

Board of Supervisors



SMYTH
COUNTY, VA

Thursday, March 24, 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, March 24, 2022

4:00 PM

- 1) **PRESENTATION FROM EVERGREEN SOIL & WATER CONSERVATION DISTRICT**
(THIS WILL BE AT 4:00p IN THE BOARD ROOM)
- 2) **CALL MEETING BACK TO ORDER (5:00p)** Board Chair
Pledge of Allegiance & Invocation
- 3) **AMENDMENTS TO AGENDA** Board Chair
- 4) **PUBLIC HEARINGS** Board Chair
 - a. Proposed Repeal of County's Noise Ordinance (Pg 5)
- 5) **PRESENTATIONS** Board Chair
 - a. Child Abuse Prevention Month Resolution (Pg 6-7)
 - b. Nebo Community Center Request
- 6) **MINUTES OF PREVIOUS MEETINGS** Board Chair
Minutes of the March 10, 2022 meeting (Pg 8-36)
- 7) **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.
- 8) **OLD BUSINESS** Board Chair
 - a. Committee Reports / Recommendations
 - i. Animal Committee (Pg 37)
 - ii. Appointments Committee (Pg 38)
 - iii. Budget Committee (Pg 39-43)
- 9) **NEW BUSINESS** Board Chair
 - a. National Public Safety Communicator Week Resolution (Pg 44)
 - b. Sugar Grove Elementary School Access Road Resolution
(Pg 45-47)
- 10) **REPORT FROM COUNTY ATTORNEY** Scot Farthing, County Att'y
- 11) **REPORT FROM COUNTY ADMINISTRATOR / STAFF** Shawn Utt, County Admin.

12) **SUPERVISOR COMMENT TIME**

Board Members

13) **CLOSED SESSION**
None scheduled



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County Administrator
Assistant County Administrator

Shawn M. Utt
Alicia Richardson

March 21, 2022

To: Members, Smyth County Board of Supervisors

CC: Smyth County Leadership Team

From: Shawn M. Utt, Smyth County Administrator

RE: Packet summary – March 24, 2022, Board meeting

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

1. **We will have an earlier meeting than normal with a presentation from the Evergreen Soil & Water Conservation District folks beginning at 4:00p.**
2. **Call meeting Back to Order. Pledge of Allegiance & Invocation** – The pledge of allegiance will be led by Lisa Richardson, Assistant County Administrator for Operations. The invocation will be provided by Heather Street, Information Systems Department.
3. **Amendments to Agenda** – if any are necessary, they will be presented at the meeting.
4. **Public Hearings**
 - a. **Proposed Repeal of the County's Noise Ordinance** – As we have discussed in the past few months, there have been several issues that have come up recently related to the County's noise ordinance and the issue with it being deemed to be unenforceable. While discussing the issue with the Sheriff, it was proposed that the Board consider repealing the current ordinance altogether while we work on a revised ordinance in partnership with the Ordinance Committee, Sheriff and Commonwealth's Attorney. The public hearing that has been advertised (see enclosed ad, **Att. 1**) for this evening will be the first step in that process.
5. **Presentations**
 - a. **Child Abuse Prevention Month Resolution** – On behalf of the Children's Advocacy Center that serves the City of Bristol, Washington County and Smyth County, we have been asked to consider the **enclosed** (**Att. 2**) resolution for the Board's consideration in recognition of April being Child Abuse Prevention Month. Katherine Roark with the CAC will be at the meeting and would like to provide some additional information for the Board.
 - b. **Nebo Community Center Request** – Ann Spence would like to discuss some needs at the Nebo Community Center and make a request for assistance from the Board of Supervisors.

6. **Minutes of Previous Meeting(s)** – the minutes of the March 10, 2022 meeting are **enclosed (Att. 3)** for the Board’s review and approval.
7. **Citizen’s Time** – Time has been set aside for citizens to provide comments to the Board on general items of interest or concern.
8. **Old Business Items:**
 - a. **Committee Reports / Recommendations**
 - i. **Animal Control Committee** – minutes of the meeting are **enclosed** for your information **(Att. 4)**. In addition, items related to committee recommendations are also **enclosed** for your review.
 - ii. **Appointments Committee** – minutes of the meeting are **enclosed** for your information **(Att. 5)**. In addition, items related to committee recommendations are also **enclosed** for your review
 - iii. **Budget Committee** – minutes of the meeting are **enclosed** for your information **(Att. 6)**. In addition, items related to committee recommendations are also **enclosed** for your review.
9. **New Business Items:**
 - a. **National Public Safety Communicator Week Resolution** – In follow up to the increased desire to recognize our employees, the second week of April has long been recognized as National Public Safety Communicator Week. For your consideration, we would like to present **enclosed (Att. 7)** resolution recognizing our dispatchers and the difficult, high stress job they do.
 - b. **Sugar Grove Elementary School Access Road Resolution** – In recent discussions with VDOT staff, they informed us that they are working on paving preparations for the upcoming paving season. They are planning to pave the access road at Sugar Grove Elementary but realized there was an issue with their mapping. They are currently showing that only the front entrance is part of their system and the bus loop, which is in most need, is not. **Enclosed (Att. 8)** is a map showing the area that needs to be corrected as well as a draft resolution for the Board’s consideration.
10. **Report from County Attorney:** Time has been reserved on the agenda to allow the County Attorney to provide input and various updates as needed.
11. **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.
12. **Supervisor Comment Time:** Roundtable discussion for individual Board members.
13. **Closed Session under Code of Virginia Section 2.2-3711(a)** – none scheduled at this time.

**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 Repealing Chapter 20, Article V, entitled "Noise" of the Smyth County Code of Ordinances. The Board of Supervisors shall hear comments from citizens concerning the repeal of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, March 24th, 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 repeal of Article V.

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 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, March 24th, 2022.

A copy of the Article being considered for repeal 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 M. Utt, County Administrator

Legals: Please print in the March 12th, and March 19th 2022, editions of the Smyth News Messenger. Please forward a certificate of publication to Shawn Utt, County Administrator, 121 Bagley Circle, Marion, VA 24354.

Shawn Utt

From: Kathryn A. Roark <kroark@highlandscsb.org> on behalf of Kathryn A. Roark
Sent: Tuesday, March 8, 2022 9:01 AM
To: sutt@smythcounty.org
Cc: Susan Williams
Subject: Child Abuse Prevention Month Proclamation
Attachments: Sample Proclamation- Smyth County.docx

Mr. Utt,
 I am the program director of the Children's Advocacy Center that serves Bristol, Washington & Smyth Counties. We have an office located in Marion on Terrace Drive.

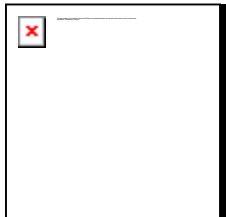
I would like to request that the Smyth BOS approve a proclamation at your March 24th meeting, naming April Child Abuse Prevention Month in Smyth County. This is a national movement all across our country. As part of the proclamation, I would love to attend the meeting and share a few brief remarks about the work of the county's agencies (LE, Commonwealth's Attorneys, DSS, school system, Victim Witness Program and others) on behalf of child victims of abuse. We are honored to be part of that team- they take their work of keeping children and families safe and healthy very seriously!

Would this be possible to add to your meeting agenda on March 24th? If that agenda is already full, your April 14th meeting would work as well.

I have attached a sample proclamation for your consideration. In addition, we will be presenting the County Administration with a sign, recognizing that Smyth County has Champions4Children hard at work. More of those signs will be popping up around the county, as well as in Bristol and Washington County during Child Abuse Prevention Month, as we recognize businesses, faith communities, schools and others who are also Champions4Children.

Please do not hesitate to contact me if I can give you any addition information.

Thank You!
 Kathi Roark



Kathi Roark | She, Her, Hers
CAC Program Director
HIGHLANDS COMMUNITY SERVICES
 o: 276-525-1550, ext. #2637
 m: 423-956-9393
 w: highlandscsb.org

NOTICE: This communication may contain privileged or other confidential information. If you are not the intended recipient, or believe that you have received this communication in error, please do not print, copy, retransmit, disseminate, or otherwise use this information. Also, please indicate to the sender that you have received this communication in error and delete the copy you received. Thank you.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION PROCLAIMING APRIL TO BE CHILD ABUSE PREVENTION MONTH

WHEREAS, the Smyth County Board of Supervisors recognizes that over 7,700 children in Virginia were determined to be abused and neglected in 2021; and

WHEREAS, child abuse and neglect has been demonstrated to impact a victim's physical, mental and emotional health in ways that can have lifelong consequences; and

WHEREAS, effective child abuse prevention programs succeed because of partnerships among citizens, human services agencies, schools, religious organizations, law enforcement agencies, and the business community; and

WHEREAS, child abuse prevention is a community responsibility and finding solutions depends on involvement among all residents of Smyth County.

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors proclaims April as Child Abuse Prevention Month in Smyth County and urges all citizens to work together to reduce child abuse and neglect and insure the health and safety of its youngest citizens.

Adopted this the 24th day of March, 2022.

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles E. Atkins, Chair

The Smyth County Board of Supervisors held its regular meeting on Thursday, March 10, 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; Saltville District Supervisor Roscoe Call; North Fork District Supervisor Phil Stevenson


ABSENT: None

STAFF: County Administrator Shawn Utt; Assistant County Administrator Lisa Richardson; Administrative Assistant Paula Harvey; Assistant County Attorney Don Martin; Building & Zoning Administrator Clegg Williams; Emergency Management Coordinator Curtis Crawford

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

 3/10/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 3/10/2022 5:02 PM Emergency Management Coordinator, Curtis Crawford led the Pledge of Allegiance and Rev. David Fugatt, Pastor of Davis Memorial & Mt. Caramel United Methodist Church, gave the invocation.

 3/10/2022 5:02 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to amend the agenda to add the Rich Valley Fair under Presentations as 4(b). North Fork District Supervisor Phil Stevenson seconded the motion.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/10/2022 5:04 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for the Pathway Park Regional Industrial Facilities Authority Ordinance.

 3/10/2022 5:05 PM Shawn Utt, County Administrator read the following Public Hearing notice for the record:

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 Reenactment of the Ordinance that created the Pathway Park Regional Industrial Facilities Authority. 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, March 10, 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 2:00 p.m. on Thursday, March 10, 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

Mr. Utt explained that since Washington County Board of Supervisors has voted to join the Authority and has proposed a few minor adjustments that each of the 3 localities need to adopt the same ordinance. Below is a copy of the ordinance revisions:

Re-Adoption of the “Pathway Regional Industrial Facility Authority” Ordinance of the Smyth County, Virginia Code of Ordinances

WHEREAS, pursuant to the Virginia Regional Industrial Facilities Act, Chapter 64 of Title 15.2 of the Code of Virginia (Va. Code Ann. §§ 15.2-6400 et al), as amended (hereinafter the “Act”), the General Assembly of Virginia authorized the creation of regional facilities authorities by localities in the Commonwealth of Virginia so that such authorities may exercise the powers set out in the Act;

WHEREAS, the undersigned Board has determined that the economic growth and development of the region and the comfort, convenience and welfare of its citizens require the development of facilities and that joint action through a regional facility authority will facilitate the development of needed facilities;

WHEREAS, under and pursuant to the provision of the Act the County of Smyth acting by and through its Board of Supervisors, in conjunction with other governing bodies hereby proposes to create the Pathway Regional Industrial Facility Authority, a public body politic and corporate created pursuant to the Act; and,

WHEREAS, under and pursuant to the provisions of the Act the name of the Authority to be created by the Bland, Smyth and Washington Counties shall be the Pathway Regional Industrial Facility Authority;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Smyth County, Virginia, after public notice, public hearing, and consideration of the best interests of the public health, safety, and welfare, that the Code of the County of Smyth, Virginia, shall be revised, as follows:

1. This ordinance shall be effective immediately;
2. Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or of the Smyth County Code.
3. The Code of the County of Smyth, Virginia (2002, as amended) shall be revised as set forth herein, subject to Article, Division, Section, and Subsection titles and numbers amendment

by the Editor as necessary for Code consistency. New language is indicated by italic and underline, and deletions are indicated by strikethrough.

4. Revisions:

Article VII

Sec. 2-200. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Act means the *Regional Industrial Facilities Act, Code of Virginia, § 15.2-6400 et seq.*

Agreement means the *"Agreement for Cost Sharing and Revenue Sharing between Bland County, Virginia; Smyth County, Virginia; and Washington County, Virginia."*

Authority means the *regional facility authority created hereby by cooperative action of Bland County, Virginia; Smyth County, Virginia; and Washington County, Virginia, to be known as "Pathway Regional Industrial Facility Authority".*

Board of directors means the *board of directors of the Pathway Regional Industrial Facility Authority.*

Governing body or governing bodies means the *boards of supervisors of counties and the councils of cities and towns that are members of the authority.*

Member locality means *each member of the Pathway Regional Industrial Facility Authority, which initially includes Bland County, Virginia; Smyth County, Virginia; and Washington County, Virginia.*

Cross reference(s)—Definitions generally, § 1-2.

Sec. 2-201. Creation, name, powers, dissolution and fiscal year.

(a) There is hereby created, pursuant to the Act and in conjunction with the adoption of a similar ordinance by the Bland County and Smyth County boards of supervisors, a political subdivision of

the Commonwealth named the "Pathway Regional Industrial Facility Authority." The Smyth-Washington Regional Industrial Facility Authority may use the short name, "PRIFA."

(b) The authority is vested with the powers of a body corporate, including the power to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the seal as may be deemed expedient. The authority shall have all rights, duties and powers provided by provision of the Act, and including such powers, rights, and duties as may hereafter be set forth from time to time in the Act.

(c) The authority may be dissolved in compliance with provisions for dissolution stated in the Act.

(d) A member locality may withdraw from the Authority in compliance with provisions for withdrawal stated in the Act.

(d) The fiscal year for the authority shall be the same as that of the Commonwealth.

State law reference(s)—Creation of regional authority, Code of Virginia, § 15.2-6402; Dissolution of regional authority, Code of Virginia § 15.2-6415.

Sec. 2-202. Purpose.

The authority is charged with the specific purpose to develop "Pathway Park", which is an industrial park located in Smyth County along Industrial Park Road, as a regional industrial park and for the additional purpose of future development of other properties for other reasons as permitted by the Act and as agreed upon by the member localities.

Sec. 2-203. Membership.

The founding member localities of the authority are Bland County, Smyth County, and Washington County, each of which is a political subdivision of the Commonwealth of Virginia, and each of which is authorized by the Act to participate in the authority. The membership may, with the approval of the board of directors, be expanded in compliance with provision for expansion as stated in the Act.

Sec. 2-204. Member locality agreement.

The authority shall be governed by the Act, this division, and by the agreement executed by the governing body of each member locality. The agreement shall establish the respective rights and obligations of the member localities and shall provide for revenue and economic growth-sharing arrangements with respect to tax revenues and other income and revenues generated by any facility owned by the authority.

State law reference(s)—Locality agreement, Code of Virginia, § 15.2-6402.

Sec. 2-205. Board of directors.

- (a) The powers, rights, and duties conferred by the Act upon the authority shall be exercised by a board of directors, which shall consist of six members, appointed as described in this section. The number of directors of the authority may be supplemented by decision of and appointment by the governing bodies as permitted by the Act.
- (b) Each member locality shall appoint to the board of directors one member from its governing body and one member from its industrial development authority or economic development authority (whichever the case may be). All appointees to the board of directors must be residents of the Commonwealth.
- (c) Each member of the board of directors shall serve for a term of four years, commencing on January 1 of the first year and ending on December 31 of the fourth year, and may be reappointed for additional four-year terms. In the event of a vacancy during a term of office, the appropriate governing body shall in a timely manner appoint a new member whose term of office shall commence at the first meeting of the board of directors after appointment and shall end upon the end of term of the vacant position to which the member was appointed at which time such member may be reappointed for additional four-year terms.

(d) Notwithstanding the foregoing, the following terms shall apply only to the initial board of directors to provide for staggered terms. One of the two members appointed from each member locality to the initial board of directors shall be appointed for a term of two years and may be reappointed for additional four-year terms. The term of office of the members of the initial board of directors shall begin on the date of the creation of the authority and end on December 31 of the second or fourth year after creation of the authority, as designated by the appointment.

(e) Each member of the board of directors, before entering upon the discharge of the duties of the office, shall take and subscribe to the oath prescribed in Code of Virginia, § 49-1 and shall serve in compliance with the Act, this division, and the agreement.

(f) The board of directors shall adopt bylaws, rules and/or regulations to carry out the provisions of the Act. The bylaws, rules, or regulations shall, among other things, specify the principal office for the authority, identify the schedule and place for meetings of the board of directors, and provide for the general administration of the operations of the authority.

(g) Members of the board of directors shall be reimbursed for actual expenses incurred in the performance of their duties from funds available to the authority.

State law reference(s)—Board of directors, Code of Virginia, § 15.2-6403; powers of the authority, Code of Virginia, § 15.2-6405.

Sec. 2-206. Principal office location, records, and title to property.

The principal office of the authority shall be located within a member locality. All records shall be kept at such office. The title to all property of every kind belonging to the authority shall be titled to the authority, which shall hold such title for the benefit of its member localities.

State law reference(s)—Similar provisions, Code of Virginia, § 15.2-6404.

Sec. 2-207. Funding.

Funding of the authority shall be by appropriation as decided from time-to-time by the governing bodies of the member localities and from such other sources as are identified in the agreement.

State law reference(s)—Funding, Code of Virginia, § 15.2-6406.

Sec. 2-208. Required reports.

(a) Annual reports. The board of directors shall report to the governing body of each member locality annually, on or before the last March meeting of the governing body, on the activities of the authority. In addition to oral presentation at the meeting, a written annual report shall be provided prior to the meeting and shall contain, at a minimum, the following information:

(1) A financial update through December 31 of the current fiscal year;


(2) After completion of the first fiscal year, an audited financial report showing expenditures and revenues and a statement showing financial condition at the end of the preceding fiscal year;


(3) A written report, approved by the board of directors, of the activities and accomplishments of the authority and recommendations regarding future activities of the authority; and

(4) A list of tenants, purchasers or other persons occupying the Glade Highlands Industrial Park or any other regional industrial facilities developed by the authority.

(b) Special reports. Upon written request of the governing body of any member locality, the board of directors shall report to the governing body within 30 days of receipt of the request or within a longer period if so provided in the written request. The special report shall describe the activities and financial status of the authority within the six-month period immediately preceding the request, or as otherwise specified in the written request and shall be furnished to each member locality. A written report shall be provided if requested.

State law reference(s)—Annual report, Code of Virginia, § 15.2-6403E.

 3/10/2022 5:08 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing on the Pathway Park Regional Industrial Facilities Authority ordinance.

 3/10/2022 5:08 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to waive the rules of public hearings for this specific hearing and to re-adopt the Pathway Park Regional Industrial Facilities Authority Ordinance as presented. North Fork District Supervisor Phil Stevenson seconded the motion.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/10/2022 5:09 Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for the proposed Camera Speed Monitoring and Enforcement in Highway Work Zones and School Crossing Zones Ordinance.

 3/10/2022 5:09 PM Shawn Utt, County Administrator read the following Public Hearing notice for the record:

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 to the Smyth County Code of Ordinances Chapter 35 – Law Enforcement to include provisions for photo speed enforcement. 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, March 10th, 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 2:00 p.m. on Thursday, March 10, 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

Mr. Utt explained that the following draft ordinance was proposed to help increase the safety efforts for the County's school zones as well as construction zones, as allowed in the Code of Virginia.

SMYTH COUNTY CODE OF ORDINANCES CHAPTER 44, ARTICLE VI

CAMERA SPEED MONITORING AND ENFORCEMENT IN HIGHWAY WORK ZONES AND SCHOOL CROSSING ZONES ORDINANCE

This Ordinance is adopted pursuant to the authority of Virginia Code Annotated § 46.2-882.1, as amended.

(a) For purposes of this section, "*highway work zone*" has the same meaning ascribed to it in Code of Virginia, § 46.2-878.1. "*Photo speed monitoring device*" means equipment that uses radar or LIDAR-based speed detection and produces one or more photographs, microphotographs, videotapes, or other recorded images of vehicles. "*School crossing zone*" has the same meaning ascribed to it in Code of Virginia, § 46.2-873.

(b) The Smyth County Sheriff's Office may install and operate photo speed monitoring devices, within the boundaries of Smyth County, in school crossing zones for the purposes of recording violations of Code of Virginia, § 46.2-873 and in highway work zones for the purposes of recording violations of Code of Virginia, § 46.2-878.1.

(c) The operator of a vehicle shall be liable for a monetary civil penalty imposed pursuant to this section if such vehicle is found, as evidenced by information obtained from a photo speed monitoring device, to be traveling at speeds of at least 10 miles per hour above the posted school crossing zone or highway work zone speed limit within such school crossing zone or highway work zone, while such zone is active. Such civil penalties shall be \$100.00. Any prosecution under this section shall be instituted and conducted in the same manner as prosecution for traffic infractions. Civil penalties collected under this section resulting from a summons issued by the Smyth County Sheriff's Office shall be paid to Smyth County. (d) If a photo speed monitoring device is used, proof of a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 shall be evidenced by information obtained from such device. A certificate, or a facsimile thereof, sworn to or affirmed by a law enforcement officer employed by the County authorized to impose penalties pursuant to this section, based upon inspection of photographs, microphotographs, videotapes, or other recorded images produced by a photo speed monitoring device, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1.

(e) In the prosecution for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 in which a summons was issued by mail, prima facie evidence that the vehicle described in the summons issued pursuant to this section was operated in violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1, together with proof that the defendant was at the time of such violation the owner, lessee, or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the vehicle was the person who committed the violation. Such presumption shall be rebutted if the owner, lessee, or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district court for the County that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation or (ii) testifies in open court, under oath that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation. Such presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1, is presented, prior to the return date established on the summons issued pursuant to this section, to the general district court for the County adjudicating the alleged violation.

(f) Imposition of a civil penalty pursuant to this section by mailing a summons shall not be deemed a conviction as an operator and shall not be made a part of the operating record of the person upon whom such liability is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage. However, if a law enforcement officer employed by the County uses a photo speed monitoring device to

record a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 and personally issues a summons at the time of the violation, the conviction that results shall be made a part of such driver's driving record and used for insurance purposes in the provision of motor vehicle insurance coverage.

(g) A summons for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 issued by mail pursuant to this section may be executed pursuant to Code of Virginia, § 19.2-76.2.

Notwithstanding the provisions of Code of Virginia, § 19.2-76, a summons issued by mail pursuant to this section may be executed by mailing by first class mail a copy thereof to the address of the owner, lessee, or renter of the vehicle. In the case of a vehicle owner, the copy shall be mailed to the address contained in the records of or accessible to the department of motor vehicles. In the case of a vehicle lessee or renter, the copy shall be mailed to the address contained in the records of the lessee or renter. Every such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the filing of an affidavit as provided above and (ii) instructions for filing such affidavit, including the address to which the affidavit is to be sent. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in Code of Virginia, § 19.2-76.3. No proceedings for contempt or arrest of a person summoned by mailing shall be instituted for failure to appear on the return date of the summons. If the summons is issued to an owner, lessee, or renter of a vehicle with a registration outside the commonwealth and such person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons will be eligible for all legal collections activities. Any summons executed pursuant to and for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 issued pursuant to this section shall provide to the person summoned at least 30 days following the mailing of the summons to inspect information collected by a photo speed monitoring device in connection with the violation. If the Smyth County Sheriff's Office does not execute a summons for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 issued pursuant to this section within 30 days following the date of the violation, all information collected pertaining to the suspected violation shall be purged within 60 days following the date of the violation.

(h) A private vendor may enter into an agreement with the Smyth County Sheriff's Office to be compensated for providing a photo speed monitoring device and all related support services, including consulting, operations and administration. However, only a law enforcement officer may swear to or affirm the certificate required by this section. Any such agreement for compensation shall be based on the value of the goods and services provided, not on the number of violations paid or monetary penalties imposed. Any private entity contracting with a law enforcement agency pursuant to this section may enter into an agreement with the department of motor vehicles, in accordance with the provisions of subdivision B 31 of Code of Virginia, § 46.2-208, to obtain vehicle owner information regarding the registered owners of vehicles that committed a violation of Code of Virginia,

§§ 46.2-873 or 46.2-878.1. Any such information provided to such private vendor shall be protected in a database.

(i) Information collected by a photo speed monitoring device operated pursuant to this section shall be limited exclusively to that information that is necessary for the enforcement of school crossing zone and highway work zone speeding violations. Information provided to the operator of photo speed monitoring device shall be protected in a database and used only for enforcement against individuals who violate this section or Code of Virginia, §§ 46.2-873 or 46.2-878.1. Notwithstanding any other provision of law, all photographs, microphotographs, videotapes, or other personal information collected by a photo speed monitoring device shall be used exclusively for enforcing school crossing zone and highway work zone speed limits and shall not be (i) open to the public; (ii) sold or used for sales, solicitation, or marketing purposes; (iii) disclosed to any other entity except as may be necessary for the enforcement of school crossing zone and highway work zone speed limits or to a vehicle owner or operator as part of a challenge to the violation; or (iv) be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation of this section or Code of Virginia, §§ 46.2-873 or 46.2-878.1, or such information is requested upon order from a court of competent jurisdiction. Information collected under this section pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of any civil penalties. The Smyth County Sheriff's Office shall annually certify compliance with this section and make all records pertaining to such system available for inspection and audit by the commissioner of highways or the commissioner of the department of motor vehicles or his designee. Any person who discloses personal information in violation of the provisions of this subsection shall be subject to a civil penalty of \$1,000.00 per disclosure. Any unauthorized use or disclosure of such personal information shall be grounds for termination of the agreement between the department of motor vehicles and the private entity.

(j) Conspicuous signs shall be placed within 1,000 feet of any school crossing zone or highway work zone at which a photo speed monitoring device is used, indicating the use of the device. There shall be a rebuttable presumption that such sign was in place at the time of the commission of the speed limit violation.



3/10/2022 5:12 PM Charles Wassum, 321 Wasson Circle, Marion spoke in opposition to the cameras being able to monitor citizen activities. Mr. Wassum said if the police are not monitoring the cameras, then he would be against it and sees the potential for mischief.

Chair, Atkins District Supervisor Charles Atkins noted that all captured speeders must be reviewed first by the Smyth County Sheriff's Office before any ticket is issued.


North Fork District Supervisor Phil Stevenson said that he understands Mr. Wassum's concerns on privacy but added as the ordinance states it is for school and work zones only.


Mr. Stevenson said he has worked on the highway and that he will give up some camera privacy to look out for the children and their safety. Mr. Stevenson also added that he would like to have cameras installed on the Back of the Dragon but realizes that it is not possible at this time.

Vice Chair, Rye Valley District Supervisor Lori Deel added that with the increase of sex trafficking that the "Be on The Lookout (BOL)" would also be captured with the speed cameras as well.

Sheriff, Chip Shuler spoke regarding the speed cameras and the zones that would be monitored. Sheriff Shuler added that he would do anything to keep the children and those passing through all zones safe. Sheriff said that the speed studies that were done were atrocious and mind boggling. Sheriff added that with the camera having the license plate reader capabilities that he can't be against it due to all the good that would come of it. Sheriff also added that there will be several warnings that you are about to get your photo taken in these zones and said that if it saves just one life then it is worth it.

Royal Oak District Supervisor Courtney Widener said that the only time the speed cameras would be capturing speed is only during the active times of those zones and would be indicated with flashing lights. Mrs. Deel added that the company can be informed to disable the camera from those zones if school is closed and Mr. Sturgill agreed saying that notifications will be sent out indicating if schools are closed.

 3/10/2022 5:33 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing on the Camera Speed Monitoring and Enforcement in Highway Work Zones and School Crossing Zones Ordinance.

 3/10/2022 5:20 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to waive the rules of public hearings for this specific hearing and adopt the Smyth County Code of Ordinances, Chapter 44, Article VI Camera Speed Monitoring and Enforcement in Highway Work Zones and School Crossing Zones Ordinance as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion.


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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/10/2022 5:21 PM Bill Tanger, a representative of the Friends of Glade Mountain spoke regarding the 70 plus years that people have been accessing Glade Mountain and National Forest Road. Mr. Tanger said for many years people were accessing the Appalachian Trail in this area until back in 2008 when a single property owner posted signs and notices along the road and because of those signs most people are intimidated and don't go into the trail from that location anymore. Mr. Tanger asked the Board for their help in restoring the public access to this section by sending either an email or writing a letter of support. Mr. Tanger indicated that they are heading back to court with the owner and added that the owner had previously tried to get it thrown out. Information was passed out to Board Members of affidavits of people who had previously worked on this section of the road adding that it had previously been a VDOT maintained road.

North Fork District Supervisor Phil Stevenson noted if the case is filed in court, the judge would make the final decision, not the Board of Supervisors. Mr. Stevenson said he is all for the road being able to be accessed but to be fair would like to hear both sides of the story before he would put his signature on anything. Mr. Utt indicated that he has an upcoming meeting with VDOT and will stay in touch with Mr. Tanger on this issue. Discussion ensued.

- *A motion was made by North Fork District Supervisor Phil Stevenson to table any action concerning a letter of support for the Friends of Glade Mountain.*

Saltville District Supervisor Roscoe Call seconded the motion.


After consideration, the motion PASSED by the following vote:

*AYES: Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Phil Stevenson,
Saltville District Supervisor Roscoe Call,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins

ABSENT: None.

 3/10/2022 5:43 PM Patty Youngman, Treasurer for the Rich Valley Fair Association discussed and read a letter to the Board requesting financial assistance to help with a new concession stand. Ms. Youngman added that the concession stand is a main source of income

in keeping the fair alive. Ms. Youngman discussed details of the request and what the current bid for construction was estimated to be and she thanked the Board for allowing her to come and present her request and for their continued support.

Luke Buchannan of Saltville who is a student at Northwood High School spoke regarding his involvement with FFA and the 4-H Horse Club. Mr. Buchannan echoed Ms. Youngman's request to help and added that his family has had a long history of participation in the Rich Valley Fair. Mr. Buchannan thanked the Board for their time.

North Fork District Supervisor Phil Stevenson said it was a breath of fresh air to see a young face and see the enthusiasm he shared. Atkins District Supervisor Charles Atkins said the Rich Valley Fair is the only fair in Smyth County. Mr. Atkins asked Ms. Youngman if she got the necessary funding when construction could begin on the project, and she said as soon as the contractor was available. Mr. Atkins suggested that the Board recommend sending the request to the Budget Committee for consideration. Saltville District Supervisor Roscoe Call noted that he would talk to the Mount Rogers Planning District Commission regarding this also as a potential funding source.

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to send the request from the Rich Valley Fair Association for the construction of a new commercial kitchen to the Budget Committee for consideration.*

North Fork District Supervisor Phil Stevenson seconded the motion.

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

NAYS: None.

ABSTAINERS: None.


ABSENT: None



3/10/2022 6:00 PM Chair, Atkins District Supervisor Charles Atkins called for a five-minute recess.



3/10/2022 6:06 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.

 3/10/2022 6:07 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the February 24th, 2022, meeting as presented.

North Fork District Supervisor Phil Stevenson seconded the motion.

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,
North Fork District Supervisor Phil Stevenson,
Saltville District Supervisor Roscoe Call,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/10/2022 6:08 PM Lisa Richardson, Assistant County Administrator, reviewed the County financial information.

 3/10/2022 6:12 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing:

<u>General County</u>	
Accounts Payable Listing 2/1/2022-2/28/2022	\$1,049,264.48
Total General County	\$1,049,264.48
<u>Fund Accounts</u>	
EDA Fund 4	\$27.00
CDBG Food Pantry Grant Fund 303	\$5,134.89
Sheriff Fund 748	\$7,829.44
Recovery Court Fund 749	\$32,639.59
Total Fund Accounts	\$45,630.92
TOTAL ACCOUNTS PAYABLE-FEBRUARY 2022	
	\$1,094,895.40

Chilhowie District Supervisor Michael Sturgill seconded the motion.

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


NAYS: None.

ABSTAINERS: None.


ABSENT: None.


 3/10/2022 6:13 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

 3/10/2022 6:13 PM Ashley Tolliver thanked the Board for the opportunity to speak. Ms. Tolliver expressed her continued concern with the proposed Truck Stop regarding the protected wetlands and increased traffic. Ms. Tolliver passed out information to the Board for review.

 3/10/2022 6:18 PM Rose Likins, Director of the Smyth County Public Library provided an update on the library and added that membership is back to the pre-pandemic participation rates. Ms. Likins reported they have added hotspots and tablets. She encouraged everyone to check it out. Ms. Likins noted that the library is currently working on the development of a new and improved website for the library. Ms. Likins invited the Board to attend the Library's Board of Trustees meeting that will be held on March 17, 2022, at 5:30 p.m. and thanked the Board for allowing her to speak and provide an update.

Saltville District Supervisor Roscoe Call advised Ms. Likins that he was working on a Saltville representative for the Library Board. Vice Chair, Rye Valley District Supervisor Lori Deel asked Ms. Likins when "together time" would be starting back up at the library and she said in April.

 3/10/2022 6:21 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

 3/10/2022 6:21 PM Clegg Williams, Building & Zoning Administrator presented the Planning Commission's recommendation to approve JWM Enterprises, LLC request for Rezoning and Special Use Permit for Mining Operation.

- *After discussion by the Board, a motion was made by North Fork District Supervisor Phil Stevenson to uphold the Planning Commission's recommendation and to approve JWM*

Enterprises, LLC request to rezone approximately 14 acres addressed at 2312 Lee Highway and 2340 Lee Highway, Marion, Virginia, and identified as Tax Map Nos. 56G-1-42, 56G-1-42A, 56G-1-41B, the Eastern Portion of 56G-A-3, and the Eastern Portion of 56G-1-41A from Commercial to Industrial and to then approve a Special Use Permit to establish a mining, quarrying, mineral extraction, and processing operation.

Rye Valley District Supervisor Lori Deel seconded the motion.


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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/10/2022 6:23 PM Clegg Williams, Building & Zoning Administrator presented the Planning Commission's recommendation to deny George Palmer's Special Use Permit to establish a Truck Stop at exit 39 in Marion, Virginia. Mr. Williams discussed the standards for a Special Use Permit with the Board and added that Mr. Soni would like to address some of the concerns.

 3/10/2022 6:24 PM Arpit Soni passed out the VDOT rules and regulations for the interchange to the Board and said they will meet all required standards. Mr. Soni said that the Special Use Permit is the first step in the site planning process. Mr. Soni also passed out information to each Board member regarding the floodplain. He indicated they are in the process of obtaining FEMA's approval for the proposed fill in the floodplain. Regarding the delineated wetlands, Mr. Soni indicated they would either comply with all applicable regulations or they would develop around the wetlands. Mr. Soni said since the public hearing another fuel brand, Circle K, is a possibility. Mr. Soni discussed the historical home on the property and said it is the owner's decision on the fate of the house. He also discussed the current state the home is in. Mr. Soni indicated that if all the proper permits are obtained, they hope to start development later this year or the first of next year. Vice Chair, Rye Valley District Supervisor Lori Deel asked Mr. Soni if the plan was to build a gas station or a truck travel center. Mr. Soni responded that he was planning a travel center similar to Love's or a T/A travel center, with phase one handling about 100 trucks and phase two around 500


trucks. Park District Supervisor Kris Ratliff asked Mr. Soni about the traffic study. Mr. Soni indicated he was aware of the required study and was prepared to have it done.

North Fork District Supervisor Phil Stevenson stated he was in favor of this Special Use Permit. Mr. Stevenson discussed the noise concern issues and said that when you pull in a travel stop now, with the new diesel engines running that you can't hear them. Mr. Stevenson also addressed the spill concern and said that they are regulated by the Environmental Protection Agency (EPA). Mr. Stevenson asked Mr. Williams how many people lived in the surrounding subdivisions and Mr. Williams provided those statistics. Mr. Stevenson stated he contacted the Washington County Sheriff's Department and asked about the number of calls to the truck stop in their County and they said they have very few.

Royal Oak District Supervisor Courtney Widener said that he has spoken with several people in his district and that there was an overwhelming support for the Truck Stop. Mr. Widener said one of the reasons he ran for the Board was to help move the County forward and be a voice for the citizens in his district.

Vice Chair, Rye Valley District Supervisor Lori Deel said it is important to share the feedback from constituents in her district as well. While some voiced concerns, she indicated that the majority of those that contacted her were in favor of the proposal.

Chair, Atkins District Supervisor Charles Atkins said he is in favor of the truck stop but wants it to be a quality travel center. Discussion followed.

 3/10/2022 7:01 PM *After discussion by the Board, a motion was made by North Fork District Supervisor Phil Stevenson to approve George Palmer's application for a Special Use Permit to establish a Truck Stop on the three tracts of land adjoining 416 Chestnut Ridge Road, Marion, Virginia contingent upon obtaining all Local, State and Federal permits and with a requirement that the Board of Supervisors be provided with a status update every six-months on the project.*

Saltville District Supervisor Roscoe Call seconded the motion.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



3/10/2022 7:03 PM Chair, Atkins District Supervisor Charles Atkins, called for a five-minute recess.



3/10/2022 7:11 PM Chair, Atkins District Supervisor Charles Atkins, called the meeting back to order.



3/10/2022 7:11 PM County Administrator, Shawn Utt read the minutes from the American Rescue Plan Act (ARPA) Committee meeting and presented the following recommendations:

- *Royal Oak District Representative David Collett made a motion to recommend funding the development of a Request for Proposal for the County-Wide Radio System in the amount of \$83,387 in ARPA Funds. Park District Representative Dr. Mike Robinson seconded the motion, and it was unanimously approved.*

After consideration, the ARPA Committee recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *A motion was made by Atkins District Representative Vincent Adams to recommend approving the Smyth Strong grant program request up to \$300,000 in ARPA funds. Royal Oak District Representative David Collett seconded the motion.*

After consideration, the ARPA Committee recommendation PASSED by the following vote:

*AYES: Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Phil Stevenson,*

*Saltville District Supervisor Roscoe Call,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff*

NAYS: Atkins District Supervisor Charles Atkins

ABSTAINERS: None.

ABSENT: None.



3/10/2022 7:15 PM County Administrator, Shawn Utt read the minutes from the Budget Committee meeting and presented the following recommendation:

- A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend going with Option 1 where Smyth County will be grants 100% of the \$320,000 in cash from the Smyth-Washington Industrial Facilities Authority while the remaining 42.124 acres of property remaining in the industrial park be transferred to Washington County. Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.*

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



3/10/2022 7:20 PM Park District Supervisor Kris Ratliff, read the minutes from the Insurance Committee meeting and presented the following recommendation:

- A motion was made by Atkins District Supervisor Charles Atkins to maintain The Local Choice health insurance proportional rates with the 7.4% increase. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.*

After consideration, the Insurance Committee recommendation PASSED by the following vote:

*AYES: Atkins District Supervisor Charles Atkins
Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Courtney Widener,*

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/10/2022 7:22 PM County Administrator, Shawn Utt read the minutes from the Public Safety Committee meeting and presented the following recommendation:

- A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend the approval of the creation of the Request for Proposal/Bid specifications for the County-Wide Radio System and the authorization of the County Administrator to execute the necessary agreements. Royal Oak District Supervisor Courtney Widener seconded the motion, and it was unanimously approved.*


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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/10/2022 7:29 PM Emergency Services Coordinator, Curtis Crawford, presented information regarding the Emergency Management Professionals Week proclamation. Mr. Crawford noted that the week of March 13th-19th, 2022 has been designated as Emergency Management Week by the Governor of Virginia. Mr. Crawford asked the Board to consider adopting the following resolution.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION FOR EMERGENCY MANAGEMENT WEEK DECLARATION

WHEREAS, the Commonwealth of Virginia has established a state program of emergency management and requires localities to have emergency management programs to address the array of threats and hazards to which the people of the Commonwealth are vulnerable; and

WHEREAS, emergency management protects communities by coordinating and integrating all activities necessary to build, sustain, and improve the capability to mitigate against, prepare for, respond to, and recover from threatened or actual natural disasters and acts of terrorism and other man-made disasters; and

WHEREAS, emergency management professionals play an under-recognized yet indispensable role in providing the leadership, management, and operational skills necessary to enable their communities, organizations, and agencies to develop emergency plans and procedures, ensure personnel are adequately trained and exercise plans, provide emergency warnings, notifications, and alerts, and acquire resources to protect lives and property and enhance resiliency to emergency events; and

WHEREAS, emergency management professionals direct or support emergency operations, maintain dedicated emergency operations centers in 24/7 readiness, and actively serve operationally throughout the cycle of emergency events; and

WHEREAS, emergency management professionals communicate and coordinate with a broad network of partners at the federal, state, regional, and local levels of government, in the private sector, and at nongovernmental organizations and with the general public; and

WHEREAS, emergency management professionals possess extensive knowledge of the hazards and risks that threaten the Commonwealth and its communities, the specific programs and strategies available to address them, applicable federal, state, and local laws and compliance guidelines, and the roles of critical partners essential to effective preparedness, response, and disaster recovery; and

WHEREAS, emergency management professionals assist allied professionals in the medical community and in emergency response, business, nonprofit, and faith organizations to achieve preparedness, response, and recovery capabilities; and

WHEREAS, a well-prepared and resilient community is the ultimate goal of emergency management; and

WHEREAS, emergency management professionals serve as the critical link between government and those they serve; public outreach and public education undergird the effectiveness of all emergency management efforts; and

WHEREAS, the Smyth County Board of Supervisors is proud to honor the service and commitment of its emergency management professionals and recognize their contributions to the lives, health, and safety of all who live, visit, and do business in the Commonwealth; and

WHEREAS, the Senate, the House of Delegates concurring, That the General Assembly designate the third week in March, in 2021 and in each succeeding year, as Emergency Management Professionals Week in Virginia.

THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors recognizes that the third week of March, in 2022 as Emergency Management Professionals Week in Smyth County.

Adopted this the 10th day of March, 2022

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles Atkins, Chair

- *Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to adopt the Resolution for Emergency Management Week Declaration as presented.*

Saltville District Supervisor Roscoe Call seconded the motion.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



3/10/2022 7:31 PM Clegg Williams, Building & Zoning Administrator discussed the property located at 366 N. Overlook Drive, Marion, Virginia. Mr. Williams explained that the home caught fire in September 2020 and was left in an untenable condition. Mr. Williams referred to the photos attached in the agenda and asked the Board to consider scheduling a public hearing to consider the property under the County's nuisance ordinance. Discussion followed.

- *Saltville District Supervisor Roscoe Call made a motion to authorize Clegg Williams, Building & Zoning Administrator to schedule a public hearing to declare 366 N. Overlook Drive, Marion, Virginia a public nuisance once all notice issues are resolved.*

Chilhowie District Supervisor Michael Sturgill seconded the motion.


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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/10/2022 7:33 PM County Administrator, Shawn Utt reviewed the CDBG application for the Cardwell Town Water Project and advised the Board that as part of the grant application a second public hearing is needed. Mr. Utt asked the Board to consider the public hearing for March 24th, 2022, at 5:00 p.m. or shortly thereafter.

- *Chilhowie District Supervisor Michael Sturgill made a motion to authorize scheduling a Public Hearing for March 24th, 2022, at 5:00 p.m. or shortly thereafter in relation to the Community Development Block Grant funding for the Cardwell Town Line Replacement Project.*

Saltville District Supervisor Roscoe Call seconded the motion.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 3/10/2022 7:34 PM County Attorney Report –

Assistant County Attorney, Don Martin reported that he has talked with Scot Farthing and that the focus is currently on the County ordinance and nuisance issues. Mr. Martin also added that Mr. Farthing will be sending an email summarizing his latest efforts with updates.

 3/10/2022 7:36 PM County Administrator Report -

Mr. Utt had nothing to report at this time.



3/10/2022 7:36 PM Supervisor Comment Time -

Chair, Atkins District Supervisor Charles Atkins said he was happy to discuss the Travel Center and wishes it success. Mr. Atkins also said he appreciates everyone's point of view and discussions and noted that with a lot going on has hopes that things will start to grow throughout the County. Mr. Atkins said he would like to see something come in at Exit 54 now and get the interchange to grow as well.

Vice Chair, Rye Valley District Supervisor Lori Deel reiterated her appreciation for the Board member's taking their time to do their due diligence on the Travel Center. Mrs. Deel thanked the staff for getting prompt responses to their questions and added she wants to continue to see growth throughout the County and appreciates everyone involved.

Chilhowie District Supervisor Michael Sturgill thanked all Emergency services personnel and said he was happy about the Emergency Management Week declaration. Mr. Sturgill said that the EMS & Fire Personnel are up all hours of the night and thinks that the awards ceremony is a good thing to do for them. Mr. Sturgill added that the Truck Stop decision tonight was in touch with the economic times and said that he hopes gas prices change for the better soon. Mr. Sturgill thanked everyone for working together and Mr. Stevenson for leading the discussion.

Royal Oak District Supervisor Courtney Widener reiterated the importance of all things discussed and added the wetland's, endangered species are a few of the issues that the Board does not control unfortunately. Mr. Widener said he has lost sleep over the decision he would make on the proposed Truck stop and added that with the constituents in his district that were opposed was not taken lightly. Mr. Widener thanked everyone for working together and wished Mr. Palmer and Mr. Soni luck as they move along on their project.

Park District Supervisor Kris Ratliff thanked Mr. Stevenson for his eloquent role in helping each of them understand the decision-making progress and for making the Truck Stop an easily understood subject. Dr. Ratliff noted that Covid is currently on a substantial down swing and encouraged everyone to get the booster if they have not done so yet. Dr. Ratliff said he thinks there will be another round of Covid in the Fall and for everyone to be prepared. Dr. Ratliff also thanked the Board and staff in leadership in emotional times with the subjects discussed tonight and thanked Mr. Williams for all his hard work.

North Fork District Supervisor Phil Stevenson said he gives credit to Clegg Williams and that he was impressed with his knowledge, his diligence and how sincere he is about his job. Mr. Stevenson also said he was impressed with Mr. Utt and that he appreciated his concern. Mr. Stevenson said after a Board meeting, he is up all-night thinking and often will question himself on why he continues to do what he does. Mr. Stevenson said when someone compliments you and the support and welcome you have that it makes it all worth hanging

around for. Mr. Stevenson added that the Board does have a tough job to do and that he has never been more excited than he is tonight for the Truck Stop and said he thinks it will be a spark for Smyth County.

Saltville District Supervisor Roscoe Call thinks that the Board made a good decision tonight and added that Mr. Stevenson made a lot of good points. Mr. Call said he appreciated everyone and for all to stay healthy and God Bless.

Don Martin, Assistant County Attorney made a comment regarding his last trip he made to the Ukraine. Mr. Martin said as he is sitting here tonight watching each of the Supervisors take their job so serious it makes him think about those poor people fearing for their lives fighting for what we have right here in this room and said he is glad the Board doesn't take it for granted.

- *Chilhowie District Supervisor Michael Sturgill made a motion to appoint Ms. Tara French to fill the unexpired term to end on 06-30-2022 for the Chilhowie District Supervisor Michael Sturgill Representative to the Economic Development Authority.*

Saltville District Supervisor Roscoe Call seconded the motion.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *Chilhowie District Supervisor Michael Sturgill made a motion to appoint John King and Philip Griffin to fill the open seats on the Local Selective Service Board with a ten-year term effective March 1, 2022.*

Saltville District Supervisor Roscoe Call seconded the motion.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



3/10/2022 7:50 PM With no further business to discuss, the meeting was adjourned. The next meeting will be March 24, 2022, at 5:00 p.m.

A meeting of the Animal Control Committee was held at the County Office Building Thursday, March 17, 2022, at 1:00 p.m.

Committee Members Present:

Royal Oak District Supervisor Courtney Widener, Chair
Saltville District Supervisor Roscoe Call

Committee Members Absent:

North Fork District Supervisor Phil Stevenson

Staff Members Present:

County Administrator, Shawn Utt
Assistant County Administrator, Lisa Richardson
Administrative Assistant, Paula Harvey
Officer Jonathan Cantrell, Animal Control

Chair, Atkins District Supervisor Charles Atkins called the meeting to order at 1:00 p.m.

The following animal damage claims were presented:

Bobby Mullins, 7905 Lee Highway, Rural Retreat, VA 24368– 2 Game Hens – After review and discussion:

Saltville District Supervisor Roscoe Call made a motion to approve the Smyth County Damage Claim form in the amount of \$12.00. Saltville District Supervisor Roscoe Call seconded the motion, and it was unanimously approved.

With no further business to discuss, the meeting was adjourned at 1:04 p.m.

A meeting of the Smyth County Appointment Committee was held at the County Office Building on Thursday, March 17, 2022, at 1:30 p.m.

Committee Members Present:

Saltville District Supervisor Roscoe Call, Chair
Royal Oak District Supervisor Courtney Widener
Atkins District Supervisor Charles Atkins

Staff Members:

County Administrator, Shawn Utt
Assistant County Administrator, Lisa Richardson
Administrative Assistant, Paula Harvey

Saltville District Supervisor Roscoe Call called the meeting to order at 1:30 p.m.

Mr. Utt reviewed the following information:

1. **Workforce Board** – Mr. Utt presented a nomination form for Larry Wyatt, Plant Manager of Innovative Millwork Technologies, to serve on the New River/Mount Rogers Workforce Investment Board as Smyth County's Business Leader seat. Mr. Utt explained that Mr. Wyatt has agreed to serve on the Board as the business representative.
 - *A motion was made by Atkins District Supervisor Charles Atkins to recommend appointing Larry Wyatt of Innovation Millwork Technologies to serve on the Workforce Board as their business representative. Royal Oak District Supervisor Courtney Widener seconded the motion, and it was unanimously approved.*

With no further business to discuss, the meeting was adjourned at 1:33 p.m.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Thursday, March 17, 2022, at 2:00 p.m.

Committee Members Present:

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

Committee Members Absent:

None

Staff Members:

County Administrator, Shawn Utt
Assistant County Administrator, Lisa Richardson
Administrative Assistant, Paula Harvey

Chair, Atkins District Supervisor Charles Atkins called the meeting to order at 2:01 p.m.

Dr. Dean Sprinkle, President of Wytheville Community College discussed and presented information on the request for the upcoming fiscal year. Dr. Sprinkle welcomed Shirley Pratt and Malcom Brown who currently serve on the Wytheville Community College Board as Smyth County representatives. Dr. Sprinkle discussed enrollment numbers and talked about the different programs offered to students. Dr. Sprinkle respectfully asked the Board of Supervisors to consider Wytheville Community College's FY22/23 budget request in the amount of \$19,332 and thanked the committee for allowing him to present his request.

Dr. Adam Hutchinson, President of Virginia Highlands Community College discussed information on their budget request for the upcoming FY22/23 fiscal year. Dr. Hutchinson thanked the Board for their support. Dr. Hutchinson said that VHCC was able to offer free tuition to all students for Fall of 2021 and Spring of 2022 to make sure everyone who wanted to go to college could do so. Dr. Hutchinson noted that only 29 students in Smyth County did not receive some type of financial support and discussed statistics and enrollment. Chilhowie District Supervisor Michael Sturgill thanked Dr. Hutchinson for the program of free tuition offered and said that many of the students who were thinking of attending a 4-year college chose to stay and go to VHCC and added that the parents were very appreciative of that. Dr. Hutchinson respectfully asked the Board of Supervisors to consider Virginia Highlands Community College's FY22/23 budget request in the amount of \$ 49,732 and thanked the committee for allowing him to present his request. He also noted that he would be working with Dr. Sprinkle to develop a plan to present to the committee in the near future to help fund all community college tuition for students from Smyth County.

Dr. Dennis Carter, Superintendent of Smyth County Public Schools gave a presentation of the Smyth County Schools FY22/23 Budget development process. Dr. Carter said this was a heavy budget that includes lots of additional state and local funding and added that he is very thankful for everything the County does for the schools and our children. Dr. Carter discussed the process of determining the state revenue budgets (based on 3,845 students)

with the Governor's Budget set at \$42,810,407, the House Budget set at \$39,492,495 and the Senate Budget set at \$43,650,289. Dr. Carter added that from a conservative perspective, the SCSB has moved forward with the development of the FY23 Budget using the House Budget. Discussion ensued.

Mr. Utt said the County is very fortunate to have Dr. Carter as Smyth County Superintendent and he responded that two of them talk often, and he is thankful for all he does.

Mr. Utt presented the following for consideration:

Budget Amendment #8 - The County has been asked for the Board to consider a proposed budget amendment related to the CSA fund in the amount of \$557,029, which includes \$432,637 of state funding and \$124,392 in local funding.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend the approval of the FY21/22 Budget Amendment #8 to include \$557,029 which included \$432,637 of state funding and \$124,392 in local funding. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.*

County Administrator, Shawn Utt discussed and presented highlights of the FY22/23 fiscal year proposed budget as follows:

- Following the lead of the State with the proposed salary increases of 5% (or 4% increase with a 1% bonus), have been included with the same level of increase for County employees.
- Budgeted for an additional \$850,000 for Smyth County Schools. While the school board is only budgeting for an additional \$750,000, the County has set aside the additional funding due to not knowing where the state funding will land as the school board budget is based on the House budget. Mr. Utt said should the Senate's proposed budget come through, the County would need to come up with an additional \$165,000 in local funding.
- Provided for increase cost related to health insurance premium increases using the same proportional supplements for employees and dependent coverage the County has provided for the past several years.
- Increased funding support of Public Safety operations in both Fire and EMS
 1. Proposed an additional \$50,000 to be spread out among the 7 fire departments.
 2. Proposed an additional \$30,000 per Town for EMS services.
 3. Proposed the creation of the Smyth County EMS Department to be stationed in Atkins effective January 1, 2023.
- Continue to invest in the County through the CIP fund which includes the implementation of three current studies – Transfer Station, County-wide Water and Sewer Inflow and Infiltration.

He noted this was informational only and no action was necessary at this time. With no further business to discuss, the meeting was adjourned at 3:35 p.m.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION

SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #8

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, on January 27, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #6) for Fiscal Year 2021-2022 in the amount of \$100,792,202; and,

WHEREAS, on February 24, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #7) for Fiscal Year 2021-2022 in the amount of \$101,771,637; and,

WHEREAS, the aggregate amount of budget amendment #8 is \$557,029 which would increase the Fiscal Year 2021-2022 budget to a total of \$102,328,666 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 \$102,328,666.

BE IT FURTHER RESOLVED, the approval of this budget amendment #8 shall indeed constitute an appropriation of the same funds.

Adopted this the 24th day of March, 2022

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles Atkins, Chair

Exhibit A
FY 2021-22
Budget Amendment #8 (3-24-22)

Part 1. REVENUES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Budget with Amendment	Notes
FUND 001	Comprehensive Services Act	001-022500-0002	CSA - Pool Funds (State)	\$ (1,357,167)	\$ (432,637)	\$ (1,789,804)	Additional CSA State funding match
FUND 001	Capital Improvements	001-040000-0005	Local Funds Transfer	\$ (260,678)	\$ (124,392)	\$ (385,070)	Local funding from reserves
Total Revenues With Amendment				\$ (101,771,637)	\$ (557,029)	\$ (102,328,666)	

Part 2. EXPENDITURES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Amended Budget Amount	Notes
FUND 001	Comprehensive Services Act	001-083040-5701	CSA - Pool Funds	\$ 1,800,000	\$ 557,029	\$ 2,357,029	
Total Expenditures With Amendment				\$ 101,771,637	\$ 557,029	\$ 102,328,666	

Revenues	\$	(101,771,637)	\$	(557,029)	\$	(102,328,666)
Expenditures	\$	101,771,637	\$	557,029	\$	102,328,666
Difference	\$	-	\$	-	\$	-

121 Bagley Circle
Suite 200
Marion, VA 24354



Chris Austin
Director
(276) 783-8148
FAX (276) 783-6327

Smyth County Department of Social Services

MEMO

DATE: March 18, 2022

TO: Shawn Utt, County Administrator
Charlie Atkins, Budget Committee Chairman

FROM: Rodney Ford/CSA Report Preparer
Chris Austin, Chairman Smyth County CPMT

RE: CSA Pool Fund Budget Amendment Request

The Smyth County Community Policy and Management Team (CPMT) are requesting an FY21/22 CSA Budget Amendment in the amount of \$557,029.14. The total current budget is \$1,800,000 which includes a 23.36% local match. Of the original budget amount, \$1,618,154.65 has been expended through February 2022; leaving \$181,845.35 remaining. March 2022 Expenditures are \$153,335.99 resulting in a balance March 31, 2022 of \$28,509.36. The CPMT projects an additional \$585,538.50 will be needed in order to meet expenses for the remainder of fiscal year (April – June 2022). This budget amendment will require a local match of \$124,392.15 and State's portion will be the remaining \$432,636.99.

This request comes due to an excess of expenditures carried over From CSA FY 20/21 paid out of FY21/22 Budget early in the Fiscal year. Smyth County has 76 children currently in care @ an average cost of \$2,568.15/month for each child. Most removals of children and services requested are due to drug use, domestic violence, and mental health issues with both parents and children.

If you have any questions please contact Rodney w. Ford at 276-706-8387.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION IN RECOGNITION OF THE SECOND WEEK OF APRIL AS NATIONAL PUBLIC SAFETY COMMUNICATOR WEEK

WHEREAS, emergencies can occur at any time that require law enforcement, fire or emergency medical services; and,

WHEREAS, when an emergency occurs the prompt response of law enforcement officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS, the safety of our law enforcement officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Smyth County emergency communications center; and,

WHEREAS, Public Safety Telecommunicators (also known locally as our Dispatchers) are the first and most critical contact our citizens have with emergency services; and,

WHEREAS, Public Safety Telecommunicators are the single vital link for our law enforcement officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and,

WHEREAS, Public Safety Telecommunicators of Smyth County have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients in need; and,

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors declares the week of April 10 through 16, 2022, to be National Public Safety Telecommunicators Week in Smyth County, in honor of the men and women whose diligence and professionalism keep our County and citizens safe.

Adopted this the 24th day of March, 2022.

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles E. Atkins, Chair



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION FOR HIGHWAY SYSTEM CHANGES ON SCHOOL ACCESS ROUTE 9814

WHEREAS, the road described on the attached sketch and VDOT Form AM4.3 provides access for school traffic from State Route 601 to Sugar Grove Elementary School, a Smyth County Public School; and

WHEREAS, reconstruction of the road is complete and meets standards, deemed by the Virginia Department of Transportation, appropriate for the traffic anticipated; and

WHEREAS, construction was financed by sources other than those administered by the Virginia Department of Transportation; and

WHEREAS, the new road served the same school as served by those portions of old road identified on the project sketch and VDOT Form(s) AM4.3 to be abandoned, which portions no longer serve a public need; and

WHEREAS, the Smyth County School Board and this Board hereby guarantees a right of way of forty feet (40') and additional drainage and slope easements as necessary for maintenance of the road; and

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors requests the Virginia Department of Transportation to abandon Segment A-B, described on the attached sketch and VDOT Form AM4.3, from the secondary system of state highways, pursuant to §33.2-325 Code of Virginia; and

BE IT FURTHER RESOLVED, the Smyth County Board of Supervisors requests the Virginia Department of Transportation to add Segment A_C, described on the attached sketch and VDOT Form AM4.3, to the secondary system of state highways, pursuant to §33.2-325 Code of Virginia; and

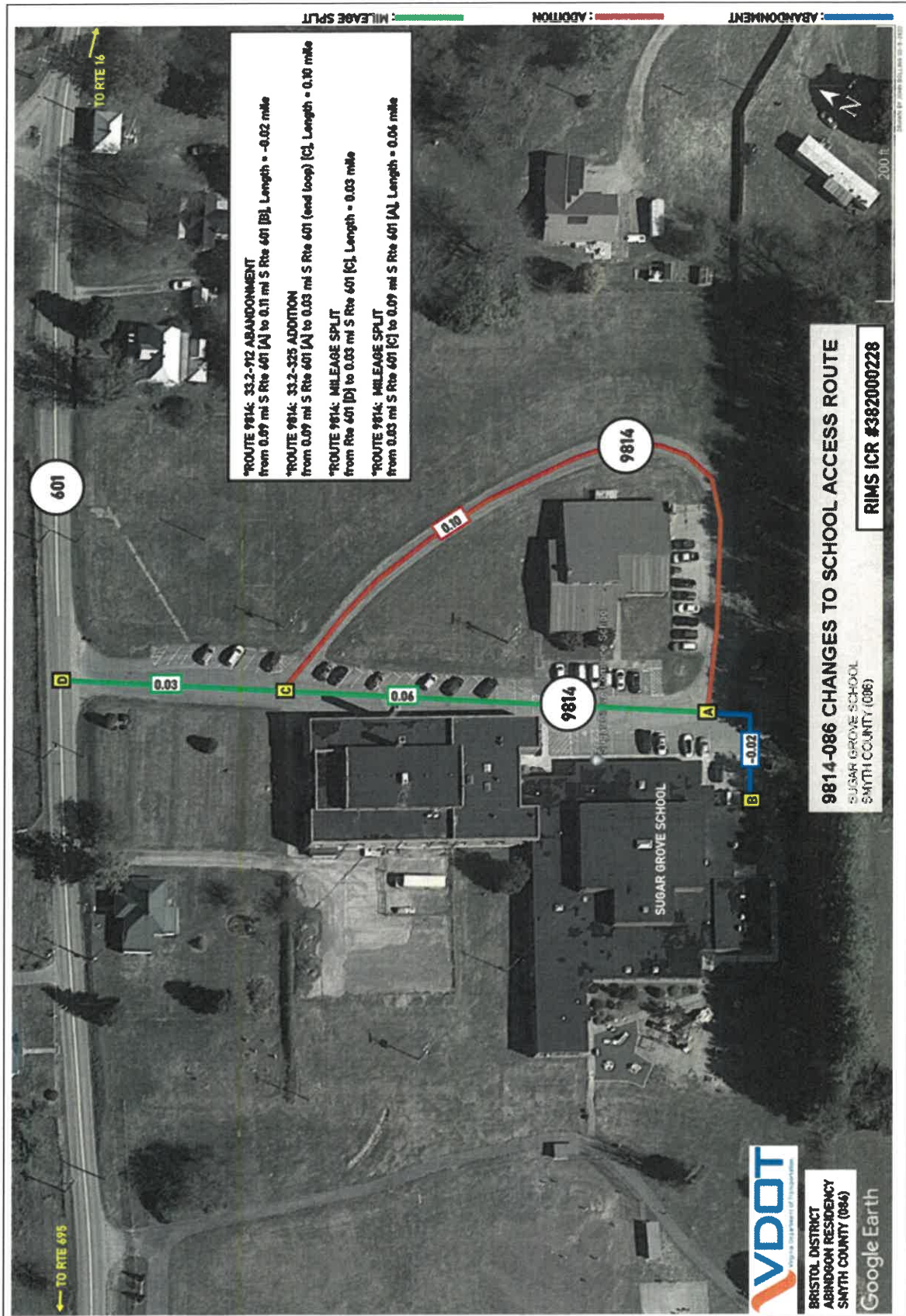
BE IT FINALLY RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Adopted this the 24th day of March, 2022 on a motion made by _____ and seconded by _____. The Board of Supervisors voted in the following manner:

NAME	FOR	AGAINST	ABSENT
Charlie E. Atkins	_____	_____	_____
Roscoe D. Call	_____	_____	_____
Lori H. Deel	_____	_____	_____
Kristopher S. Ratliff, DPh	_____	_____	_____
Charles P. Stevenson	_____	_____	_____
Michael L. Sturgill	_____	_____	_____
S. Courtney Widener	_____	_____	_____

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of March 24th, 2022.

Shawn Utt, Clerk of the Board



In Smyth County

By Resolution of the governing body adopted March 24, 2022

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee **Signed (County Official):** _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision 9814-086 SUGAR GROVE SCHOOL

Abandonment - Project by VDOT §33.2-912

Rte Number	Street Name	From Termini	To Termini	Length	Number Of Lanes	Recordation Reference	Right of Way Width
9814	SUGAR GROVE SCHOOL	0.09 MI S RTE 601 [A]	0.11 MI S RTE 601 [B]	0.02	2		30

Addition - School bus access §33.2-325

Rte Number	Street Name	From Termini	To Termini	Length	Number Of Lanes	Recordation Reference	Right of Way Width
9814	SUGAR GROVE SCHOOL	0.11 MI S RTE 601 [A]	0.03 MI S RTE 601 (END LOOP) [C]	0.1	2		40