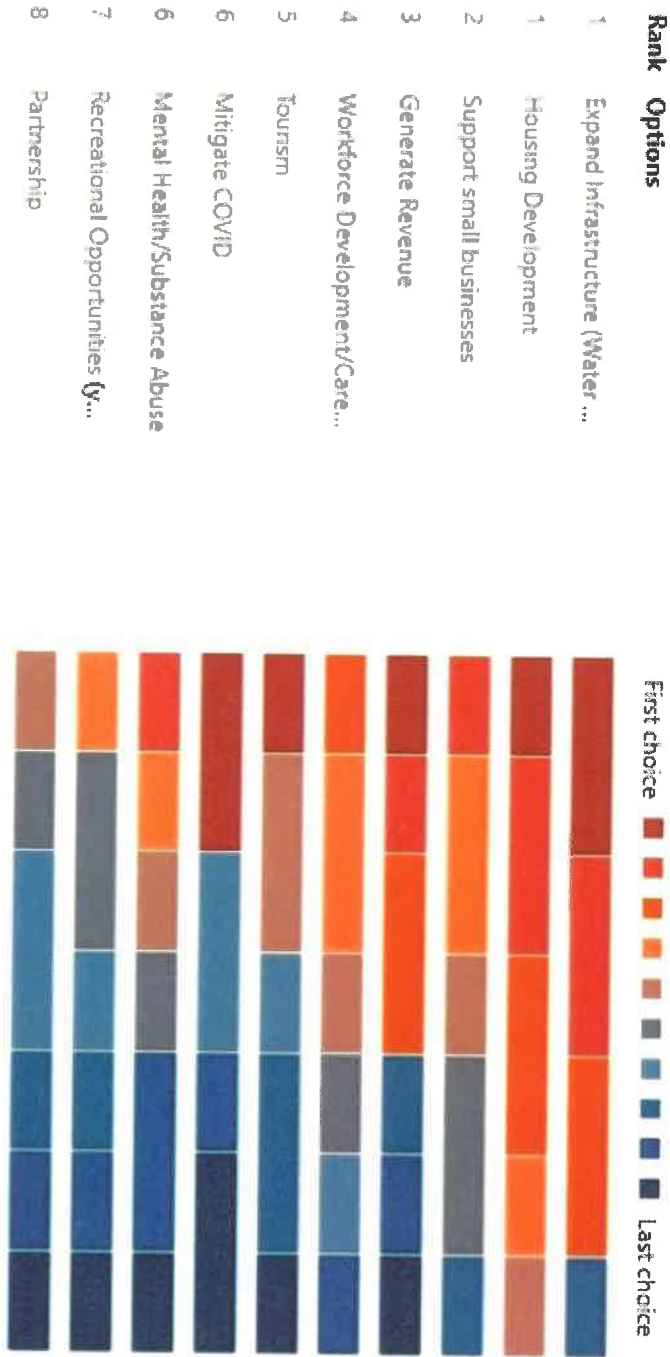
This concluded the ranking of the ARPA funding proposals. Following additional discussion,

- *A motion was made by Park District representative Mike Robinson for the committee to make a recommendation to the Smyth County Board of Supervisors that up to \$85,000 be spent for the proposed county-wide water study. Atkins District representative Vincent Adams seconded the motion and it was unanimously approved.*

With no further business to discuss, the meeting was adjourned at 5:20 p.m. until the next meeting scheduled for February 8, 2022 at 4 p.m.

2. Please rank the following based on your preference of importance from greatest to least

[More Details](#)



Attachment 9

A meeting of the Smyth County Budget Committee was held at the County Office Building on Friday, January 21, 2022 at 10:00 a.m.

Committee Members Present:

Atkins District Supervisor Charles Atkins, Chair
Chilhowie District Supervisor Michael Sturgill
Rye Valley District Supervisor Lori Deel

Committee Members Absent:

none

Staff Members:

County Administrator Shawn Utt
Assistant County Administrator, Lisa Richardson

Chair, Atkins District Supervisor Charles Atkins called the meeting to order at 10:01 a.m.

County Administrator, Shawn Utt presented the proposed budget amendment #6 for the committee's review. It incorporates anticipated revenues related to HazMat Billing as well as expected expenditures to reimburse volunteer departments. Following discussion,

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approval of the FY21/22 Budget Amendment #6 to include provisions for Haz Mat billing revenues and expenditures. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.*

Next, Mr. Utt presented the draft agreement for the development of the County's Comprehensive Plan. He noted that following the RFP process, the Comp Plan Committee recommended working with Hill Studios out of Roanoke. After negotiations with Hill Studios, a proposal and draft agreement was presented in the amount of \$75,800. Mr. Utt noted that the current year's budget includes \$25,000 for the commencement of the comp plan review and the remaining amount will be included in the upcoming budget for FY22/23. Following discussion,

- *A motion was made by Rye Valley District Supervisor Lori Deel to recommend approval of the agreement with Hill Studios for the development of the County's Comprehensive Plan in the amount of \$75,800. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*

For the next agenda item, Mr. Utt updated the committee on the most recent quarterly appropriations which inadvertently left off the Sheriff's Fund 748. He noted that the current balance of the fund's appropriation was \$4,105.74 and the current expenses were in excess of that appropriation balance. The fund itself has a balance of \$20,239.56. Mr. Utt noted that he would like to recommend a supplemental appropriation of \$20,000 for Fund 748. Following discussion,

- *Chilhowie District Supervisor Michael Sturgill to recommend the supplemental appropriation of \$20,000 to Fund 748. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved*

Mr. Utt provided the committee with a draft proposal from Robinson, Farmer and Cox for the County's annual Cost Allocation Plan noting 2 options: a 1-year option and a 3-year option. Mr. Utt noted that we are currently in the final year of the audit contract and he would recommend the 1-year option. Following discussion,

- *Chilhowie District Supervisor Michael Sturgill to recommend approval of draft agreement for the development of the annual Cost Allocation Plan with Robinson Farmer Cox for a 1-year term at a cost of \$4,825. Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved*

Mr. Utt presented the final agenda item, the draft budget calendar for FY22/23. He noted that County departments had been given their budget forms which will be due back to the Administration office by February 11th. He also noted that the budget work sessions are scheduled to begin in early March with a goal of have a final, adoptable budget by the end of May. Following discussion,

- *A motion was made by Rye Valley District Supervisor Lori Deel to recommend approval of the draft budget calendar for FY22/23. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.*

Following the vote, the committee discussed some potential items to note or of concern that may come before the committee during the budget development process. Those included changes to funding formulas for schools which could result in a dramatic increase to "minimum required spending" as well as potential changes to Compensation Board payments. The committee also discussed the potential for moving toward the development of a County-wide Recreation Program. While concurring that may be a few years out, Mr. Utt recommended now was a good time to start planning in that direction.

With no further business to discuss, the meeting was adjourned at 10:40 a.m.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #6

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, on December 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #5) for Fiscal Year 2021-2022 in the amount of \$100,786,202; and,

WHEREAS, the aggregate amount of budget amendment #6 is \$6,000 which would increase the Fiscal Year 2021-2022 budget to a total of \$100,792,202 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 \$100,792,202.

BE IT FURTHER RESOLVED, the approval of this budget amendment #6 shall indeed constitute an appropriation of the same funds.

Adopted this the 27th day of January, 2022

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles Atkins, Chair

Exhibit A
FY 2021-22
Budget Amendment #6 (1-27-22)

Part 1. REVENUES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Budget with Amendment	Notes
FUND 001	Expenditure Refunds	018030-0016	HAZMAT Billing Proceeds	\$ -	(6,000) \$	(6,000) \$	(6,000) Billing proceeds for HazMat Clean-ups
Total Revenues With Amendment				\$ (100,786,202) \$	(6,000) \$	(100,792,202) \$	

Part 2. EXPENDITURES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Amended Budget Amount	Notes
FUND 001	Emergency Management Coordinator	035050-7004	HAZMAT Reimbursement/Billing	\$ 500	6,000 \$	6,500	Reimburse Volunteer Departments for HazMat Clean-ups
Total Expenditures With Amendment				\$ 100,786,202 \$	6,000 \$	100,792,202	

Revenues	\$ (100,786,202) \$	(6,000) \$	(100,792,202)
Expenditures	\$ 100,786,202 \$	6,000 \$	100,792,202
Difference	\$ - \$	- \$	-

**Agreement for Professional Services
Revised January 21, 2022**

*Hill Studio
120 Campbell Avenue, S. W.
Roanoke, VA 24011*

*Smyth County, Virginia
121 Bagley Circle, Suite 120
Marion, Virginia 24354*

This Agreement between Smyth County (herein after referenced as “County”) and Hill Studio (herein after referenced as “Consultant”) describes the project understanding and professional services to be provided, as set forth in the following sections. The purpose of this Agreement is to engage the Consultant to work with the County to update the Comprehensive Plan.

PROJECT UNDERSTANDING:

Smyth County desires to update its Comprehensive Plan (adopted 2013, with amendments 2014). The Consultant will assist in the development of a community vision and establish goals for the growth and development of the County, as well as implementation strategies to achieve those goals. The opportunities for economic development, commercial development, and overall quality of life should be fully evaluated. Along with the Comprehensive Plan legislative requirements, the consultant will create the following:

A. Public Outreach, Participation and Intergovernmental Coordination

With the assistance of County staff, the consultant will develop and implement a community engagement program that includes a community survey, focus groups and up to 3 special event pop-up sessions, and meetings with the County staff, Planning Commission, and Board of Supervisors.

B. Demographics and Socio-economics

The Plan will use current and projected demographic and socioeconomic trends and their implications on land use patterns and public services planning. The consultant will obtain current and accurate demographic and socioeconomic data upon which policy recommendations will be based.

C. Future Land Use

Provided by the County, the Future Land Use Plan shall incorporate the residential, industrial, technological, and commercial development that has occurred since the Plan was last adopted. This element shall also provide an outlook projection based on recent development and economic trends.

The Plan shall address the relationship between the environment and human activities. A

general inventory of the County's natural resources shall be established and measured against current development policies and practices. This element shall address the interconnectedness of the built and natural environments and provide policy recommendations that will improve the state of balance.

D. Community Character and Design

The Comprehensive Plan will be a tool and guide to direct the continuing use and/or further development of existing design standards and guidelines for the community as a whole.

E. Housing and Neighborhood

The housing element provides an opportunity to set policy direction relative to the range of housing products offered in Smyth County to include diversity and density. This element shall look beyond housing as an independent module and toward cohesive neighborhood planning. A benchmark comparative analysis will compare and contrast housing products offered in Smyth County to the same in the neighboring counties such as Wythe, Washington, Grayson, Bland, Russell, and Tazewell.

F. Transportation

The Plan should evaluate the County's existing transportation infrastructure and project where improvements are needed now and in the future. The possibility of future growth should indicate roadway improvements and expansion.

G. Public facilities Infrastructure

Based on a more detailed infrastructure plan running concurrently by the County and other consultants, the plan shall coordinate the infrastructure plan with development objectives, and indicate where improvements are needed and expansion is likely.

H. Economic Development

The Plan shall address a range of policies that preserve and strengthen business and commerce in the County. This element shall characterize the attributes of existing business types and locations and provide an evaluation of underutilized commercial areas and other opportunities within the County. Projected employment and ratios of employment to housing units should be discussed.

I. Parks and Open Space

The consultant will plan for evaluation and integration of facility inventories (State Park, Appalachian Trail, and USFS lands). The plan will consider park accessibility, and recreational goals shall be within the Comprehensive Plan, to include evaluation of State and Federal resources within the County. Recommend opportunities to expand local recreation offerings and options.

J. Public Services

Evaluation of Schools, Public Safety, and Emergency Services for current and future needs.

SCOPE OF SERVICES:

Hill Studio will serve as prime consultant for this project and will subcontract with collaborating team members Wayne Strickland (senior planner) and Beth Doughty (economics strategies.) Other technical experts may be engaged as needed, depending on specific technical tasks (i.e. transportation, river recreation). The Consultant will provide professional services to update the Comprehensive Plan in compliance with the planning requirements of Code of Virginia and will undertake the work by performing the following work tasks:

Task 1: Initial Project Orientation and General Discussion (1 Day)

- Consultant will meet with County Staff and other designated project stakeholders (i.e. stakeholders from Planning Commission, Board of Supervisors) to understand desired project goals, planning/development issues, and general direction or insight.
- This meeting will include a discussion of schedule, work tasks, existing reports, potential stakeholders, and public outreach.
- County staff will provide Consultant with digital copies of relevant planning documents and GIS access/files for mapping purposes.
- Consultant will participate in a “guided community tour” of the County and important areas of interest.

Task 2: Conditions Research & Documentation – Community Outreach

- Consultant will collaborate with County Staff to discuss desired public outreach efforts and the extent of public participation and engagement. Special emphasis will be made to develop public outreach initiatives that will engage disadvantaged persons and communities.
- Consultant will undertake community outreach using the County webpage, a Project Facebook Page, or an online community survey (i.e. Qualtrix) to solicit input on County conditions, challenges, and desired vision/direction for the future. The Consultant will

develop desired survey information for social media and include on the Project Facebook Page. The County will be responsible for posting a link on the County webpage and for entering data from any paper surveys collected. In addition, Consultant will prepare a similar “Paper Survey” for public distribution (by the County). The consultant will work with County staff to identify distribution locations, target specific under-served persons, and consultant will tabulate data.

- Consultant will host a series of four in-person Focus Group Discussions with County Staff, key community leaders and governmental officials to help identify community goals, issues, and future opportunities as they relate to specific components of the Comprehensive Plan. (For budgeting purposes allow one day of 4 50-minute roundtable meetings with stakeholders, planned over a consolidated period of one day for time/visit efficiency.)
- Consultant will work with County Staff to ensure appropriate public departments and civic organizations are engaged, including outreach to schools, and emergency management personnel.
- Hill Studio will attend and set up a booth and man it for limited high-volume periods (for budgeting purposes, consider one person for 6 hours each) at up to 3 community events and fairs during the process. (For example, Hungry Mother Festival, for one day) County will pay for any kinds of fees associated with a booth.

Task 3: Conditions Research & Documentation - Background Research

Using the base GIS maps supplied by the County, Consultant will create a series of basemaps that reflect current conditions:

1. Natural conditions – topography, soil categories, slope, solar orientation, water and floodplains, wetlands, PETs, and similar natural features from readily available sources. (USFS maps will be incorporated, if available)
2. Cultural conditions – archaeological and historic resources, utilities, roadways, enterprise zones and conservation zones, current land use, public facilities (USFS maps will be incorporated, if available)

Based on the existing conditions maps, Consultant will create a series of maps that help to guide future development patterns:

1. Suitability for: Farming, housing, economic development, solar farms, wind farms, natural resource conservation, Parks and Recreation development.

Task 4: Demographic and Market Assessment + Housing Assessment

Consultant will work to update important Comprehensive Plan demographics (including 2020 Census information, if available) and undertake a Demographic and Market Assessment to identify potential economic and development opportunities for Smyth County. Consultant will

conduct market research to provide foundation information for the Economics & Housing elements of the Comprehensive Plan. This will include:

- **Demographic Profile:** We will create a demographic profile for Smyth County including population and income metrics, current year estimates, trends and projections for future growth. This will be supplemented by a market segmentation study which will determine characteristics of household group clusters based on their demographic groupings including age, gender, income, education, occupation, and ethnic group. This will help better describe the income and lifestyle characteristics of the current market to match needs.
- **Commercial Assessment:** Consultant will conduct an examination of existing commercial and retail mix to determine market opportunities based on demand and projected growth. This will include a retail leakage and gap analysis to indicate which retail sectors show opportunity for growth, as well as a retail shares supply-side study to identify specific business clusters that the County may wish to build. This is particularly helpful in identifying destination-based visitor niches.
- **Housing Assessment:** Based on the residential market geography, growth projections, target demographics and perceived needs, Consultant will gather housing market data and qualify with current year market indicators and demand from local data sources. This will include but not be limited to residential building permits, local and regional multiple listing service (MLS) data, and trade data from regional real estate development services. Data will be collected and analyzed for Smyth County and the surrounding area. We will then project need and growth potential for new residential including new housing units, for-sale price point, rent type, tenure, etc.
- **Housing Affordability:** Employment and wage data and housing indicators will be used to generally describe the affordability of both for-sale and for-rent housing in Smyth County including income, cost burden based on area AMI, etc.
- **Employment Snapshot:** Consultant will assess current data including employment by sector, wage and salary information, unemployment, largest employers, and commuting patterns. Data will be compiled from a number of sources including US Census, ACS, Virginia Employment Security Commission, among others.

Task 5: Planning/Development Work Session for Priority Plan Areas

- Consultant will host a one-day planning work session of collaborating project team members in Roanoke to address 2-3 challenging topics needing special guidance for the future. Topics will be chosen at conclusion of Task 4. Example topics could include, for example, a river and blueway plan, economic development site planning, housing project, or development guidelines for a corridor area, etc.

- Consultant and County will identify possible workshop topics following staff and community outreach efforts. Final topics will be determined by Stakeholders after the public engagement plan is well underway.
- Special planning for priority areas/topics is extremely valuable in developing a long-term Comprehensive Plan that is engaging and productive for community growth.
- Work products typically include visual graphics, illustrations, and accompanying text explanation that are integrated into the Comprehensive Plan and implementation strategies.

Task 6: Project Collaboration with County Staff and Planning Commission

- Consultant will work closely with County Staff and the Planning Commission throughout the duration of the project.
- Consultant will meet in person (3-4 times) with County Staff and the Planning Commission during the project. These work sessions may be virtual or in-person meetings that are coordinated with other work tasks/sessions to maximize efficiency of the visit.
- Consultant will make one presentation of the final draft plan at a joint public hearing before the Planning Commission and the County Board of Supervisors.

Task 7: Comprehensive Plan - Elements and Deliverables

- Consultant will prepare and assemble all written Comprehensive Plan elements required by law, including land use, economic development, transportation, environment, community facilities/services, recreation, historic resources, housing, and regional influences. Accomplished through review of existing plan and state planning requirements, development of future challenges and direction, updating of maps, and inclusion of new maps and graphics. Elements will reflect staff and community input received from outreach efforts in Tasks 2, 3, and 4, as well as professional insight and workshop efforts completed in Task 5.
- County will assist Consultant with development of a Future Land Use Map based on Project vision/direction and existing GIS land use information. It is expected that the existing land use is documented by GIS information and that an in-depth field survey is not required by the Consultant.
- The Plan will include future vision statement(s), goals, and an implementation section that will be strategic with identified objectives/strategies and key action projects and recommended partners and timeframes. The implementation section may be used as a “report card” for update on an annual basis to track implementation.
- The Comprehensive Plan will be user-friendly, illustrated, and developed in Adobe InDesign or Microsoft Word to enable future use/editing by the County. Mapping will be developed in ESRI ArcGIS. Digital files of the products and graphics will be provided to

the County. All draft documents for review will be provided in digital PDF format for distribution, posting to the webpage, etc.

- Consultant will provide the final Comprehensive Plan document as a digital, Press Quality PDF.

TERMS OF AGREEMENT

PROJECT FEES AND TIMEFRAME

Consultant will provide the Professional Services discussed in the Scope of Services for a lump sum fee of \$75,800. The details of Consultant Fee by Work Task are below:

Phase I - January - 2022 - June 2022		
Task 1: Orientation		\$2,370.00
Task 2: Community Outreach		\$9,120.00
Task 3: Conditions Research		\$6,860.00
Task 4: Market Assessment - Research		\$6,650.00
Phase 1 Total:		\$25,000.00
Phase 2 - After July 2022		
Task 4: Market Assessment - Presentation		\$740.00
Task 5: Work Session		\$10,745.00
Task 6: Collaboration with Staff and Commisison		\$5,580.00
Task 7: Comprehensive Plan Elements and Deliverables		\$33,735.00
Phase 2 Total:		\$50,800.00
Total Comprehensive Plan		\$75,800.00

For any additional services not included herein, our hourly rates are Attached as Attachment 1.

Other Terms

- A. **Project Billing.** Consultant will invoice on a monthly basis for the percentage of completed project work tasks 1 through 7 set forth above. The County shall be entitled to review Consultant's work product to reasonably confirm percentage of completion of each work task. Subject to such County review and reasonable confirmation, payment is expected within 30 days and invoices which have not been paid within 60 days of issue will accrue interest at the

rate of 1% per month. For this Agreement, incidental reimbursable expenses are included in the fee.

- B. **Amendment.** This Agreement may be amended in writing for additional services related to this project. Attached as Attachment 1 is a comprehensive hourly rate schedule for Consultant. Any services not specifically included in the described Scope of Services shall be considered Additional Services. For any additional services requested and authorized by the County, Consultant will provide, coordinate and bill the additional services and expenses at the negotiated hourly rate or fee, and, for a sub-contractor or project expense at 1.15 times the actual cost to the Consultant.
- C. **County Responsibilities.**
1. The County, or its agent, will provide available GIS base materials, such as property maps, aerial photography, parcel data, and utility information to be used in conjunction with the project and mapping.
 2. The County will identify stakeholders, help coordinate project meetings, arrange any locations for community meetings, and publicize meetings.
 3. The County will be responsible for circulating draft documents for review that have been provided in digital format by the Consultant.
 4. The County will be responsible for any public media announcements, community mailings, and collecting and tabulating any “paper” survey documents relative to the project.
- D. **Applicable Law and Courts.** This Agreement shall be governed in all respects by the laws of the Commonwealth of Virginia. The Consultant shall comply with applicable federal, state, and local laws and regulations.
- E. **Assignment of Contract.** This Agreement shall not be assignable by the Consultant in whole or in part without the prior written consent of the County.
- F. **Discrimination Prohibited.** During the performance of this Agreement, the Consultant agrees to not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.

- G. **Drug-free workplace to be maintained.** During the performance of this Agreement, the Consultant agrees to provide a drug-free workplace. Any subcontractor related to the project will be required to maintain the same drug-free workplace.
- H. **Liability Insurance.** The Consultant shall maintain professional liability insurance in accordance with the provisions required by the County and shall provide evidence of such to the County at their request.
- I. **Notices.** All requests, notices and other communications required or permitted to be given under this Agreement shall be in writing and delivery thereof shall be deemed to have been made when such notice shall have been either (a) duly mailed by first-class mail, postage prepaid, or any comparable or superior postal or air courier service then in effect, or (b) transmitted by hand delivery or email to the party entitled to receive the same at the address indicated below or at such other address as such party shall have specified by written notice to the other party.
- a. Notices to the County shall be sent to:
- Shawn Utt, County Administrator
Smyth County, Virginia
121 Bagley Circle, Suite 120
Marion, Virginia 24354
- b. Notices to the Consultant shall be sent to:
- David P. Hill, ASLA, President
Hill Studio
120 Campbell Avenue S. W.
Roanoke, VA 24011
540-342-5263
davidhill@hillstudio.com

Signatures:

Respectfully Submitted:

Accepted and Authorized to Proceed:

Hill Studio PC
David P. Hill , ASLA
President

County of Smyth, Virginia
Shawn Utt
County Administrator

Attachment 1 – Hourly rate schedule Hill Studio

Effective **January 1, 2021**, Hill Studio personnel, both W-9 Employees and 1099 collaborating partners, will be billed at the following rates:

President	185.00 / hr
Director	150.00
Project Director / Senior Fellow	125.00
Historic Senior Fellow	110.00
Project Planner/LA/Arch	110.00
Job Captain	105.00
Apprentice III Planner/LA/Arch	90.00
Apprentice II Planner/LA/Arch	80.00
Research Associate	80.00
Apprentice I Planner/LA/Arch	70.00
Graduate Research Intern	55.00
Specs and Technical Composer	70.00
Clerical	57.00
Student Intern	37.00

Beyond **September 30, 2021**, Hill Studio rates may be adjusted.

Hill Studio Positions:

President	David P. Hill, ASLA
Director	Greg Webster, RLA, LEED AP Hunter Greene, RA, LEED AP
Project Director / Senior Fellow	Donald C. Harwood, LEED AP Evelyn A. Slone, AICP, LEED AP Glenn Stach, RLA Katie Gutshall Josephine Arbaugh, AIA Peter Giraudeau
Historic Senior Fellow	Alison S. Blanton
Project Planner/LA/Arch/His	Laurice Ellsworth, RLA Michael LaRoche, RLA Kyunghee Im Maria Saxton
Job Captain	Charlie Craig
Apprentice III Planner/LA/Arch	Ashleigh Kritzberger Chris Lawrie Breanna Latondre Chris Lawrie
Apprentice II Planner/LA/Arch	Kate Kronau Ross Hammes Katherine Packer
Research Associate	TBD
Apprentice I Planner/LA/Arch	TBD
Graduate Research Intern	Hana Lee
Specs and Technical Composer	Amy Saunders
Clerical	Sandy Thompson
Student Intern	Tyler McDaniel



Smyth County Virginia
121 Bagley Circle, Suite 100
Marion, VA 24354
(276) 783-3298 phone
www.smythcounty.org

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

Charles E. Atkins, Chair
Michael L. Sturgill
Charles P. Stevenson
Kristopher S. Ratliff, DPh
Courtney Widener
Lori H. Deel, Vice-Chair
Roscoe D. Call

County Administrator
Assistant County Administrator

Shawn M. Utt
Alicia Richardson

MEMO

To: Shawn Utt, County Administrator

From: Christy Bise – Accounts Payable *CBise*

Date: January 19, 2022

Subject: Fund 748 Appropriation Request

At the beginning of FY21-22, \$15,000 was appropriated by the Board for Sheriff's Fund 748. The current remaining balance for that appropriation is \$4,105.74. I have invoices to be paid out of Fund 748 that total more than the remaining appropriated balance. As of December 31, 2021 the checking account balance for that fund was \$20,239.56

I am requesting the Board's consideration of an additional appropriation for Fund 748 so I can continue to pay invoices from that fund.

Should you have any questions please let me know.

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, 2021 or at the County's option for the fiscal years ending June 30, 2021 through 2023.

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, 2021 for a fixed fee of \$4,825. 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 2021 through 2023 for the price of \$12,975, 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 10, 2022

ACCEPTED:
For the County of Smyth

BY: _____
Authorizing Official Title Date



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

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

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

County Administrator
Assistant County Administrator

Shawn M. Utt
Alicia Richardson

January 12, 2022

To: Members, Smyth County Board of Supervisors

CC: Smyth County Leadership Team

From: Shawn M. Utt, Smyth County Administrator

RE: FY22/23 Budget Calendar

Budget forms distributed to Departments	January 14, 2022
Budget request notification published in newspaper/websites	January 14, 2022
Budget requests due to County Administrator's Office from Departments	February 11, 2022
Budget requests due to County Administrator's Office from Agencies	February 18, 2022
Revenue Projections (County Admin., Treasurer, Commissioner)	February 25, 2022
First Budget Draft to Budget Committee / Budget Committee Work Session	March 3, 2022
Budget Committee Work Session (with SCSB Budget Comm./Superintendent)	March 17, 2022
Budget Committee Work Session	March 31, 2022
Budget Committee Work Session (if needed)	April 7, 2022
Present Full Budget to Board of Supervisors	April 14, 2022
Budget Committee Work Session (if needed)	April 21, 2022
Budget Committee Work Session (if needed)	April 28, 2022
Budget Committee Work Session (if needed)	May 5, 2022
Public Hearing(s) – <i>(draft budget and any potential rate/tax adjustments?)</i>	May 12, 2022
Adopt County Budget for FY22/23 (tentative)	May 27, 2022
Adopt Tax Levies for FY22/23 (tentative)	May 27, 2022
Adopt CIP for FY22/23 (tentative)	May 27, 2022

From: Rose Likins <rosel@scplva.net> on behalf of Rose Likins
Sent: Monday, January 17, 2022 3:16 PM
To: Shawn Utt
Cc: Catherine Van Noy; Brian Martin
Subject: Request for County Sponsorship of ARC Planning Grant for Saltville Branch Library

Dear Shawn,

I'm writing to request that the Smyth County government sponsor an application for a planning grant from the Appalachian Regional Commission to explore the possibilities of renovating or replacing the SCPL branch library in Saltville. As you know, the Town of Saltville is working with expert grant writer Catherine Van Noy who will lead the grant-writing process with support from SCPL.

While SCPL is most grateful to the Town of Saltville for providing and maintaining the branch's current home, it has long been apparent that this 80-year old building is too small for our collection and programming needs and is increasingly suffering the effects of old age including significant water and moisture issues that caused health problems for staff members this year, physical deterioration of the structure that requires time-consuming and expensive attention from Town maintenance staff, insect infestations, and systemic failures in the HVAC and ventilation areas. Our goal is to offer the Saltville community a space with room for regular programs on topics such as health and financial literacy, kindergarten readiness, technology training as well as activities for teens and seniors. We would also like to offer more public computers given the lack of internet connectivity in some parts of the community as well as meeting spaces for tutoring or telehealth sessions. We would also be able to enhance the collection of materials available to patrons in a larger space.

We intend to seek a planning grant from the Appalachian Regional Commission to assess the spaces needed for these programmatic offerings to the residents of Saltville and to evaluate the current building for potential improvement or replacement. The final product of the grant would be a detailed plan and cost estimates for an improved library facility. Since there is a 50 percent match required for such grants, we also request that the Board of Supervisors consider using some of the ARPA funds available to it for up to \$25,000 of the required matching funds. We anticipate working with the Town and other members of the community to obtain the other \$25,000.

Please let me know if I can provide any additional information in support of this request or respond to any questions you or members of the Board of Supervisors may have.

We are most grateful for your support and for this opportunity to improve our most limited facility.

Rose