

# Board of Supervisors



# SMYTH COUNTY, VA

Thursday, May 26, 2022

**#SMYTHSTRONG**



Smyth County, Virginia  
121 Bagley Circle, Suite 100  
Marion, Virginia 24354

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

County Administrator  
Asst. County Administrator – Operations  
Asst. County Administrator – Development

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

Shawn M. Utt  
Lisa Richardson  
Clegg Williams

**MEETING AGENDA**  
**SMYTH COUNTY BOARD OF SUPERVISORS**  
Thursday, May 26, 2022  
5:00 PM

- 1) **CALL MEETING TO ORDER** Board Chair  
*Pledge of Allegiance & Invocation*
- 2) **AMENDMENTS TO AGENDA** Board Chair
- 3) **PUBLIC HEARINGS** Board Chair
  - a. VDOT Secondary Six-Year Road Plan (Pg. 6-10)
  - b. FY 2021/22 Budget Amendment #10 (Pg. 11-13)
- 4) **PRESENTATIONS** *None Scheduled* Board Chair
- 5) **MINUTES OF PREVIOUS MEETINGS** Board Chair  
*Minutes of the May 12, 2022, meeting (Pg. 14-48)*
- 6) **CITIZENS TIME** Board Chair  
*The Board welcomes your input. You may address the Board using the sign-in sheet located in the rear of the room. At this time, you may address the Board on items that may or may not be on the agenda. Time limit is three (3) minutes.*
- 7) **OLD BUSINESS** Board Chair
  - a. Committee Reports
    - i. Budget Committee (Pg. 49-54)
    - ii. Comprehensive Plan Committee (Pg. 55)
    - iii. Solid Waste Committee (Pg. 56-74)
  - b. Utility Rate Ordinance (Pg. 75-78)
  - c. Resolution for County Operations and CIP Budget (Pg. 79-83)
  - d. Resolution for School Board Budget (Pg. 84)
  - e. Resolution Establishing Tax Rates for FY 2022/23 (Pg. 85)
- 8) **NEW BUSINESS** Board Chair
- 9) **REPORT FROM COUNTY ATTORNEY** Scot Farthing, County Att’y
- 10) **REPORT FROM COUNTY ADMINISTRATOR / STAFF** Shawn Utt, County Admin.
- 11) **SUPERVISOR COMMENT TIME** Board Members
- 12) **CLOSED SESSION**





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Shawn M. Utt  
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May 22, 2022

To: Members, Smyth County Board of Supervisors

CC: Smyth County Leadership Team

From: Shawn M. Utt, Smyth County Administrator

RE: Packet summary – May 26, 2022, Board meeting

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

1. **Call to Order, Pledge of Allegiance & Invocation** – The pledge of allegiance will be led by Utilities Clerk, Joanna Bryant. The invocation will be provided.
2. **Amendments to Agenda** – if any are necessary, they will be presented at the meeting.
3. **Public Hearings**
  - a. **VDOT Secondary Six-Year Road Plan** – We will have VDOT staff present for the meeting to present the proposed six-year plan. As discussed at the April 14<sup>th</sup> Board meeting, Carriage Road and Pugh Mountain Road were added in the later years of the plan as Rural Rustic Road widening projects. For your information, **enclosed (Att. 1)** is a copy of the public hearing advertisement, a spreadsheet from VDOT showing the projects in the six-year plan as well as a condensed version prepared by County staff. Due to timing related to VDOT's scheduling requirements, it will be requested that the Board consider waiving the rules of public hearings and take action on the resolution following the public hearing.
  - b. **FY 2021/22 Budget Amendment #10** – As we discussed at the May 12<sup>th</sup> Board meeting, we will need to hold a public hearing for the proposed budget amendment #10. For your information, a copy of the proposed budget amendment resolution and exhibit are **enclosed (Att. 2)**. Due to timing related to school-related expenses, it will be requested that the Board consider waiving the rules of public hearings and take action on the amendment resolution following the public hearing.
4. **Presentations** (*none scheduled*)
5. **Minutes of Previous Meeting(s)** – the minutes of the May 12<sup>th</sup>, 2022, meeting are **enclosed (Att. 3)** for the Board's review and approval.

6. **Citizen's Time** – Time has been set aside for citizens to provide comments to the Board on general items of interest or concern.
7. **Old Business Items:**
  - a. **Committee Reports:**
    - i. **Budget 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. **Comprehensive Plan 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. **Solid Waste 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.
  - b. **Utility Rate Ordinance** – Following the public hearing on May 12<sup>th</sup>, we have developed the **enclosed** (**Att. 7**) draft ordinance for your consideration. There are 3 options for the rates – 2.5% increase, 3.5 % increase (recommendation from Budget Committee) and the full 5% increase (recommendation from Davenport Utility Rate Study – 2021). One of these will need to be included in the Board's motion for action.
  - c. **County Operations and CIP Budget Resolution** – Following the public hearing on May 12<sup>th</sup>, we have developed the **enclosed** (**Att. 8**) draft resolution for your consideration. Similar to the action on the School Board Budget, it is likely that we will be reconsidering the budget following the General Assembly's action on the state budget.
  - d. **School Board Budget Resolution** – Following the public hearing on May 12<sup>th</sup>, we have developed the **enclosed** (**Att. 9**) draft resolution for your consideration. As we have stated in the past, it may be likely that we will need to reconsider their budget depending on the actions of the General Assembly. However, since we expect the state budget approval to likely extend into late June, we recommend having this in place just in case.
  - e. **Resolution Establishing Tax Rates for FY 2022/23** – The enclosed (**Att.10**) resolution establishes the official local tax rates for Real Estate, Tangible Personal Property, Airplanes, Machinery & Tools, and Merchants Capital. These are the same rates as the current fiscal year.
8. **New Business Items:** (*none scheduled*)
9. **Report from County Attorney:** Time has been reserved on the agenda to allow the County Attorney to provide input and various updates as needed.
10. **Report from County Administrator/Staff:** Time has been reserved on the agenda to allow the County Administrator and/or staff to provide input and various updates as needed.

**11. Supervisor Comment Time:** Roundtable discussion for individual Board members.

**12. Closed Session under Code of Virginia Section 2.2-3711(a)**

Under Code of Virginia §2.2-3711(a)3 (Solid Waste property update – 1 item)

**11. Supervisor Comment Time:** Roundtable discussion for individual Board members.

**12. Closed Session under Code of Virginia Section 2.2-3711(a)**

Under Code of Virginia §2.2-3711(a)3 (Solid Waste property update – 1 item)

***Public Hearing Notice***

The Virginia Department of Transportation and the Board of Supervisors of Smyth County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the Board Meeting Room of the Smyth County Government Center Building, 121 Bagley Circle, Marion, Virginia 24354 at **5:00 p.m. or as soon thereafter as possible on Thursday, May 26<sup>th</sup>, 2022.** The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2022/23 through 2027/28 in Smyth County and on the Secondary System Construction Budget for Fiscal Year 2022/23. Copies of the proposed Plan and Budget may be reviewed by contacting the Abingdon Residency Office of the Virginia Department of Transportation at (276) 676-5582 or at the Smyth County offices located at 121 Bagley Circle, Marion, Virginia 24354.

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

Persons requiring special assistance to attend and participate in this hearing should contact the Virginia Department of Transportation at (276) 676-5582. Persons wishing to speak at this public hearing should contact the Smyth County Board of Supervisors at (276) 783-3298.



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*Shawn M. Utt  
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Clegg Williams*

## RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS IN SUPPORT OF THE SECONDARY SIX-YEAR ROAD PLAN

At a regular meeting of the Board of Supervisors of the County of Smyth, held at the Smyth County Administration Building on Thursday, May 26<sup>th</sup> at 5:00p.m.

The following Board members were present were:

Atkins District Supervisor, Charles Atkins  
Chilhowie District Supervisor, Michael Sturgill  
North Fork District Supervisor, Phil Stevenson  
Park District Supervisor, Kris Ratliff

Royal Oak District Supervisor, Courtney Widener  
Rye Valley District Supervisor, Lori Deel  
Saltville District Supervisor, Roscoe Call

On motion by \_\_\_\_\_, seconded by \_\_\_\_\_ and carried:

**WHEREAS**, Sections 33.2-358 and 33.2-331 of the Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and,

**WHEREAS**, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2023 through 2028) as well as the Construction Priority List (2023) on May 26<sup>th</sup>, 2022 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and,

**WHEREAS**, Allan Sumpter, Residency Administrator, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2023 through 2028) and the Construction Priority List (2023) for Smyth County; and,

**NOW, THEREFORE, BE IT RESOLVED** that since said Plan appears to be in the best interests of the Secondary Road System in Smyth County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2023 through 2028) and Construction Priority List (2023) are hereby approved as presented at the public hearing.

**Adopted** this the 26<sup>th</sup> day of May, 2022.

**ATTEST:**

**SMYTH COUNTY  
BOARD OF SUPERVISORS**

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

\_\_\_\_\_  
Charles E. Atkins, Chair



District: Bristol  
County: Smyth County

## SECONDARY SYSTEM CONSTRUCTION PROGRAM (in dollars)

Board Approval Date:

2022-23 through 2027-28

Route	Road Name	Estimated Cost	Previous Funding	Additional Funding Required	PROJECTED FISCAL YEAR ALLOCATIONS						Balance to complete	Traffic Count
PPMS ID	Project #											Scope of Work
Accomplishment	Description											FHWA #
Type of Funds	FROM		SSYP Funding		2022-23	2023-24	2024-25	2025-26	2026-27	2027-28		Comments
Type of Project	TO		Other Funding									
Priority #	Length	Ad Date	Total									
Rt.0622	NICKS CREEK RD	PE \$200,056										
15018	0622086248	RW \$13,922	\$51,247		\$0	\$0	\$0	\$0	\$0	\$0		256
RAAP CONTRACT	RTE 622 - RECONSTRUCT EXISTING ROADWAY	CON \$2,076,886	\$2,558,028		\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
FH	0.09 KILOMETER NORTH ROUTE 16	Total \$2,290,864	\$2,609,275	(\$318,411)	\$0	\$0	\$0	\$0	\$0	\$0	(\$318,411)	16004
SECONDARY - ONE HEARING DESIGN 0001.03	1.925 KILOMETER SOUTH ROUTE 686 SOUTH 2.2	10/10/2007										ACCESS THRU NATIONAL FOREST; Forest Highway FundsPE101 & RW201 ALSO ASSIGNED.NO AD DATE FOREST FUNDS ON HOLD
Rt.0765	Cornett Road	PE \$0										
113754	0765086P23	RW \$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
STATE FORCES/HIRED EQUIPMENT	Rte. 765 - Cornett Road - Rural Rustic	CON \$175,000	\$175,000		\$0	\$0	\$0	\$0	\$0	\$0		17004
	Rte. 707	Total \$175,000	\$175,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	UNDERWAY, POSSIBLE ADDITIONAL EXPENDITURES
State forces/Hired equip CN Only 9999.99	0.70 ME Rte. 707 0.7	9/11/2024										
Rt.0760	Old Slash Road	PE \$0										
113873	0760086P24	RW \$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0		Reconstruction w/o Added Capacity
STATE FORCES/HIRED EQUIPMENT	Rte. 760 - Old Slash Road - Rural Rustic	CON \$195,500	\$195,500		\$0	\$0	\$0	\$0	\$0	\$0		17004
	Rte. 600	Total \$195,500	\$195,500	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	FULLY FUNDED
State forces/Hired equip CN Only 9999.99	1.00 ME Rte. 600 1.0	9/11/2024										

Rt.0729	Kegley Lane	PE	\$0									
115860	0729086P26	RW	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0	
STATE FORCES/HIRED EQUIPMENT	Rte. 729 - Kegley Lane - Rural Rustic	CON	\$83,850	\$44,585		\$39,265	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o Added Capacity
	RTE. 615	Total	\$83,850	\$44,585	\$39,265	\$39,265	\$0	\$0	\$0	\$0	\$0	17004
State forces/Hired equip CN Only 9999.99	0.30 MN RTE. 615 0.3											FULLY FUNDED JULY 2022
Rt.0652	Rosenbaum Hollow Road	PE	\$0									
115861	0652086827	RW	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0	
STATE FORCES/HIRED EQUIPMENT	Rte. 652 - Rosenbaum Hollow Road - Rural Rustic	CON	\$136,850	\$0		\$136,850	\$0	\$0	\$0	\$0	\$0	Reconstruction w/o Added Capacity
	DEAD END	Total	\$136,850	\$0	\$136,850	\$136,850	\$0	\$0	\$0	\$0	\$0	17004
State forces/Hired equip CN Only 9999.99	0.7											FULLY FUNDED JULY 2022
Rt. 653	Tilson Hollow Rd.	PE	\$0									
118439	653086845	RW	\$0	\$0		\$4,696	\$0	\$0	\$0	\$0	\$0	
STATE FORCES/HIRED EQUIPMENT	Rte 653 Tilson Hollow Rd - Rural Rustic	CON	\$279,500	\$0		\$0	\$192,774	\$82,030	\$0	\$0	\$0	Reconstruction w/o Added Capacity
	Rte 604	Total	\$279,500	\$0	\$279,500	\$4,696	\$192,774	\$82,030	\$0	\$0	\$0	17004
State forces/Hired equip CN Only 9999.99	Rte 645E 1.0											FULLY FUNDED JULY 2024
Rt. 798	Hale Lake Rd.	PE	\$0									
118440	798086846	RW	\$0	\$0		\$0	\$0	\$0	\$0	\$0	\$0	
STATE FORCES/HIRED EQUIPMENT	Rte 798 Hale Lake Rd - Rural Rustic	CON	\$39,100	\$0		\$0	\$0	\$39,100	\$0	\$0	\$0	Reconstruction w/o Added Capacity
	Rte 612	Total	\$39,100	\$0	\$39,100	\$0	\$0	\$39,100	\$0	\$0	\$0	17004
State forces/Hired equip CN Only 9999.99	0.20 mi E Rte 612 0.2											FULLY FUNDED JULY 2024

180,811   192,774   192,774   175,927   175,927   175,927

**NOTICE OF PUBLIC HEARING**

**Smyth County Board of Supervisors  
BUDGET AMENDMENT FOR FISCAL YEAR 2021-2022**

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

This amendment will increase the Fiscal Year 2021-2022 adopted budget by \$3,352,887 for additional School Board funds and American Rescue Plan Act (ARPA) funding designations. The new total budget amount will be \$105,681,553.

All interested persons may express their views by emailing [pharvey@smythcounty.org](mailto:pharvey@smythcounty.org) prior to the meeting. Written comments may also be mailed to the County Administrator Shawn Utt, 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, May 26, 2022. A copy of the proposed budget amendment is available for public review by contacting the County Administrator's Office. Anyone having questions regarding the above may contact the County Administrator's Office at 276-783-3298, Monday through Friday from 8:00 AM to 5:00 PM.

In compliance with the provisions of the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator at (276) 706-8315 at least 24 hours prior to the hearing.

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



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

## **RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #10**

**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**, on March 24, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #8) for Fiscal Year 2021-2022 in the amount of \$102,328,666; and,

**WHEREAS**, on April 14, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #9) for Fiscal Year 2021-2022 in the amount of \$102,418,666; and,

**WHEREAS**, the aggregate amount of budget amendment #10 is \$3,352,887 which would increase the Fiscal Year 2021-2022 budget to a total of \$105,771,553 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 \$105,771,553.

**BE IT FURTHER RESOLVED**, the approval of this budget amendment #9 shall indeed constitute an appropriation of the same funds.

**Adopted** this the 26<sup>th</sup> day of May, 2022

**ATTEST:**

**SMYTH COUNTY  
BOARD OF SUPERVISORS**

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

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

Exhibit A  
FY 2021-22  
Budget Amendment #10 (5-26-22)

Part 1. REVENUES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Budget with Amendment	Notes
FUND 001	Local Funds Transfer To	001-040000-0002	Smyth County School Board	\$ 10,872,295	\$ 210,678	\$ 11,082,973	Correct transfer from Budget Amendment #1
FUND 009	State School Funds	009-021010-0230	VA DOE ESSER Funds	\$ (3,119,948.19)	\$ (2,010,000)	\$ (5,129,948)	Additional ESSER Reimbursements
FUND 009	Local Funds Transfer From	009-022000-0001	Local Funds Transfer From	\$ (8,700,189.00)	\$ (210,678)	\$ (8,910,867)	Correct transfer from Budget Amendment #1
FUND 004	Economic Development Authority	004-010000-0008	Smyth Strong Fund	\$ -	\$ (300,000)	\$ (300,000)	ARPA Funding for Small Business Programming
FUND 502	Grant Funded Projects	502-012010-_____	SSES DEQ Grant	\$ -	\$ (75,000)	\$ (75,000)	Grant for sewer study on Route 16
FUND 502	Grant Funded Projects	502-012010-_____	MRPDC-Rt 16 Sewer	\$ -	\$ (25,000)	\$ (25,000)	Matching Grant for sewer study on Route 16
FUND 777	ARPA Fund	777-010001-0001	Rev. from Federal-ARPA	\$ -	\$ (942,887)	\$ (942,887)	Establishing ARPA Fund (Fund 777)
<b>Total Revenues With Amendment</b>				<b>\$ (102,418,666)</b>	<b>\$ (3,352,887)</b>	<b>\$ (105,771,553)</b>	

Part 2. EXPENDITURES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Amended Budget Amount	Notes
FUND 009	Smyth County School Operations	009-099990-5801	Instruction	\$ 37,809,472	\$ 1,100,000	\$ 38,909,472	ESSER Grant Project
FUND 009	Smyth County School Operations	009-099990-5802	Administration/Attendance	\$ 1,599,805	\$ 88,000	\$ 1,687,805	ESSER Grant Project
FUND 009	Smyth County School Operations	009-099990-5804	Facilities	\$ 6,573,216	\$ 512,000	\$ 7,085,216	ESSER Grant Project
FUND 009	Smyth County School Operations	009-099990-5805	Food Service	\$ 3,948,438	\$ 310,000	\$ 4,258,438	ESSER Grant Project
FUND 004	Economic Development Authority	004-012010-5404	Smyth Strong APRA Fund	\$ -	\$ 300,000	\$ 300,000	ARPA Funding for Small Business Programming
FUND 502	Capital Improvements Fund	502-012010-0285	Route 16 Sewer Study	\$ -	\$ 100,000	\$ 100,000	Grant funded project
FUND 777	ARPA Fund	777-010000-0001	County Wide Water Study	\$ -	\$ 85,000	\$ 85,000	ARPA Project
FUND 777	ARPA Fund	777-010000-0002	Blue Ridge Discovery Center	\$ -	\$ 250,000	\$ 250,000	ARPA Project
FUND 777	ARPA Fund	777-010000-0003	MRRP - Talent Solutions	\$ -	\$ 110,000	\$ 110,000	ARPA Project
FUND 777	ARPA Fund	777-010000-0004	Chilhowie Fire/EMS Acad'y	\$ -	\$ 364,500	\$ 364,500	ARPA Project
FUND 777	ARPA Fund	777-010000-0005	Smyth County Tourism	\$ -	\$ 50,000	\$ 50,000	ARPA Project
FUND 777	ARPA Fund	777-010000-0006	Smyth Co. 911-Radio Study	\$ -	\$ 83,387	\$ 83,387	ARPA Project
<b>Total Expenditures With Amendment</b>				<b>\$ 102,418,666</b>	<b>\$ 3,352,887</b>	<b>\$ 105,771,553</b>	

<b>Revenues</b>	\$ (102,418,666)	\$ (3,352,887)	\$ (105,771,553)
<b>Expenditures</b>	\$ 102,418,666	\$ 3,352,887	\$ 105,771,553
<b>Difference</b>	\$ -	\$ -	\$ -

The Smyth County Board of Supervisors held its regular meeting on Thursday, May 12, 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 - Operations Lisa Richardson; Assistant County Administrator - Development Clegg Williams; Administrative Assistant/Deputy Clerk Paula Harvey; County Attorney Scot Farthing; Economic Development Project Manager Kendra Hayden, Emergency Services Coordinator Curtis Crawford

**OTHERS:** Smyth County News & Messenger; Smyth County Sheriff's Deputy and citizens, Smyth County EMS Personnel, Smyth County Law Enforcement Personnel

 5/12/2022 5:00 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

 5/12/2022 5:01 PM Manual Street, Building GIS Coordinator led the Pledge of Allegiance and Sheriff, Chip Shuler gave the invocation.

 5/12/2022 5:03 PM Chair, Atkins District Supervisor Charles Atkins presented a Resolution honoring Smyth County Emergency Medical Services Personnel. Mr. Utt read the resolution for the record.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to adopt the Resolution in honor of appreciation to all County Emergency Medical Services Personnel designating May 15<sup>th</sup> through May 21<sup>st</sup>, 2022, as Emergency Medical Services Appreciation Week.*

**RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS  
IN HONOR OF ALL EMERGENCY MEDICAL SERVICE PERSONNEL**

**WHEREAS**, emergency medical services are a vital public service; and

**WHEREAS**, the members of the emergency medical services departments that are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, emergency medical services, since the 1950's, has grown to fill a gap by providing important, out of hospital care; and

**WHEREAS**, the emergency medical services system consists of first responders, emergency medical technicians, emergency medical dispatchers, firefighters, law enforcement, educators, administrators, and other trained members of the public; and

**WHEREAS**, the members of emergency medical departments, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and,

**WHEREAS**, in the past 2 years, the members of emergency medical departments have stood to meet the challenges brought forward by a unprecedented pandemic continued to meet the usual workload as well as the additional incidents brought on by the pandemic; and

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical service providers by designating Emergency Medical Services Week.

**NOW THEREFORE BE IT RESOLVED** that the Smyth County Board of Supervisors hereby commends all Emergency Services Personnel who serve this county for their dedication to the safety, health, and well-being of all County citizens, and,

**BE IT FURTHER RESOLVED** that the week of May 15<sup>th</sup> through 21<sup>st</sup>, 2022, shall be observed throughout the County as Emergency Medical Services Appreciation Week.

**SMYTH COUNTY  
ATTEST:**

**BOARD OF SUPERVISORS**

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Shawn M. Utt, Clerk

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Charles E. Atkins, Chair

*Royal Oak District Supervisor Courtney Widener seconded the motion.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,*



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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

The Board expressed thanks to all the County EMS & Law Enforcement Personnel and for the sacrifices they make each day.



5/16/2022 5:05 PM Chair, Atkins District Supervisor Charles Atkins presented a Resolution honoring Smyth County Law Enforcement.

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the Resolution in honor of appreciation for all County Law Enforcement Officers designating May 15<sup>th</sup> through May 21<sup>st</sup>, 2022, National Police Week.*

#### **RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS IN HONOR OF LAW ENFORCEMENT OFFICERS AND NATIONAL POLICE WEEK**

**WHEREAS**, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Smyth County Law Enforcement Agencies; and,

**WHEREAS**, since the first recorded death in 1786, more than 23,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and,

**WHEREAS**, the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC where 619 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 472 officers killed in 2021 and 147 officers killed in previous years; and,

**WHEREAS**, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 34<sup>th</sup> Candlelight Vigil, on the evening of May 13, 2022; and,

**WHEREAS**, the Candlelight Vigil is part of National Police Week, which will be observed this year May 15-21; and,

**WHEREAS**, May 15 is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff;

**THEREFORE, BE IT RESOLVED** that the Smyth County Board of Supervisors will observe May 15-21, 2022, as National Police Week in Smyth County, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

**Adopted** this the 12<sup>th</sup> day of May 2022.

**ATTEST:**

**SMYTH COUNTY  
BOARD OF SUPERVISORS**

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

\_\_\_\_\_  
Charles E. Atkins, Chair

*Chilhowie District Supervisor Michael Sturgill seconded the motion.*


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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: None.*

 5/12/2022 5:07 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for the General Obligation Bond regarding the solid waste transfer station improvements.

**NOTICE OF PUBLIC HEARING  
ON PROPOSED  
GENERAL OBLIGATION BOND FINANCING  
BY THE BOARD OF SUPERVISORS OF  
THE COUNTY OF SMYTH, VIRGINIA**

Notice is hereby given that the Board of Supervisors of the County of Smyth, Virginia (the "County") will hold a public hearing in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, on the issuance of one or more series of general obligation bonds (the "Bonds")

of the County in the estimated maximum principal amount of \$2,675,000 to finance certain capital improvement projects for the County's purposes. A resolution authorizing the issuance of the Bonds will be considered by the Board of Supervisors at its meeting on Thursday, May 12, 2022.


The public hearing, which may be continued or adjourned, will be held at 5:00 p.m., or as soon thereafter as the matter is heard on Thursday, May 12, 2022, before the Board of Supervisors in the First Floor Board Room of the County Office Building at 121 Bagley Circle, Suite 100, Marion, Virginia 24354.

All interested individuals are invited to attend and present oral or written comments.

David Rose with Davenport & Associates briefly discussed that they are on track to close with financing and added that nothing has changed since he was here last. Mr. Rose noted he was happy to answer any questions.

Chair, Atkins District Supervisor Charles Atkins asked Mr. Rose on how variable the interest rates were, and Mr. Rose indicated they are not variable that it is a fixed interest rate.

 5/12/2022 5:09 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing

 5/12/2022 5:10 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to waive the rules of public hearings for this specific public hearing. Chilhowie District Supervisor Michael Sturgill seconded the motion.


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

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

**NAYS:** None.

**ABSTAINERS:** None.

**ABSENT:** None.

 5/12/2022 5:11 PM A motion was made by Royal Oak District Supervisor Courtney Widener to approve the Resolution regarding the General Obligation Bond for the solid waste transfer station improvements.

At a meeting of the Board of Supervisors of Smyth County, Virginia, held on May 12, 2022  
the following persons were present or absent as shown:

PRESENT:

ABSENT:

On motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the following  
Resolution was adopted by a majority of the members of the Board of Supervisors present by a  
roll call vote, the votes being recorded as follows:

MEMBER

VOTE

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF SMYTH COUNTY,  
VIRGINIA AUTHORIZING THE ISSUANCE AND SALE OF GENERAL  
OBLIGATION BONDS**

WHEREAS, the Board of Supervisors of the Smyth County, Virginia (the "County"), has determined that it is advisable to issue its general obligation bond or bonds in the maximum principal amount of \$2,675,000 (the "Bonds") to finance the costs of various capital improvement projects in the County's Capital Improvements Program and other approved capital projects, [including without limitation, \_\_\_\_\_] (collectively, the "Projects") and the costs of issuing the Bonds.

WHEREAS, the Bonds are to be issued on the terms set forth in this Resolution, and a public hearing has been held on the date hereof on the issuance of the Bonds after due publication of notice in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended.

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

1. **Issuance of Bonds.** The Board of Supervisors of Smyth County, Virginia (the "Board") hereby determines that it is advisable and will benefit the inhabitants of the County through the promotion of their safety, health, welfare and prosperity to contract a debt and to issue and sell the Bonds on a tax-exempt or taxable basis in the maximum aggregate principal amount of \$2,675,000 in one or more series at one time or from time to time as may be requested by the County Administrator (the "**Authorized Representative**"). The proceeds from the issuance and sale of the Bonds shall be used to finance the costs of the Projects and the costs of issuing the Bonds, and the proceeds from the issuance.

2. **Pledge of Full Faith and Credit.** The full faith and credit of the County are hereby irrevocably pledged for the payment of the principal of, premium, if any, and interest on the Bonds as the same shall become due and payable. The Board is hereby authorized to and shall levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, an ad valorem tax upon all taxable property within the County, over and above all other taxes authorized or limited by law, and without limitation as to rate or amount, sufficient to pay when due the principal of, premium, if any, and interest on the Bonds to the extent other funds of the County are not lawfully available and appropriated for such purpose.

3. **Details and Sale of the Bonds.** The Authorized Representative is hereby authorized and directed to determine and approve the final details of the Bonds, including without limitation, the principal amount of the Bonds, the number of series, the series designation of the Bonds, the maturity date of the Bonds, the redemption provisions of the Bonds, the sale price of the Bonds, the interest rates and interest rate provisions on the Bonds, the issuance date, and any elections under the federal tax code; provided that (i) the maximum principal amount of Bonds shall not exceed \$2,675,000 and (ii) the terms of the Bonds shall be at least as favorable as those in the term sheet of Key Government Finance, Inc., dated April 15, 2022, except that the true interest cost of the Bonds shall not exceed 3.204% per annum (as the same may be amended or modified, the "Terms").

The Bonds shall be issued, in one or more series, upon the terms established pursuant to this Resolution and upon such other terms as may be determined in the manner set forth in this Resolution. The Bonds shall be issued in fully registered form, shall be dated such date as the Authorized Representatives may approve, shall be in the denominations of \$5,000 each or whole multiples thereof, may be issued at one time or from time to time in one or more series (with appropriate series designations), and the Bonds of any series shall be numbered from R-1 upwards consecutively.

The Bonds shall be directly placed with a financial institution based upon the bid process described to the Board. The County Administrator and the Treasurer are entitled to reject any or all bids. The Authorized Representative is hereby authorized to enter into any and all placement documents related to the direct placement and to select the holder after consultation with the County's financial advisor. If any Bonds are issued by direct placement, such Bonds shall be registered in the name of the holders thereof, or, if the County Administrator approves of such

designee, a designee selected by the holder, and such Bond may be delivered to the registered owner.

4. **Redemption of Bonds.** The Bonds may be subject to optional redemption, make-whole, or noncallable on such terms as the Authorized Representative may approve. The Bonds may also be subject to mandatory sinking fund redemption on such terms as the Authorized Representative may approve.

5. **Form of Bonds.** The Bonds shall be in substantially the form attached to this Resolution as Exhibit A, with such appropriate variations, omissions, and insertions as are permitted or required by this Resolution or subsequent resolution of the Board. There may be endorsed on the Bonds such legend or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

6. **Appointment of Bond Registrar and Paying Agent.** (a) The County Administrator and such officer or agent the County Administrator designates is hereby authorized and directed to appoint a Bond Registrar and Paying Agent for the Bonds.

(c) The County Administrator and such officer or agent the County Administrator designates may appoint a subsequent bond registrar and/or one or more paying agents for the Bonds upon giving written notice to the owners of the Bonds specifying the name and location of the principal office of any such bond registrar or paying agent.

7. **Execution of Bonds.** The County Administrator is hereby authorized and directed to execute on behalf of the County the Bonds. The Clerk of the Board of Supervisors is hereby authorized and directed to affix or to cause to be affixed the seal of the County to the Bonds and to attest such seal. The County Administrator is hereby authorized and directed to deliver the Bonds to the purchaser or purchasers thereof upon payment of the applicable purchase price. The manner of execution and affixation of the seal may be by facsimile, provided, however, that if the

8. signatures of the County Administrator and the Clerk of the Board of Supervisors are both by facsimile, the Bonds shall not be valid until signed at the foot thereof by the manual signature of the Bond Registrar.

9. **Registration, Transfer and Exchange.** (a) Upon surrender for transfer or exchange of any Bond at the principal office of the Bond Registrar, the County shall execute and deliver and the Bond Registrar shall authenticate in the name of the transferee or transferees a new Bond or Bonds of any authorized denomination in an aggregate principal amount equal to the Bond surrendered and of the same form and maturity and bearing interest at the same rate as the Bond surrendered, subject in each case to such reasonable regulations as the County and the Bond Registrar may prescribe. All Bonds presented for transfer or exchange shall be accompanied by a written instrument or instruments of transfer or authorization for exchange, in form and substance reasonably satisfactory to the County and the Bond Registrar, duly executed by the registered owner or by his or her duly authorized attorney-in-fact or legal representative. No Bond shall be registered to bearer.

(c) New Bonds delivered upon any transfer or exchange shall be valid obligations of the County, evidencing the same debt as the Bonds surrendered, shall be secured by this Resolution, and entitled to all of the security and benefits hereof to the same extent as the Bonds surrendered.

10. **Charges for Exchange or Transfer.** No charge shall be made for any exchange or transfer of Bonds, but the County may require payment by the registered owner of any Bond of a sum sufficient to cover any tax or other governmental charge which may be imposed with respect to the transfer or exchange of such Bond.

11. **Tax Covenants.** The Authorized Representative is hereby authorized and directed to execute and deliver simultaneously with the issuance of any series of Bonds the interest on which is intended to be excludable from gross income for federal income tax purposes a tax certificate or agreement, or both (collectively, the "**Tax Agreement**") setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to comply with the provisions of the Internal Revenue Code of 1986, as amended (the "**Tax Code**"), including the provisions of Section 148 of the Tax Code and applicable regulations relating to "arbitrage bonds." The proceeds from the issuance and sale of any such series of the Bonds will be invested and expended as set forth in the Tax Agreement and that the County will comply with the other covenants and representations contained in it.

12. **Further Actions.** (a) The Authorized Representative and such other officers and agents the Authorized Representative may designate are also authorized and directed to execute and deliver on behalf of the County such instruments, documents, or certificates, and to do and perform such things and acts and to take such further action, as they shall deem necessary or appropriate to carry out the transactions authorized by this Resolution or contemplated by the Bonds.

(b) All actions taken by officers and agents of the County in connection with the issuance and sale of the Bonds are hereby ratified and confirmed. The officers and agents of the County are hereby authorized and directed to take such further actions as each deems necessary

(c) regarding the issuance and sale of any series of Bonds and all actions taken by such officers and agents in connection with the issuance and sale of any series of Bonds are hereby ratified and confirmed.

13. **Exercise of Discretion and Authorizations.** Any authorization of an officer of the County under this Resolution entitles such officer to exercise his or her discretion in taking action on behalf of the County, unless expressly provided otherwise. The authorizations granted in this Resolution to the County Administrator or the Clerk of the Board of Supervisors, or any combination of the foregoing, may be carried out by any Acting, Assistant, Deputy, or Interim County Administrator (with respect to authorizations granted to the County Administrator), and any Deputy or Assistant Clerk (with respect to authorizations granted to the Clerk of the Board of Supervisors), in the unavailability of the primary officer.

14. **Filing of Resolution.** The County Attorney, or such party as the County Attorney designates, is hereby authorized, and directed to file or cause to be filed a certified copy of this

Resolution with the Circuit Court of Smyth County pursuant to Sections 15.2-2607 and 15.2-2641 of the Code of Virginia of 1950, as amended.

15. **Effective Date.** This Resolution shall take effect immediately.

[Remainder of page intentionally left blank]

## **EXHIBIT A**

### **Form of Bond**

R-1

**UNITED STATES OF AMERICA  
COMMONWEALTH OF VIRGINIA**

**SMYTH COUNTY, VIRGINIA**

**GENERAL OBLIGATION BOND  
SERIES 2022**

**MATURITY DATE**

**January 15, 2037**

**DATED DATE**

**May [ ], 2022**

**INTEREST RATE**

**3.204%**

**REGISTERED OWNER:**

**KEY GOVERNMENT FINANCE, INC.**

**PRINCIPAL AMOUNT:**

**\_\_\_\_\_ MILLION \_\_\_\_\_ THOUSAND \_\_\_\_\_ DOLLARS  
(\$\_\_\_\_\_)**

SMYTH COUNTY, VIRGINIA (the "County"), for value received, acknowledges itself indebted and promises to pay to the registered owner of this Bond or legal representative (i) interest on the principal amount of this Bond at the rate specified above per annum, payable semiannually on January 15 and July 15 commencing on July 15, 2022, and (ii) principal payments on this Bond, as set forth in the payment schedule attached hereto as Schedule I and made a part hereof. Subject to the foregoing principal payment requirements, principal and interest on this Bond shall be due and payable in full on the maturity date.

This Bond shall bear interest (a) from May [ ], 2022, if this Bond is authenticated before July 15, 2022, or (b) otherwise from the January 15 or July 15 that is, or immediately precedes, the date on which this Bond is authenticated; provided that, if at the time of authentication of this Bond, interest on this Bond is in default, this Bond shall bear interest from the date to which interest has been paid. Both principal of and interest on this Bond are payable in lawful money of the United States of America. Interest shall be calculated on the basis of a year of twelve 30-day months and 360 days. The principal of and interest on this Bond are payable by check or draft mailed or, if requested by the registered owner, by wire transfer to the registered owner hereof at its address as it appears on the registration books maintained by the County's Treasurer, as Bond



Registrar and Paying Agent (the "Bond Registrar") or the wire instructions provided by the registered owner, without presentation of this Bond; provided that the final payment of principal of this Bond shall be payable only upon presentation and surrender hereof at the office of the Bond Registrar.

This Bond has been duly authorized by the Board of Supervisors of the County (the "Board of Supervisors") and is issued for the purpose of financing various capital improvements of the County and financing the costs of issuing this Bond. The full faith and credit of the County are irrevocably pledged for the payment of the principal of and premium, if any, and interest on this Bond in accordance with its terms.

This Bond is issued under the authority of and in full compliance with the Constitution and statutes of the Commonwealth of Virginia, and, more particularly, issued pursuant to the Public Finance Act of 1991, Chapter 26 of Title 15.2 of the Code of Virginia of 1950, as amended, and a resolution adopted by the Board of Supervisors on May 12, 2022 (the "Resolution").

This Bond is a general obligation debt of the County, and the full faith and credit of the County are irrevocably pledged to the payment of principal of and interest on this Bond.

This Bond may be redeemed before its maturity at the option of the County in whole, but not in part, at any time after May 20, 2023, or from time to time upon payment of the principal amount to be redeemed together with the interest accrued thereon to the date fixed for redemption.

If this Bond is called for redemption, the Bond Registrar shall send notice of the call for redemption identifying the redemption date and price and the place where this Bond is to be surrendered for payment, by facsimile transmission, electronic mail, registered or certified mail or overnight express delivery not less than thirty days before the redemption date to the registered owner of this Bond at such owner's address as it appears on the registration books maintained by the Bond Registrar, but failure to mail such notice shall not affect the validity of the proceedings for redemption. Provided funds for its redemption are on deposit at the place of payment on the redemption date, this Bond shall cease to bear interest on such date, shall no longer be secured by the Resolution and shall not be deemed to be outstanding.

If at the time of mailing any notice of optional redemption there has not been deposited with the paying agent for this Bond moneys sufficient to redeem this Bond, the notice may state that it is conditional on the deposit of redemption moneys with the paying agent not later than the opening of business on the redemption date.

This Bond is issuable as a fully registered bond in denominations of \$100,000 and any amount in excess thereof. This Bond may be exchanged for a like aggregate principal amount of Bonds of the same maturity of other authorized denominations at the principal office of the Bond Registrar.

During the term of this Bond, the County shall provide to the holder of this Bond audited financial statements, including any operating information within 270 days after the end of each of the County's fiscal years, commencing with its fiscal year ended June 30, 2022. The County shall be deemed to have complied with the requirements of the immediately preceding sentence by providing such audited financial statements to the Municipal Securities Rulemaking Board's

Electronic Municipal Market Access system website.

Upon a default in the payment of principal of or interest on this Bond when due and payable, the outstanding payments in default shall bear interest at the Default Rate. Default Rate means the current rate of interest borne by this Bond plus 3%. Upon the occurrence of a payment default and such default lasting longer than 90 days, all of the outstanding principal of this Bond shall bear interest at the Default Rate until the payment default has been cured.

Upon the occurrence of an Event of Taxability and for so long as this Bond remains outstanding, the interest rate on this Bond shall be converted to the Taxable Rate and this adjustment shall survive payment on this Bond until such time as the federal statute of limitation under which the interest on this Bond could be declared taxable under the Code shall have expired. Upon demand of the registered holder, the County shall pay an amount sufficient to supplement any previous interest paid on this Bond that is deemed taxable to the Taxable Rate.

Event of Taxability means (i) a Change in Law that changes the ability of the holder to exclude all or a portion of the interest on the Bond from its gross income for federal income tax purposes, or (ii) a final decree or judgment of any federal court or a final action of the Internal Revenue Service determining that interest paid or payable on all or a portion of the Bond is or was includable in the gross income of the holder for federal income tax purposes; provided, that no such decree, judgment, or action will be considered final for these purposes, however, unless the County has been given written notice and, if it is so desired and is legally allowed, has been afforded the opportunity to contest the same, either directly or in the name of any holder, and until the conclusion of any appellate review, if sought.

Such an Event of Taxability shall mean and shall be deemed to have occurred on the first to occur of the following:

- (a) on the effective date of any change of law that that changes the ability of the holder to exclude all or a portion of the interest on the Bond from its gross income for Federal income tax purposes;
- (b) on that date when the County files any statement, supplemental statement, or other tax schedule, return or document which discloses that an Event of Taxability shall have in fact occurred;
- (c) on the date when the holder of this Bond or any prior holder notifies the County that it has received a written opinion by any attorney or firm of attorneys of recognized standing on the subject of tax-exempt municipal finance to the effect that an Event of Taxability shall have occurred unless, within 180 days after receipt by the County of such notification from such holder or any prior holder, the County shall deliver to each holder and prior holder (A) a ruling or determination letter issued to or on behalf of the County by the Director or any District Director of Internal Revenue (or any other governmental official exercising the same or a substantially similar function from time to time) or (B) a written opinion by an attorney or firm of attorneys or recognized standing on the subject of tax-exempt municipal finance in either case to the effect that,

after taking into consideration such facts as form the basis for the opinion that an Event of Taxability has occurred, an Event of Taxability shall not have occurred;

(d) on the date when the County shall be advised in writing by the Director or any District Director of Internal Revenue (or any other government official or agent exercising the same or a substantially similar function from time to time) that, based upon filings of the County or upon any review or audit of the County or upon any other ground whatsoever, an Event of Taxability shall have occurred;

(e) on that date when the County shall receive notice from the holder or prior holder that the Internal Revenue Service (or any other government official or agency exercising the same or a substantially similar function from time to time) has assessed as includable in the gross income of such holder or any prior holder the interest on the Bond paid to such holder or prior holder due to the occurrence of an Event of Taxability (a "Determination of Taxability"); provided, however, that no Event of Taxability shall occur under clauses (c) or (d) above unless the County has been afforded the opportunity, at its expense, to contest any such assessment; and provided further that no Event of Taxability shall occur until such contest, if made, has been finally determined; and provided further that upon demand from any holder or any prior holder, the County shall immediately reimburse such holder or prior holder for any payments such holder (or any prior holder) shall be obligated to make as a result of the Determination of Taxability during any such contest; or

(f) on the date when the County shall be advised in writing of a final decree or judgment from a court holding that an Event of Taxability shall have occurred.

Change in Law means the occurrence, after the date of this Bond, of any of the following: (a) the adoption or taking effect of any law, rule, regulation or treaty, (b) any change in any law, rule, regulation or treaty or in the administration, interpretation, implementation or application thereof by any governmental authority or (c) the making or issuance of any request, rule, guideline or directive (whether or not having the force of law) by any governmental authority; provided that notwithstanding anything herein to the contrary, (i) the Dodd-Frank Wall Street Reform and Consumer Protection Act and all requests, rules, guidelines or directives thereunder or issued in connection therewith and (ii) all requests, rules, guidelines or directives promulgated by the Bank for International Settlements, the Basel Committee on Banking Supervision (or any successor or similar authority) or, pursuant to the accord commonly referred to as "Basel III" or the United States or foreign regulatory authorities, shall in each case be deemed to be a "Change in Law," regardless of the date enacted, adopted or issued.

Taxable Rate means 4.056%.

This Bond may be transferred only by an assignment duly executed by the registered owner hereof or such owner's attorney or legal representative in the form attached to this Bond. Such transfer shall be made in the registration books kept by the Bond Registrar upon presentation and surrender hereof and the County shall execute, and the Bond Registrar shall authenticate and deliver in exchange, a new Bond or Bonds having an equal aggregate principal amount, in authorized denominations, of the same form and maturity, bearing interest at the same rate, and

registered in names as requested by the then registered owner hereof or such owner's attorney or legal representative. Any such exchange shall be at the expense of the County, except that the Bond Registrar may charge the person requesting such exchange the amount of any tax or other governmental charge required to be paid with respect thereto.

No consent or waiver, express or implied, to or of any breach or default in the performance of any obligation under this Bond or any or any other document executed by the County related thereto shall constitute a consent or waiver to or of any other breach or default in the performance of the same or any other obligation.

The County may designate a successor Bond Registrar and/or paying agent, provided that written notice specifying the name and location of the principal office of any such successor shall be given to the registered owner of this Bond. Upon registration of transfer of this Bond, the Bond Registrar shall furnish written notice to the transferee of the name and location of the principal office of the Bond Registrar and/or the paying agent.

The Bond Registrar shall treat the registered owner as the person exclusively entitled to payment of principal, premium if any, and interest and the exercise of all other rights and powers of the owner.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and statutes of the Commonwealth of Virginia to happen, exist or be performed precedent to the issuance of this Bond have happened, exist or been performed in due time, form and manner as so required and that the indebtedness evidenced by this Bond is within every debt and other limit prescribed by the Constitution and statutes of the Commonwealth of Virginia.

[Signature Page Follows]

IN WITNESS WHEREOF, the Board of Supervisors of Smyth County, Virginia, has caused this Bond to be signed by the County Administrator, a facsimile of the County's seal to be affixed and attested by the facsimile signature of the Deputy Clerk of the Board of Supervisors and this Bond to be dated the Dated Date.

**SMYTH COUNTY, VIRGINIA**

By \_\_\_\_\_  
County Administrator,  
Smyth County, Virginia

[SEAL]

ATTEST:

\_\_\_\_\_  
Deputy Clerk,  
Board of Supervisors of the  
Smyth County, Virginia

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

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(PLEASE PRINT OR TYPEWRITE NAME AND ADDRESS, INCLUDING ZIP CODE. OF ASSIGNEE)

PLEASE INSERT SOCIAL SECURITY OR OTHER IDENTIFYING NUMBER OF ASSIGNEE: \_\_\_\_\_

the within Bond and does hereby irrevocably constitute and appoint

\_\_\_\_\_, attorney, to transfer said Bond on the books kept for registration of said Bond, with full power of substitution in the premises.

Dated \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
Registered Owner

\_\_\_\_\_  
(NOTICE: Signature(s) must be guaranteed by an Eligible Guarantor Institution such as a Commercial Bank, Trust Company, Securities Broker/Dealer, Credit Union, or Savings Association which is a member of a medallion program approved by the Securities Association, Inc.)

(NOTICE: The signature above must correspond with the name of the Registered Owner as it appears on the books kept for registration of this Bond in every particular, without alteration or change.)

## SCHEDULE I

<b>Principal Payment Date (July 15)</b>	<b><u>Amount</u></b>
2023	\$[ ]
2024	
2025	
2026	
2027	
2028	
2029	
2030	
2031	
2032	
2033	
2034	
2035	
2036	
2037	

### CERTIFICATE OF AUTHENTICATION

The undersigned Bond Registrar hereby certifies that this is one of a series of Bonds of Smyth County, Virginia described in the within-mentioned Resolution.

Authentication Date: \_\_\_\_\_, 2022

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

The undersigned Clerk of the Board of Supervisors of Smyth County, Virginia certifies that the foregoing constitutes a true, complete and correct copy of the Resolution adopted at a meeting of the Board of Supervisors of Smyth County, Virginia held on May 12, 2022.

\_\_\_\_\_  
Clerk, Board of Supervisors of Smyth County,  
Virginia

Park District Supervisor Kris Ratliff seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

 5/12/2022 5:12 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing regarding the Proposed Utility Rate Increase.

Mr. Atkins read information regarding the proposed utility rate increase with the maximum of 5% and indicated that the increase would be effective July 1, 2022, if passed.

#### Public Hearing

#### Proposed Increase in Water and Sewer Rates

Pursuant to Section 15.2-2119 of the Code of Virginia, The Smyth County Board of Supervisors proposes to increase the rates charged for Water and Sewer services within the Smyth County systems as follows, effective July 1, 2022:

##### Water Rates – Residential

Current Rates		Proposed Rates – 5% increase	
0 – 1,000 gallons	\$22.50 minimum bill	0 – 1,000 gallons	\$23.63 minimum bill
1,001 – 6,000 gallons	\$9.75 per 1,000 gallons	1,001 – 6,000 gallons	\$10.24 per 1,000 gallons
6,001 and over	\$12.00 per 1,000 gallons	6,001 and over	\$12.60 per 1,000 gallons

##### Water Rates – Commercial

Current Rates		Proposed Rates – 5% increase	
0 – 4,000 gallons	\$52.48 minimum bill	0 – 4,000 gallons	\$55.10 minimum bill
Ea. add'l 1,000 gallons	\$12.00 per 1,000 gallons	Ea. add'l 1,000 gallons	\$12.60 per 1,000 gallons

##### Water Rates – Industrial

Current Rates		Proposed Rates – 5% increase	
0 – 25,000 gallons	\$243.68 minimum bill	0 – 25,000 gallons	\$255.86 minimum bill
E. add'l 1,000 gallons	\$12.00 per 1,000 gallons	Ea. add'l 1,000 gallons	\$12.60 per 1,000 gallons

***Sewer Rates – Residential***

<b>Current Rates</b>		<b>Proposed Rates – 5% increase</b>	
0 – 1,000 gallons	\$22.50 minimum bill	0 – 1,000 gallons	\$23.63 minimum bill
1,001 – 6,000 gallons	\$9.75 per 1,000 gallons	1,001 – 6,000 gallons	\$10.24 per 1,000 gallons
6,001 and over	\$12.00 per 1,000 gallons	6,001 and over	\$12.60 per 1,000 gallons

<b>Current Rate</b>		<b>Proposed Rate – 5% increase</b>	
Residential Flat Rate	\$49.80 per month	Residential Flat Rate	\$52.29 per month

***Sewer Rates – Commercial***

<b>Current Rates</b>		<b>Proposed Rates – 5% increase</b>	
0 – 4,000 gallons	\$52.48 minimum bill	0 – 4,000 gallons	\$55.10 minimum bill
Ea. add'l 1,000 gallons	\$12.00 per 1,000 gallons	Ea. add'l 1,000 gallons	\$12.60 per 1,000 gallons


***Sewer Rates –Industrial and Industrial Enterprise Zone***

<b>Current Rates</b>		<b>Proposed Rates – 5% increase</b>	
0 – 3,000 gallons	\$74.98 minimum bill	0 – 3,000 gallons	\$78.73 minimum bill
Ea. add'l 1,000 gallons	\$12.50 per 1,000 gallons	Ea. add'l 1,000 gallons	\$13.13 per 1,000 gallons

A Public Hearing will be conducted by the Smyth County Board of Supervisors on Thursday, May 12, 2022 beginning at 5:00 p.m., or shortly thereafter, in the Board of Supervisors meeting room, 121 Bagley Circle, Marion, Virginia. A copy of the present and proposed rate schedule is on file at the Smyth County Administrators Office, 121 Bagley Circle, Marion, Virginia and can be viewed between the hours of 8:00 am and 5:00 pm, Monday through Friday.

At this public hearing, subject to the rules of procedure of the Board of Supervisors of Smyth County, Virginia, any person may appear and state his/her views thereon. In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in this hearing should contact Clegg Williams, ADA Coordinator, at (276) 706-8315, at least 48 hours prior to the hearing.

By order of the Smyth County Board of Supervisors – Shawn M. Utt, County Administrator

 5/12/2022 5:14 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

 5/12/2022 5:14 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing regarding the Smyth County School Budget for FY2022/2023.

**NOTICE OF PUBLIC HEARING  
ON THE SMYTH COUNTY SCHOOL BUDGET  
FOR FISCAL YEAR COMMENCING  
July 1, 2022– June 30, 2023**

**On May 12, 2022 at 5:00 p.m., or shortly thereafter as may be heard**



This budget synopsis is prepared and published in accordance with Section 15.2-2506 and 22.1-93, of the Code of Virginia of 1950, as amended. The budget has been prepared and proposed on the basis of estimates made by the Smyth County School Board. The adoption of this proposed budget shall require a quarterly appropriation by the Smyth County Board of Supervisors as required in Section 15.2-2506 for any contemplated expenditures.

The Smyth County Board of Supervisors will conduct a hearing for the purpose of receiving public comments on the proposed School Board budget for the fiscal year beginning July 1, 2022. The public hearing will be held in the **Board of Supervisors meeting room, 121 Bagley Circle, Smyth County Office Building on May 12, 2022 at 5:00 p.m., or shortly thereafter as may be heard.**


Subject to the rules and procedures of the Board of Supervisors, at the above-mentioned day, time, and place any citizen of Smyth County may appear and express their opinion(s).


A full copy of the proposed Smyth County School Board budget is on file at the Office of the County Administrator, 121 Bagley Circle, Suite 100, Marion, Virginia, and may be viewed online at [www.smythcounty.org](http://www.smythcounty.org).


By order of the Smyth County Board of Supervisors  
Shawn Utt, County Administrator


<b>Smyth County School Board</b>			
<b>Operations Budget For the Year Ending June 30, 2023</b>			
<b>Revenue Summary for Operations Budget</b>			
	<b>2021-2022</b>	<b>2022-2023</b>	<b>Difference</b>
State Revenue	\$ 30,627,892	\$ 34,511,640	\$ 3,883,748
Local Revenue	\$ 8,489,511	\$ 9,239,797	\$ 750,286
Federal Revenue	\$ 5,529,055	\$ 6,144,533	\$ 615,478
State Sales Tax	\$ 4,969,764	\$ 5,135,955	\$ 166,191
Other Revenue	\$ 2,667,459	\$ 2,737,929	\$ 70,470
<b>TOTAL OPERATIONS</b>	<b>\$ 52,283,681</b>	<b>\$ 57,769,854</b>	<b>\$ 5,486,173</b>
<b>Expenditure Summary for Operations Budget</b>			
	<b>2021-2022</b>	<b>2022-2023</b>	<b>Difference</b>
Instruction	\$ 37,809,472	\$ 41,135,823	\$ 3,326,351
Administration	\$ 1,599,805	\$ 2,025,641	\$ 425,836
Transportation	\$ 2,615,943	\$ 2,813,181	\$ 197,238
Facilities	\$ 4,788,627	\$ 5,986,788	\$ 1,198,161
Food Service	\$ 3,948,438	\$ 4,088,368	\$ 139,930
Technology	\$ 1,521,396	\$ 1,720,053	\$ 198,657
<b>TOTAL OPERATIONS</b>	<b>\$ 52,283,681</b>	<b>\$ 57,769,854</b>	<b>\$ 5,486,173</b>

Smyth County School Board			
Capital Outlay and Debt Service Budget For the Year Ending June 30, 2023			
Revenue Summary for Capital Outlay and Debt Service Budget			
	2021-2022	2022-2023	Difference
Local Funds - Capital Outlay	\$ -0-	\$ -0-	\$ -0-
Local Funds - Debt Service	\$ 2,172,106	\$ 2,170,267	\$ (1,839)
Other Funds – Interest Rebate	\$ -0-	\$ -0-	\$ -0-
TOTAL CAPITAL OUTLAY	\$ 2,172,106	\$ 2,170,267	\$ (1,839)
Expenditure Summary for Capital Outlay and Debt Service Budget			
	2021-2022	2022-2023	Difference
Capital Outlay – Facilities	\$ -0-	\$ -0-	\$ -0-
Capital Outlay - Debt Service	\$ 2,172,106	\$ 2,170,267	\$ (1,839)
TOTAL CAPITAL OUTLAY	\$ 2,172,106	\$ 2,170,267	\$ (1,839)


 5/12/2022 5:15 PM Charles Wassum, 321 Wassona Circle, Marion spoke regarding the increase facilities budget for the Smyth County School Board. Mr. Wassum asked for consideration in using some of those funds to improve the athletic facilities throughout the County.

 5/12/2022 5:17 PM Dennis Carter, Smyth County Schools Superintendent briefly spoke regarding the FY2022/2023 budget and said there are plans to replace the seating at the Marion baseball field and added that recently a new gym floor for the Marion Middle School was approved. Dr. Carter said that the athletic facilities are being looked at throughout the County but added updates are done as funds become available. Dr. Carter reminded of the increased cost in utilities and added they are having roof and window repairs done as needed.

 5/12/2022 5:19 PM Sadie Wassum Martello, head Track and Field Coach at Chilhowie High School spoke regarding a request to improve the track at the Chilhowie High School by making it a rubberized track. Ms. Martello said she grew up in Marion where her family competed in Track and Field and added that Smyth County is unable to host meets due to the conditions of the track and adding the lines are not visible and need to be repainted. Ms. Martello said due to the lack of a rubberized track, students are getting injured due to the asphalt and unable to properly practice for meets. Ms. Martello added that Chilhowie has a great location for meets if the proper rubberized track was installed and with the meets comes the potential for revenue within the County.

 5/12/2022 5:23 PM North Fork District Supervisor Phil Stevenson asked what it would cost to get the track rubberized, and Dr. Carter said he would look further into it. Chilhowie District Supervisor Michael Sturgill said the track was re-surfaced about 6 years ago and that

the track is ready to be re-lined but that it would not be until school was out this summer. Mr. Sturgill added that when he was Principal at Chilhowie High School, they investigated pricing for a rubberized track and said the quote was about \$125,000 - \$150,000 at that time, but that there were just not enough funds to do so. Mr. Stevenson said he is in favor for the improvement. Vice Chair, Rye Valley District Supervisor Lori Deel asked if there are any fundraising actives that can be done, and Mr. Sturgill said it is up to the coach in individual sports when it comes to fundraising.

 5/12/2022 5:29 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

 5/12/2022 5:29 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing regarding the proposed Smyth County Budget for FY2022/2023.

**NOTICE OF PUBLIC HEARING ON THE PROPOSED SMYTH COUNTY BUDGET FOR FISCAL YEAR JULY 1, 2022 - JUNE 30, 2023**

Pursuant to § 15.2-2506 of the Code of Virginia (1950), as amended, a Public Hearing will be conducted by the Board of Supervisors on the budget for informative and planning purposes in the Board of Supervisors meeting room, Smyth County Office Building, 121 Bagley Circle, Marion, VA on Thursday, **May 12, 2022 at 5:00 p.m.**, or soon thereafter, at which time any citizen of the County shall have the right to attend and, subject to Rules and Procedures of the Board of Supervisors, state his or her views. The budget is for informative and fiscal planning purposes and will not be approved, adopted or ratified by the Board of Supervisors on **Thursday, May 12, 2022.**

<u>REVENUES</u>	<b>FY2022 Budget</b>	<b>Proposed FY2023</b>	<b>Inc. / (Dec.)</b>
Real Property Taxes	\$ 11,314,297	\$ 11,580,000	265,703
Public Services	1,535,949	1,535,949	-
Minerals	5,902	6,089	187
Personal Property	3,736,125	4,170,421	434,296
PPTRA	1,804,316	1,804,316	-
Machinery & Tools	1,933,192	2,040,541	107,349
Merchants Capital	295,064	264,233	(30,831)
Lodging Tax	60,000	65,000	5,000
Meal's Tax	-	400,000	400,000
Cigarette Tax	150,000	250,000	100,000
Penalties & Interest	552,678	635,300	82,622
Motor Vehicle License	480,669	480,669	-
Rolling Stock Tax	32,235	32,235	-
Utility Licenses Tax	98,431	98,431	-
Consumer's Utility Tax	1,032,444	1,050,892	18,448
Permits & Other Licenses	92,687	92,647	(40)
Fines & Forfeitures	169,677	188,221	18,544
Interest on Investments	127,095	60,000	(67,095)
Use of Property	174,628	194,628	20,000
Court Cost	9,172	9,172	-
Charges for Commonwealth Attorney	3,295	3,295	-

Charges for Sanitation & Solid Waste	852,894	891,000	38,106
Expenditure Refunds	1,564,137	5,760,316	4,196,179
Miscellaneous Revenue	124,870	237,907	113,037
Grant Money	1,048,567	938,561	(110,006)
Revenue from the Commonwealth	279,545	490,168	210,623
Comprehensive Service Act	1,800,263	1,799,290	(973)
Commonwealth Attorney	749,680	785,914	36,234
Sheriff	2,121,203	2,216,826	95,623
Commissioner of the Revenue	133,454	140,127	6,673
Treasurer	120,478	126,502	6,024
Registrar/Electoral Board	73,697	73,697	-
Clerk's Office	375,000	393,065	18,065
Local Sales Tax	2,283,110	2,526,000	242,890
Categorical Aid - Other	137,000	139,175	2,175
Payment in Lieu of Taxes	213,332	213,332	-
Special Assessments	4,910	4,800	(110)
Local Funds Transfers	(12,800,266)	(17,294,635)	(4,494,369)
Animal Licenses	11,900	11,900	-
EDA Funds	1,269,362	810,000	(459,362)
Court Rev Towns	5,600	5,600	-
State/Federal School Funds	45,718,081	48,414,123	2,696,042
Local Funds Transfer General Fund-Schools	10,872,295	11,410,064	537,769
Department of Social Services	4,823,384	5,381,294	557,910
DSS Local Share from General Fund	1,170,734	1,270,427	99,693
School Textbook Revenue	700,000	-	(700,000)
911 Wireless Grants	143,285	199,646	56,361
Interest/Tranf Courthouse Sav	187,106	-	(187,106)
CDBG Grant	130,776	-	(130,776)
Water-Sewer Revenue	2,405,400	2,503,009	97,609
Capital Projects	1,765,835	3,945,141	2,179,306
Social Security Funds	73,110	73,110	-
Drug Asset Revenue	50,000	50,000	-
Sheriff Restitution Fund	10,000	10,000	-
Sheriff DARE Revenue	10,000	10,000	-
Sheriff DMV Safety Grant	25,000	25,000	-
Courthouse Security Revenue	303,234	303,234	-
Asset Forfeiture	125,000	125,000	-
Police Activity Fund	786,168	753,012	(33,156)
Sheriff Federal/State Asset Forfeiture	90,000	90,000	-
Money Collected in Court	60,000	60,000	-
Recovery Court	171,125	177,590	6,465
Federal Money-CWA	20,000	20,000	-
Collections Circuit Court	5,000	5,000	-
CARES ACT Funding	3,096,541	-	(3,096,541)
APRA Funds	-	5,847,350	5,847,350
<b>Sub-total</b>	<b>96,718,666</b>	<b>105,904,584</b>	<b>9,185,918</b>
<b>Debt Service</b>			
Proceeds From Short-term Borrowing	5,000,000	-	(5,000,000)
Proceeds From Previous Financing	700,000	700,000	-
<b>Sub-total</b>	<b>5,700,000</b>	<b>700,000</b>	<b>(5,000,000)</b>
<b>Total County Budget Revenues</b>	<b>102,418,666</b>	<b>106,604,584</b>	<b>4,185,918</b>

Smyth County Board of Supervisors Meeting Minutes  
May 12, 2022

<b><u>EXPENDITURES</u></b>	<b><u>FY2022</u></b> <b><u>Budget</u></b>	<b><u>Proposed</u></b> <b><u>FY2023</u></b>	<b><u>Inc. / (Dec.)</u></b>
Board of Supervisors	\$ 989,155	\$ 1,006,539	\$ 17,384
County Administration	389,910	414,530	24,620
Legal Department	70,000	100,000	30,000
Commissioner of the Revenue Assessor	319,448	350,095	30,647
	-	-	-
Treasurer	426,193	455,381	29,188
Accounting Department	82,019	146,246	64,227
Information Systems	636,463	662,905	26,442
Registrar	242,990	267,537	24,547
Circuit Court	196,132	208,266	12,134
General District Court	14,930	14,930	-
Juvenile & Domestic Courts	153,976	160,864	6,888
Clerk of the Circuit Court	640,793	688,218	47,425
Sheriff	4,067,125	4,431,457	364,332
Law Library	1,000	1,000	-
Sheriff School Resource Officer Grant	203,980	218,002	14,022
Commonwealth Attorney	782,136	823,939	41,803
Victim Witness Asst. Program	103,403	104,473	1,070
Central Dispatch	4,000	4,000	-
Smyth County Basic 911	299,962	280,683	(19,279)
Volunteer Fire Department	451,500	504,745	53,245
Ambulance & Rescue Service	526,300	915,205	388,905
Forestry	8,750	8,746	(4)
Sheriff - Jail	2,518,084	2,228,006	(290,078)
Building Inspection & Zoning	361,006	401,875	40,869
Animal Control	492,080	522,810	30,730
Medical Examiner - Coroner	500	500	-
Emergency Services - Civil Defense	208,816	136,706	(72,110)
Refuse Collection & Disposal	1,399,781	1,483,937	84,156
Convenience Stations	416,868	460,253	43,385
Rye Valley Water Co.	25,922	25,922	-
Smyth County Tourism	69,244	73,799	4,555
Building & Facility Maintenance	760,159	755,725	(4,434)
Local Health Department	370,025	333,442	(36,583)
Mental Health	195,982	195,982	-
Social Services Board Member Payments	4,200	4,200	-
Other Community expenses	325,239	345,739	20,500
Community Colleges	72,899	69,064	(3,835)
Recreation	43,438	70,000	26,562
Explorers After-School Program	100,000	54,325	
Library Administration	720,000	752,500	32,500
Planning Commission	3,750	3,750	-
Community & Economic Development	91,347	93,851	2,504
Economic Development Authority	551,742	563,442	11,700
Soil & Water Conservation	30,000	30,000	-
Cooperative Extension Program	109,568	110,243	675
Comprehensive Service Act	2,374,127	2,017,339	(356,788)
Animal Control (Fund 3)	11,900	11,900	-
EDA General Expenses	1,269,362	810,000	(459,362)
Court Reimbursements to Towns	5,600	5,600	-
County School Operations & Capital Outlay (Non-Local)	45,718,081	48,414,123	2,696,042

Smyth County Board of Supervisors Meeting Minutes

May 12, 2022

County School Operations & Capital Outlay (Local)	8,700,189	9,239,797	539,608
County School Debt Service Local Funds	2,172,106	2,170,267	(1,839)
Department of Social Services	5,994,118	6,651,721	657,603
School Textbook Fund Expense	700,000	-	(700,000)
Dispatch (Fund 38)	143,285	199,646	56,361
Courthouse Project	187,106	-	(187,106)
CDBG Grant	130,776	-	(130,776)
Water-Sewer Department Operations	1,412,881	1,488,381	75,500
Water-Sewer Department Debt Service	945,359	945,628	269
Water-Sewer Capital Outlay	47,160	69,000	21,840
Capital Improvement Projects	1,765,835	4,645,141	2,879,306
Social Security Funds	73,110	73,110	-
Drug Asset Expense	50,000	50,000	-
Sheriff Restitution Fund	10,000	10,000	-
Sheriff DARE Program	10,000	10,000	-
Sheriff DMV Safety Grant	25,000	25,000	-
Courthouse Security	303,234	303,234	-
Asset Forfeiture	125,000	125,000	-
Police Activity Fund Expense	786,168	753,012	(33,156)
Sheriff Asset Forfeiture	90,000	90,000	-
Purchase Equipment	60,000	60,000	-
Recovery Court	171,125	177,590	6,465
CWA Fed Funds	20,000	20,000	-
Expenses Circuit Court	5,000	5,000	-
CARES ACT Funding	3,096,541	-	(3,096,541)
ARPA Funding	-	5,847,350	
<b>Sub-total</b>	<b>95,883,878</b>	<b>104,701,671</b>	<b>8,817,793</b>
<b>DEBT SERVICE</b>			
Payment on Line of Credit	5,000,000	-	(5,000,000)
Debt Service Payments	1,534,788	1,902,913	368,125
Capital Projects (Debt Financed)	-	-	-
<b>Sub-total</b>	<b>6,534,788</b>	<b>1,902,913</b>	<b>(4,631,875)</b>
<b>Total County Budget Expenditures</b>	<b>102,418,666</b>	<b>106,604,584</b>	<b>4,185,918</b>


### TAX RATES FOR FISCAL YEAR 2022 / 23


In preparation of the above budget, the Smyth County Board of Supervisors proposes the following tax levies as shown below:


Pursuant to Virginia Code §58.1-3001 et seq., the Board proposes to re-adopt a real estate levy on all taxable real estate located in Smyth County, Virginia, including equalized real estate, where applicable, a unit levy of \$0.74 per \$100.00 of assessed valuation; Tax on tangible personal property and the tangible personal property of public service corporations, except rolling stock of corporations operating railroads, a unit levy of \$2.30 per \$100.00 of assessed valuation; Machinery & Tools at \$1.55 per \$100.00 of assessed valuation; Tax on Category 23 items (trucks used in interstate commerce over 10,000 pounds) a unit levy of \$1.55 per \$100.00 of assessed valuation' Tax on merchants capital a unit levy of \$0.40 per \$100.00 of assessed valuation; Airplane tax of \$1.40 per \$100.00 of assessed valuation; Prepared Meals tax levy of 6% and a Cigarettes tax levy at \$0.40 per pack purchased.

The Proposed FY2022/2023 budget also includes a proposed increase in water/sewer utility rates of up to 5%.

By order of the Smyth County Board of Supervisors, Shawn M. Utt, County Administrator

 5/12/2022 5:30 PM Charles Wassum, 321 Wassona Circle, Marion, spoke regarding his opposition with the County borrowing money just to have money. Mr. Wassum said it would be nice to not see the County borrow as much. Vice Chair, Rye Valley District Supervisor Lori Deel advised Mr. Wassum that during the Budget Committee one of the things proposed was to eliminate that line in the upcoming budget.

 5/12/2022 5:32 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing and advised the Board will be voting on the budget at the May 26<sup>th</sup>, 2022, Board of Supervisor's meeting.

 5/12/2022 5:32 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the April 28, 2022, meeting as presented.

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


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


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

NAYS: None.

ABSTAINERS: North Fork District Supervisor Phil Stevenson

ABSENT: None.

 5/12/2022 5:34 PM Assistant County Administrator – Operations, Lisa Richardson, reviewed the County financial information.

 5/12/2022 5:35 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 4/1/2022 - 4/30/2022	\$2,276,548.38
<b>Total General County</b>	<b>\$2,276,548.38</b>

<b><u>Fund Accounts</u></b>	
<b>EDA Fund 4</b>	<b>\$9.43</b>
<b>CDBG Food Pantry Grant Fund 303</b>	<b>\$32,976.12</b>
<b>Sheriff Fund 748</b>	<b>\$3,269.00</b>
<b>Recovery Court Fund 749</b>	<b>\$2,938.13</b>
<b>Comm Atty Federal Drug Asset Fund 760</b>	<b>\$0.00</b>
<b>Total Fund Accounts</b>	<b>\$39,192.68</b>
<b>CARES Act Fund 775</b>	<b>\$2,923,969.20</b>
<b>TOTAL ACCOUNTS PAYABLE - APRIL 2022</b>	<b>\$5,239,710.26</b>

*Royal Oak District Supervisor Courtney Widener seconded the motion.*

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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: None.*



5/12/2022 5:35 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.



5/12/2022 5:35 PM Charles Wassum, 321 Wassona Circle, Marion, spoke regarding Chilhowie High School getting the rubberized track so that the County could host meets. Mr. Wassum asked the Board to consider funds to purchase a rubberized track and to put pressure on the School Board to help.



5/12/2022 5:37 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.





5/12/2022 5:38 PM Saltville District Supervisor Roscoe Call, read the minutes from the Appointment Committee and presented the following recommendation:

- *A motion was made by Royal Oak District Supervisor Courtney Widener to recommend appointing Lisa Richardson as the Smyth County representative for the Bristol District Regional Improvement Commission and Shawn Utt as alternate. Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.*

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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: None.*

Park District Supervisor Kris Ratliff asked if there are restrictions on where the projected revenue from the Casino would go and Mr. Utt said it would have to remain within the categories of public safety, education, and transportation.



5/12/2022 5:35 PM County Administrator Shawn Utt, read the minutes from the Budget Committee meeting and presented the following recommendations:

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend setting the Public Hearing for Budget Amendment #10 for May 26, 2022, at 5:00 p.m. or soon thereafter. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.*

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving the payment to Wythe County in the amount of \$27,963.37 for the shared Airplane property tax for year 2021. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.*

Mr. Utt added that last year the payment was around \$3,000 and that the reason for the increase this year is there were a few extra planes housed there that were taxed. Mr. Utt also noted about the increase of fuel sales being up over 100%. Discussion continued.

Mr. Utt discussed the budget process and touched on personal property tax on vehicles adding that until there is an outcome on what will happen with the grocery tax to hold off at this time and said will have until mid-August 2022 to decide on personal property taxes.



5/12/2022 5:49 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee and presented the following recommendation:

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend moving forward with the creation of the RFP for County-Wide radio coverage to include a P25 system with the options that meets the required number of channels that was proposed and the purchase of subscriber devices for each apparatus and the working positional seats for unit. 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: Chair, Atkins District Supervisor Charles Atkins,  
Vice Chair, Rye Valley District Supervisor Lori Deel,  
Royal Oak District Supervisor Courtney Widener,  
Saltville District Supervisor Roscoe Call,  
North Fork District Supervisor Phil Stevenson,  
Chilhowie District Supervisor Michael Sturgill, and  
Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Mrs. Deel discussed Fire Hydrant coverage in the County and advised that the County does recognize the issue and wants to help in any way they can.

Mr. Utt advised that the comments back from the engineering firm working on the Radio Feasibility study were that the UHF P25 system is the top of the line and said the Feds were pushing everyone to build around that to be ahead of the game and to be eligible to apply for grants. Mr. Utt noted that approximately 60 days after feedback the County should receive the bid documents. Mr. Widener said the current radio system coverage is hit and miss. Discussion regarding the options of the radio system and the details of each continued.

Mr. Call asked regarding a maintenance agreement for the radio systems and Mr. Utt noted that it would be part of the agreement.



5/12/2022 6:16 PM Royal Oak District Supervisor Courtney Widener, read the minutes from the Transportation Committee. No action was taken.

The committee did discuss various roads in the County regarding the year out on the VDOT Six-Year Plan for future road paving projects. The following were suggested:

1. Carriage Lane (Rye Valley District)
2. Still House Road (Saltville District)
3. Cliff View Road (North Fork District)



5/12/2022 6:23 PM Chair, Atkins District Supervisor Charles Atkins discussed a festival permit request from the Rich Valley Fair Association for the upcoming fair to be held on July 23<sup>rd</sup>-August 6<sup>th</sup>, 2022. A public hearing is required and recommended it be held on June 9, 2022 at 5:00 p.m. or shortly thereafter.

- *A motion was made by North Fork District Supervisor Phil Stevenson to set the public hearing for the 2022 Rich Valley Fair on June 9, 2022 at 5:00 p.m. or soon thereafter.*

*Saltville District Supervisor Roscoe Call seconded the motion.*

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

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

*NAYS: None.*

*ABSTAINERS: None.*

ABSENT:       None.



5/12/2022 6:24 PM Economic Development Project Manager, Kendra Hayden, presented Smyth County Machine and Fabrication's request for a 15-month extension on both their Commonwealth Opportunity Fund (COF) and Tobacco Region Opportunity Fund (TFOF) performance agreements.

- *A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to approve the Smyth County Machine and Fabrication Commonwealth Opportunity Fund and Smyth County Machine and Fabrication Tobacco Region Opportunity Fund 15-month extension of the performance agreement.*

*Saltville District Supervisor Roscoe Call seconded the motion.*

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

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

NAYS:           None.

ABSTAINERS: None.

ABSENT:       None.



5/12/2022 6:28 PM Economic Development Project Manager, Kendra Hayden, presented the proposed Brownfields application related to the former Marion Intermediate School. The grant will be through the Virginia Brownfield Assistance Fund and will fund 50% of the remediation costs at the school while the remainder of the costs will be covered with the School Board's ESSER Funding. Mrs. Hayden asked the Board to consider the County being the applicant with the Smyth County Schools. Mrs. Hayden stated that no funds would come directly from the County.

- *A motion was made by Saltville District Supervisor Roscoe Call to authorize the Smyth County Board of Supervisors to be the applicant for the Brownfields Remediation Grant.*

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

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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: None.*



5/12/2022 6:30 PM – County Attorney Report -

Scot Farthing reported he is currently working on several zoning issues and other various projects.



5/12/2022 6:32 PM – County Administrator Report -

Mr. Utt had nothing new to report.



5/12/2022 6:32 PM – Supervisor Comment Time -

Chilhowie District Supervisor Michael Sturgill said he is praying for great weather for next week's graduation ceremonies and wished good luck to all the seniors. Mr. Sturgill thanked the Law Enforcement and EMS Personnel for all they do to make our community safe and to save lives.

North Fork District Supervisor Phil Stevenson asked Kendra Hayden about a convenience store in Rich Valley that needs repairs. Mrs. Hayden stated she have previously spoken with the property owner and will follow-up with him.

Royal Oak District Supervisor Courtney Widener said he was glad to see things start moving along in the county radio study and added we owe it to families and our community to have good coverage. Mr. Widener said everyone in the county is affected with the radio system and needs to do all their due diligence and do the best because at the end of the day, no price can be put on a human life. Mr. Widener expressed his appreciation for all the recent recognitions to different departments and said positive reinforcement may be just what one of those people needed for that day.

Park District Supervisor Kris Ratliff commended the Public Safety Committee on their hard work and due diligence regarding the new county-wide radio system. Dr. Ratliff said although he does not like to see taxes or rate increases but would like to publicly state the 5% utility

rate increase can be using towards funding County fire hydrants and infrastructure. Dr. Ratliff said he noticed the flags flying outside of the County building were looking a bit ragged and suggested it is time to get those replaced and maybe start a regular replacement as it is the least we can do for our Veterans.

Chair, Atkins District Supervisor Charles Atkins thanked the Public Safety Committee for all their hard work. Mr. Atkins said the last time the radio systems were replaced he didn't think it worked out so well. Mr. Atkins thanked the whole Board for working together and speaking their minds and for great discussions.

Vice Chair, Rye Valley District Supervisor Lori Deel also commended the Public Safety Committee for all the hard work. Mrs. Deel said she recalls one incident where the EMS couldn't get the radio out and had to drive down the road to a neighbor to call dispatch. Mrs. Deel expressed her appreciation for Law Enforcement and EMS Personnel for all they do to keep our citizens safe. Mrs. Deel congratulated all of the upcoming graduates. She said she was thankful and appreciated the citizens who provide them with feedback and thanked the Board and staff for all their work and wished for everyone to have a good night.

Saltville District Supervisor Roscoe Call stated he had some concerns regarding the upcoming Meals Tax implementation starting July 1, 2022 as well as the proposed 5% utility increase. He noted that with the potential revenue from the Bristol casino and truck stop, the County should rethink the Meal's Tax and utility rate increases. Mr. Call said he didn't want to put more burden on people. Mr. Call wished for everyone to be safe going home.

North Fork District Supervisor Phil Stevenson said he agrees with Mr. Call on the meals tax implementation being delayed and said even the cost of dog food has gone up. Mr. Stevenson said the 5% water utility rate increase will not get hydrants in and that there will still be certain places they can't be put in due to the size of the lines and water flow. Mr. Stevenson expressed that he hopes before the budget is voted on that the Board will realize what all people are enduring.

Chilhowie District Supervisor Michael Sturgill thanked Ms. Sadie Martello, Chilhowie High School Track and Field Coach for coming and said they would continue looking at funding for the rubberized track.

Chair, Atkins District Supervisor Charles Atkins said he believes in working together to get a quality track in Chilhowie and that he would be in favor of it.



5/12/2022 6:47 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to enter into closed session under Section 2.2-3711a(3) Discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property regarding the Solid Waste property update and Section 2.2-3711a(5) Business/Industrial

*Prospects, discussion concerning a business or industry considering expansion for which no previous announcements have been made regarding Project Cardinal.*

*Saltville District Supervisor Roscoe Call seconded the motion.*

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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: None.*



*5/12/2022 7:12 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to adopt the following resolution certifying the business conducted in closed session as follows.*

#### RESOLUTION CERTIFICATION OF CLOSED SESSION

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

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

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

*Saltville District Supervisor Roscoe Call seconded the motion.*




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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: None*

 *5/12/2022 7:13 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel, to approve the draft document and authorize the Chairman to execute the revenue sharing agreement with Smyth County EDA related to Project Cardinal.*

*North Fork District Supervisor Phil Stevenson seconded the motion.*


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

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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: None.*

 *5/12/2022 7:16 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to appoint Tara French to represent the EDA as Chilhowie representative with a term to expire June 30, 2026.*

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

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

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



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

*NAYS: None.*

*ABSTAINERS: None.*

*ABSENT: None.*



5/12/2022 7:16 PM With no further business to discuss, the meeting was adjourned. The next meeting will be May 26, 2022, at 5:00 p.m.

A meeting of the Smyth County Budget Committee was held at the County Office Building on Thursday, May 19, 2022, at 11:00 a.m.

Committee Members Present:

Rye Valley District Supervisor Lori Deel  
Chilhowie District Supervisor Michael Sturgill

Committee Members Absent:

Atkins District Supervisor Charles Atkins – chair

Staff Members:

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

Rye Valley District Supervisor Lori Deel called the meeting to order at 12:03 p.m.

County Administrator, Shawn Utt discussed the following items:

**Utility Rate Increase Options** – Mr. Utt discussed the proposed utility rate increases of 2.5% vs 5% and said the recommendation from staff would be to continue with the Davenport recommendation of a 5% increase for several reasons. Mr. Utt stated the main reason would be needing additional revenues to help fund the implementation of the County-wide water study and replacement of existing aging water lines. Mr. Utt also discussed the inclusion of a fire-hydrant fee much like the Town of Chilhowie has implemented, at around \$1.00 per month, per connection and stated that those funds would be placed in a separate fund to purchase fire-hydrants throughout the County.

Mr. Utt reported that the 5% would help pay for debt service and a “pay as you go” concept when we are ready to implement any recommendations that come from the water study. He added that the increase assists with paying for the debt payments for water line replacements that will not result in new customers. Mrs. Deel asked what the 5% increase would be for the budget and Mr. Utt noted approximately \$70,000. Mr. Sturgill stated he understands the time for an increase is terrible but that it has to be done. Mr. Utt summarized the Davenport utility rate study’s recommendations with the upcoming year being year 2 (5% recommendation) with the next 3 fiscal years having 2% increases each year. Discussion considering other possible rates continued.

After further discussion the following motion was made:

- *A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to recommend setting the water utility rate increase at 3.5% effective July 1, 2022. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.*

The committee discussed a proposed \$1.00 per month, per connection fire-hydrant fee and recommended to revisit the discussion when the Board reconsiders the budget following the General Assembly's action.

**Fire Department Funding Formula** – Mr. Crawford and Mr. Utt discussed and developed a formula for fire department funding that includes provisions for the percent of volunteers that are trained as a Firefighter I, which is the lowest training certification for firefighters, the percentage of calls compared to the County total and the percentage of mutual aid calls ran to assist other departments.

Mr. Crawford gave a brief presentation on the formula and stated he wanted to make it somewhat rewarding for the departments that have those trained and those for larger call loads but added without impacting our citizens. Mr. Utt noted that we are currently funding \$37,000 annually to each volunteer station so no one is losing funding. He noted that the supplemental funding it is all based on percentages and departments will be able to increase their funding each year based on training and call volumes.

Mrs. Deel asked why the County is not including the formula for town departments in Chilhowie and Marion. Mr. Utt responded that since each of those departments are paid staff and that funding for those will be brought up to \$100,000. Mrs. Deel expressed her continued concern about 24/7 coverage issues. Mr. Sturgill stated he would like to see if there is a way to give the volunteers a break on taxes or any additional incentive to help with increasing the number of volunteers. Discussion continued.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving the fire-department funding formula as presented. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.*

**Budget Development Update FY22/23** - Mr. Utt reported he is still working to come up with ideas to assist the IT department on their request for an additional staff position and that he has budgeted for a Radio Technician position and a new HR/Payroll Clerk position. Mr. Utt stated his goal is free up Economic Development Project Manager, Kendra Hayden from her payroll duties to be more focused on Economic Development and free up Assistant County Administrator-Operations, Lisa Richardson with the more mundane HR duties as she will be moving more towards the finance oversight role.

Ms. Deel asked for an update on the County's Land Use Tax Program. Mr. Utt noted he had spoken with Commissioner of Revenue, Jeff Richardson and stated Mr. Richardson suggested coming up with a Land Use committee that can sit down and review the Land Use Program policies and expectations. Discussion continued.

With no further business to discuss, the meeting was adjourned at 12:51 p.m.



Smyth County, Virginia  
121 Bagley Circle, Suite 100  
Marion, Virginia 24354

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

County Administrator  
Asst. County Administrator – Operations  
Asst. County Administrator – Development

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

Shawn M. Utt  
Lisa Richardson  
Clegg Williams

**ORDINANCE SETTING FIXED CHARGES AND VOLUME CHARGES FOR  
WATER AND SEWER SERVICE, TO BE EFFECTIVE JULY 1, 2022**

**WHEREAS**, the Board of Supervisors for Smyth County, Virginia has studied the rates for water and sewer utility services throughout the County with assistance from Davenport & Company; and,

**WHEREAS**, the study resulted in the recommendation for the Board of Supervisors to consider a long-term approach to ensuring the necessary funding available to operate the County’s water and sewer utility system as efficiently and effectively as possible; and,

**WHEREAS**, the recommendation for the fiscal year set to begin July 1, 2022 is to provide for an across-the-board increase of (5%, 3.5% 2.5%) in water and sewer utility rates and fees; and,

**WHEREAS**, the Board of Supervisors conducted a duly noticed public hearing on May 12, 2022 to received comments from the public on the proposed increases in the water and sewer utility rates, wherein the comments from the public could be heard.

**NOW, THEREFORE**, be it **ORDAINED** by the Board of Supervisors of Smyth County, Virginia, sitting in regular session this 26<sup>th</sup> day of May, 2022, that the utility service charges for both water and sewer services are hereby amended as set forth in **Appendix A** attached hereto and expressly made a part hereof as if set forth herein; and,

**FURTHER ORDAINED**, that this ordinance shall render null and void all previous ordinances setting fixed charges and volume charges for water and sewer utility service.

This Ordinance was duly considered following the required public hearing held on May 12, 2022 and was adopted by the Board of Supervisors of Smyth County, Virginia, at its regular meeting held on this, the 26<sup>th</sup> day of May, 2022 and shall be effective July 1, 2022, the members voting as follows:

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

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2022.

Attest:

\_\_\_\_\_  
Clerk of the Smyth County Board of Supervisors

**Water & Sewer Utility Rate Schedule  
(FY2022/23)*****Water Rates – Residential***

0 – 1,000 gallons	\$23.63 minimum bill
1,001 – 6,000 gallons	\$10.24 per 1,000 gallons
6,001 and over	\$12.60 per 1,000 gallons

***Water Rates – Commercial***

0 – 4,000 gallons	\$55.10 minimum bill
Each additional 1,000 gallons	\$12.60 per 1,000 gallons

***Water Rates –Industrial***

0 – 25,000 gallons	\$255.86 minimum bill
Each additional 1,000 gallons	\$12.60 per 1,000 gallons

***Sewer Rates – Residential***

0 – 1,000 gallons	\$23.63 minimum bill
1,001 – 6,000 gallons	\$10.24 per 1,000 gallons
6,001 and over	\$12.60 per 1,000 gallons

Residential Flat Rate      \$52.29 per month

***Sewer Rates – Commercial***

0 – 4,000 gallons	\$55.10 minimum bill
Each additional 1,000 gallons	\$12.60 per 1,000 gallons

***Sewer Rates –Industrial and Industrial Enterprise  
Zone***

0 – 3,000 gallons	\$78.73 minimum bill
Each additional 1,000 gallons	\$13.13 per 1,000 gallons

**Water & Sewer Utility Rate Schedule  
(FY2022/23)*****Water Rates – Residential***

0 – 1,000 gallons	\$23.07 minimum bill
1,001 – 6,000 gallons	\$9.99 per 1,000 gallons
6,001 and over	\$12.30 per 1,000 gallons

***Water Rates – Commercial***

0 – 4,000 gallons	\$53.79 minimum bill
Each additional 1,000 gallons	\$12.30 per 1,000 gallons

***Water Rates –Industrial***

0 – 25,000 gallons	\$249.77 minimum bill
Each additional 1,000 gallons	\$12.30 per 1,000 gallons

***Sewer Rates – Residential***

0 – 1,000 gallons	\$23.07 minimum bill
1,001 – 6,000 gallons	\$9.99 per 1,000 gallons
6,001 and over	\$12.30 per 1,000 gallons

Residential Flat Rate      \$51.05 per month

***Sewer Rates – Commercial***

0 – 4,000 gallons	\$53.79 minimum bill
Each additional 1,000 gallons	\$12.30 per 1,000 gallons

***Sewer Rates –Industrial and Industrial Enterprise  
Zone***

0 – 3,000 gallons	\$76.85 minimum bill
Each additional 1,000 gallons	\$12.81 per 1,000 gallons

**Water & Sewer Utility Rate Schedule  
(FY2022/23)*****Water Rates – Residential***

0 – 1,000 gallons	\$23.29 minimum bill
1,001 – 6,000 gallons	\$10.09 per 1,000 gallons
6,001 and over	\$12.42 per 1,000 gallons

***Water Rates – Commercial***

0 – 4,000 gallons	\$54.32 minimum bill
Each additional 1,000 gallons	\$12.42 per 1,000 gallons

***Water Rates –Industrial***

0 – 25,000 gallons	\$252.21 minimum bill
Each additional 1,000 gallons	\$12.42 per 1,000 gallons

***Sewer Rates – Residential***

0 – 1,000 gallons	\$23.29 minimum bill
1,001 – 6,000 gallons	\$10.09 per 1,000 gallons
6,001 and over	\$12.42 per 1,000 gallons

Residential Flat Rate      \$51.54 per month

***Sewer Rates – Commercial***

0 – 4,000 gallons	\$54.32 minimum bill
Each additional 1,000 gallons	\$12.42 per 1,000 gallons

***Sewer Rates –Industrial and Industrial Enterprise  
Zone***

0 – 3,000 gallons	\$77.60 minimum bill
Each additional 1,000 gallons	\$12.94 per 1,000 gallons

**SMYTH COUNTY  
COMPREHENSIVE PLAN COMMITTEE  
Thursday, May 12, 2022**

The Smyth County Comprehensive Plan Committee met on Thursday, May 12, 2022, at 3:00 P.M. in the Smyth County Office Building.

**Board of Supervisors Members Present:** Roscoe Call, Saltville District and Kristopher S. Ratliff, DPh, Park District

**Board of Supervisors Member Absent:** Lori H. Deel, Rye Valley District

**Planning Commission Members Present:** Tony Dean, Royal Oak District; David Spence, Saltville District; Hazel Wagoner, Atkins District;

**Staff Present:** Clegg Williams and Becca Creasy

**Other Attendees:** Ross Hammes, Hill Studio

At approximately 3:00 p.m. Mr. Williams introduced Ross Hammes of Hill Studio.

Mr. Hammes reviewed an electronic survey prepared by Hill Studio with the Committee members. He requested Committee members to review the survey and offer any comments or suggestions by May 26<sup>th</sup>. Once finalized the survey will be distributed electronically to the public through the website and local events.

**Adjournment:** At approximately 3:45 p.m. the Committee adjourned.



A meeting of the Smyth County Solid Waste Committee was held at the County Office Building on Friday, May 20, 2022 at 10:00 a.m.

Committee Members Present:

North Fork District Supervisor Phil Stevenson (electronically)  
Saltville District Supervisor Roscoe Call  
Atkins District Supervisor Charles Atkins, Chair

Committee Members Absent:

None.

Staff Members:

County Administrator Shawn Utt, Shawn Utt  
Administrative Assistant, Paula Harvey  
Solid Waste Foreman, Wally Blevins  
Building & Zoning Administrator, Clegg Williams

Saltville District Supervisor Roscoe Call called the meeting to order at 10:00 a.m.

Mr. Utt discussed and presented the Proposal for Professional Services for the Smyth County Transfer Station, Phase 2 - Construction Documentation Preparation from Draper Aden Associates. Mr. Utt stated this proposal is for design work on new construction but added that it is set up to do an addition to the current station, with minor amendments. Mr. Utt reported that the proposal is an all-inclusive proposal and would like to recommend moving forward with it due to time constraints. Mr. Utt said he would like to begin grading on the proposed new site while Draper Aden is going through the designing process on the building if that is the direction we end up moving. Committee agreed and discussion continued.

- *A motion was made by North Fork District Supervisor Phil Stevenson to recommend approving the proposal related to full design services with Draper Aden for the Smyth County Transfer Station. Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.*

With no further business to discuss, the meeting was adjourned at 10:06 a.m.

May 16, 2022

Document sent electronically to: [sutt@smythcounty.org](mailto:sutt@smythcounty.org)  
(A hard copy will not be sent unless requested.)

Shawn M. Utt  
Smyth County Administrator  
121 Bagley Circle, Suite 100  
Marion, VA 24354

**RE: Proposal for Professional Services  
Smyth County Transfer Station  
Phase 2 - Construction Document Preparation  
Draper Aden Associates Project No. 2101859**

Dear Shawn:

On behalf of Draper Aden Associates (DAA), thank you for the opportunity to present our proposal for professional services to Smyth County for the next phase of our services related to a new transfer station in Smyth County, Virginia. This proposal was requested by Smyth County after our call on Thursday, May 5, 2022 and addresses the development of construction documents for a new transfer station in the general location presented on the attached Concept B.

## **I. PROJECT UNDERSTANDING**

The existing Smyth County transfer station is over 25 years old and a fire and heavy usage has taken its toll on the existing facility. The County does not own the land on which the current facility is located and leases it from the owner. The County considered options to upgrade the existing facility (if ownership of the land can be negotiated) or replace the facility on land currently owned by the County adjacent to the closed landfill. Under our Phase 1 task order, DAA and Reynolds Architects met with the County on March 31, 2022 to review possible options and based on this meeting, developed two preliminary concepts for a transfer station at the existing facility and a new transfer station on land east of the closed landfill.

On April 22, 2022, DAA provided the County a memorandum summarizing the sizing of the facility and the two concepts. This document included preliminary site plans for the existing transfer station and the new facility, building floor plans for the existing and new transfer station, order of magnitude of costs for each concept, and the following preliminary schedule.

<b>ACTIVITY</b>	<b>TIME (Months)</b>	<b>ESTIMATED SCHEDULE</b>
Determination of concept to pursue	<1	April 2022
Design	4	May 1 to August 31, 2022
Storm water/E&S/Building permitting	2	September 1 to October 31, 2022
Bidding	1	November 1 to November 30, 2022
Construction	9	December 1, 2022 to September 1, 2023
Certificate to operate/occupy received/PBR approval	1	September 1 to September 30, 2023

As discussed with the County, this is an aggressive schedule and dependent on many uncertainties that are out of DAA's and the County's control specifically relative to supply chain and material procurement-issues currently impacting construction nationwide. The schedule is also dependent on the availability of drilling subcontractors and the Virginia Department of Environmental Quality (VDEQ) time frame for permitting. VDEQ permitting cannot be completed until construction is completed and a final inspection held with engineering certification submitted to VDEQ afterwards.

Based on this schedule and understanding that time is of the essence, the County a proposal for development of construction/bid documents for a new transfer station in the approximate location shown on the attached Concept B. This proposal provides descriptions and estimated fees for the following activities.

- A. Topographic and Compiled Boundary Survey
- B. Geotechnical Services
- C. Construction Documents – Site and Building Design
- D. VDEQ Permitting - Permit By Rule for New Facility and Closure of Existing Facility
- E. Bid Phase Services

Specific scope and related fees for construction phase services will be determined after construction documents are completed.

The scope of services and fee proposal presented herein are based on the site area shown on the attached Concept B, the above project understanding, and our experience with similar projects. DAA is pleased to present the following for your review and approval.

## **II. SCOPE OF SERVICES**

### **A. Topographic and Compiled Boundary Survey**

Virginia Geographic Information Network (VGIN) data can be used for concept planning. However, VGIN topography is not allowable for design and permitting purposes. The Virginia Department of Professional and Occupational Regulation requires a survey to be prepared and signed and sealed by a licensed professional in the Commonwealth of Virginia for designs of improvements to real property. See language below:

*"Topographic surveys used in the design, modification, construction of improvements to real property, or for flood plain determination must be sealed, signed, and dated by the licensed professional who performed the survey or directly supervised the person who performed the survey."*

Thus, our proposal includes the required topographic and compiled boundary survey for the project. DAA will provide the necessary field and office support to complete a topographic survey and compiled boundary of approximately 7.5 acres within the survey limits shown in Concept B. Sufficient property corners will be field located to assist in compiling the property boundary from existing deeds and plats of record. The compiled boundary is not meant to represent a certified boundary survey.

In addition to the survey limits shown on the exhibit, the survey limits will be extended to 25' on either side of the existing road to the cul-de-sac by the scale house. The project will be oriented to horizontal datum NAD83 and vertical datum NAVD88 by static GPS sessions and associated post processing.

Two site benchmarks will be established. Key groundwater monitoring wells will be tied into the survey. Power, water and sewer utilities will be located based on information provided by the County or as identified in the field.

Upon completion of the topographic survey, the field located utilities, monitoring points, and the topographic features will be incorporated into a compiled base map. Base mapping will incorporate 1-foot contour intervals and flood zones as scaled from current FEMA Flood maps. The final base map will be prepared in AutoCAD format and at a scale suitable for design efforts. Task 1 is completed upon submittal of the final base map.

## **B. Geotechnical Services**

Geotechnical information will be needed for pavement design and tipping floor and wall foundation design and will consist of the following tasks.

**1. Geophysical Study:** According to published sources, the project site is mapped near the contact between the Conasauga Group and the Knox Group of carbonate rocks, including dolomite and limestone. Carbonate rocks are prone to the formation of karst features and an irregular bedrock surface. Based on the site geology and the anticipated need for potentially significant cuts to establish the proposed site grading scheme, the potential exists that the presence of shallow bedrock and/or karst conditions may impact some aspects of the proposed improvements.

To characterize the bedrock profile and potential for karst conditions at the site, DAA will mobilize our geophysical team to the project site to collect data for up to four (4) electrical resistivity (ER) lines throughout the areas of proposed improvements, concentrated in the proposed building footprint and proposed cut areas. The total lengths of the ER lines will be determined once the site layout and grading scheme concept has been established, but it is anticipated that the ER lines will measure between approximately 260 and 440 feet in length, providing imagery to depths greater than 60 feet.

The data will be post-processed and analyzed in the office for the interpreted (estimated) bedrock surface, the presence of possible karst features, and other possible geologic features of interest. If drilling data are available at the time of reporting, the drilling results will be integrated into the geophysical interpretations. The results will be conveyed in a written report that documents our methods and findings.

**2. Geotechnical Exploration and Report:** To characterize subsurface conditions for the proposed transfer station, DAA will coordinate a geotechnical field exploration program of the site, which will include nine (9) Standard Penetration Test (SPT) borings in areas of proposed improvements. Following the exploration program, we will perform limited laboratory testing on selected soil samples obtained from the exploration program, and prepare a geotechnical engineering report that includes the results of our field and laboratory testing, as well as our conclusions and recommendations for design and construction of the proposed improvements. A detailed discussion of our proposed scope of geotechnical services is outlined below.

- a) Subsurface Exploration: DAA will arrange for a subcontracted, ATV/track-mounted drill rig to be mobilized to the project site. Unless otherwise advised, it is assumed that DAA and our subcontractor(s) have permission to enter the site at any convenient location.

DAA personnel will select and field-locate nine (9) boring locations. The boring locations will be planned to provide representative coverage of the proposed improvements, and will be field-located in accessible areas using a hand-held global positioning system (GPS) unit. The existing ground surface elevations at the boring locations will be estimated from the topography shown on the available plans, from available survey information, or from GIS or Google Earth.

DAA will drill nine (9) Standard Penetration Test (SPT) borings with a subcontracted ATV/track-mounted rotary-auger drill rig, equipped with hollow-stem augers and split-spoon sampler. Standard Penetration Testing will be performed at 2- or 2.5-foot intervals within the top 10 feet of each boring, and at 5-foot intervals thereafter. The borings will be extended to depths of 15 to 45 feet below existing surface grades or refusal, whichever occurs first. Total SPT boring footage of up to 255 feet is included in this Task.

If auger refusal is encountered at depths shallower than 15 feet below the anticipated footing elevations in the borings performed within the proposed building footprint, rock coring may be performed at the discretion of the geotechnical engineer to further characterize the nature and conditions of the bedrock at the site. Up to two (2) rock cores of 5 feet each (10 feet total rock coring footage) is included in this Proposal. Water will be required for rock coring, if performed. It is assumed that an onsite water source will be made available at no charge to DAA and/or our subcontractor(s).

During drilling, as appropriate for borings on the western side of the site (closest to the old landfill), DAA personnel will monitor methane levels in the vicinity of the borings, and will document the observed levels at periodic depth intervals during advancement of the

borings.

Groundwater observations will be made upon the completion of drilling. It should be noted that groundwater levels are expected to fluctuate with seasonal variations in precipitation or as a result of construction activity, and there is no guarantee that groundwater will never rise above the levels observed during our exploration program.

The borings will be backfilled with available soil cuttings after final groundwater observations are made. Excess soil cuttings will be mounded over the boreholes. Site restoration will be limited to backfilling the boreholes once. It should be noted that some settlement of the borehole backfill may occur over time. This Proposal does not include return site visits for maintenance of the borehole locations after completion of our exploration program.

- b) Laboratory Testing:** Limited laboratory testing will be performed on representative soil and rock samples obtained from the exploration program to supplement the field classifications and assess potential geotechnical issues. This testing may include, but is not limited to:

1. Moisture Content (ASTM D2216)
2. Particle Distribution (ASTM D6913)
3. Atterberg Limits (ASTM D4318)
4. Soil Classification (ASTM D2487)
5. Standard Proctor (ASTM D698)
6. California Bearing Ratio (ASTM D1883)
7. Rock Core Compressive Strength (ASTM D7012, ASTM D7263)

- c) Geotechnical Evaluation and Report:** DAA will prepare a Geotechnical Engineering Report, which will include the following key elements:

1. Discussion of the observed existing site conditions and available details of the proposed development.
2. Discussion of the site geology and subsurface conditions encountered in the borings.
3. Detailed boring logs and an Exploration Location Plan showing the boring locations.
4. Relevant results of the geophysical testing.
5. Results of the laboratory soil and rock testing.
6. Discussion of our conclusions and recommendations regarding the geotechnical aspects of design and construction of the proposed improvements, including site preparation and earthwork, foundation support, lateral earth pressures, pavements, slope stability, karst considerations, and other geotechnical considerations.

It should be understood that this task will not include specific engineering analysis, design, or preparation of construction details, plans, or specifications for remediation of karst conditions, engineered slopes for improved stability, retaining walls, or below-grade walls.

- d) Deliverables:** An electronic copy of our Geotechnical Engineering Report will be provided in pdf format.
- e) Assumptions and Limitations:** This proposal is based on the following assumptions:
1. It is assumed that DAA and our subcontractor(s) have permission to enter the site at any convenient location.
  2. The borings will be field-located using a hand-held global positioning system (GPS) unit, and the existing ground surface elevations at the exploration locations will be estimated from available topographic/survey information, or from GIS or Google Earth. If greater accuracy is required, a professional, instrumented survey or boring stakeout can be performed as an additional service.
  3. It is assumed that private utility location services will not be required or will be provided by others. The client will notify DAA of any private utilities within the site. Neither DAA nor our subcontracted drillers will be responsible for damage to property or utilities based on inaccurate information provided by others.
  4. The site can be accessed with a ATV/track-mounted drill rig during normal business hours. Work performed outside of normal business hours may result in additional charges.
  5. The Client will notify DAA of any access constraints (specific points-of-entry, locked gates, etc.) as well as any areas to be avoided or not to be disturbed prior to our mobilization to the site.
  6. The boreholes will be backfilled with the available soil cuttings. Any excess soil cuttings generated at borings will be mounded over the excavations. Site restoration will be limited to backfilling the boreholes once. It should be noted that some settlement of the borehole backfill may occur over time. This Proposal does not include return visits for maintenance of the borehole locations after completion of the exploration program.
  7. Requests for revisions to our final report more than 30-days following issuance will be considered as changes in our scope of work and may be subject to additional fee agreements.
- f) Additional Services:** If necessary or requested, we can provide the following supplemental services in addition to those outlined above, including, but not limited to, the following:
1. Professional, instrumented boring stakeout or survey.
  2. Private utility location services.
  3. Delay time, if unable to reach the boring locations for reasons beyond the control of DAA or our subcontractor(s).
  4. Water source for drilling, if required and not available from an onsite source at no charge to DAA or our subcontractor(s).
  5. Site restoration beyond backfilling the boreholes once.
  6. Specific geotechnical analysis, design, or preparation of construction plans, specifications, or details for:
    - a. Intermediate, deep, or specialty foundation systems;
    - b. Ground improvement/modification;
    - c. Retaining walls or below-grade walls;

- d. Karst/sinkhole remediation;
  - e. SWM pond liner system;
  - f. Shear wave velocity testing for optimized seismic site classification.
7. Construction observation and testing services.
  8. Additional geotechnical consultation, meetings, and conference calls with the project team.

Additional services requested can be undertaken on a time and materials basis or negotiated fixed fee based on your requirements in addition to the fees outlined herein. If any additional services should become necessary or desirable, a Change Order for Additional Services will be submitted for your written approval. Task 2 is completed upon submittal of the final geotechnical report.

## **C. Construction Documents**

### **1. Site Design**

Schematic design phase (to be completed under existing task order): DAA will review the conceptual site plan previously developed for the proposed transfer station site. The conceptual site plan is intended to be used to finalize the layout of the facility and associated site work and utilities. During this phase, a meeting with the appropriate personnel will be held to review the previous conceptual site plan and to finalize the project requirements. Only the transfer station and associated roads and utilities is under design at this time.

Construction Document Preparation: Once the survey base map and geotechnical report are received and the conceptual site layout is approved, DAA will develop a draft set of design drawings (30-percent submittal) for review and approval by the County. The conceptual site layout may be adjusted to better accommodate turn radii of vehicles, stormwater management, and/or eliminate encroachments on easements or required setbacks. After concurrence from the County, we will continue our design providing additional documentation at 75% and 90% for County review and approval.

- a. Plans: The following plans will be prepared; please note that some of these items may be consolidated to a single plan sheet:
  - Cover Sheet
  - General Notes & Legend
  - Existing Conditions
  - Grading Plans
  - Erosion & Sediment Control Plan
  - Stormwater Management Plans
  - Utility Plans & Profiles
  - Pump station details
  - Site Details
  - Utility Details



DAA will finalize the schematic design as approved by Smyth County for permitting and construction of the proposed improvements. The fees proposed herein are based on a single design concept and do not include additional fees required for rework resulting from significant revisions to the approved preliminary design. Any additional services required due to changes in the general site layout, building footprint(s), or location after approval of the preliminary design submittal will be provided on a negotiated lump sum basis in addition to the lump sum fee presented herein prior to commencement of such work.

This proposal assumes the County will provide information on water and sewer line locations. Our understanding is that water will be provided from the scale house to the transfer station and its office, that sewage from the office bathroom will be discharged into a grinder pump station and pumped into the existing leachate force main, and that washdown water/leachate from the transfer station operations will be discharged into grit chamber and oil water separator tanks and then into the leachate pond. A second grinder pump station may be required for removal of the loading bay fluids. Should discharge into the leachate pond not be possible, it is assumed that the washdown water/leachate from the transfer station would be discharged into holding tanks and pumped and hauled by the County to an appropriate treatment facility.

Utilities included in our scope are water, sanitary sewer, and storm sewer. Layouts will be shown for electrical and communications, as provided by others.

- b.** ESC and SWM Report: An Erosion and Sediment Control and Stormwater Management narrative with calculations will be submitted to Smyth County in accordance with the latest regulatory requirements for review and approval. Our proposed fee is based on attending up to one (1) meeting at Smyth County and assumes that SWM requirements can be met by improvements within the allocated project site area. (County pays any permitting fee directly if needed.).
- c.** Registration under the General [VPDES] Permit for Discharges of Stormwater from Construction Activities (General Permit and Stormwater Pollution Prevention Plan (SWPPP): DAA will prepare a SWPPP and application for coverage under the General Permit. The application will be provided to Smyth County. The SWPPP is not required to be submitted directly to VDEQ, but is to remain on the site during construction of the project. Therefore, it will be submitted to Smyth County to be held until transferred to a selected contractor and/or prior to construction start. (County pays any permitting fee directly if needed.)
- d.** Estimate of Probable Construction Cost: DAA will update the previously prepared estimate of probable construction cost to reflect the design development.
- e.** Meetings: DAA will attend up to two (2) plan review and coordination meetings at the project site and/or with Smyth County, as well as participation in team conference calls.
- f.** Technical Specifications: Notes will be provided on the plans; separate specifications will not be included.

- g.** Plan Revisions: Our proposed fee is based on up to two (2) submittals of the construction documents and includes services to incorporate reasonable and appropriate comments based on Smyth County review. Any additional services needed for meetings or to revise plans and respond to additional comments, which are not due to DAA errors or omissions, will be provided on a lump sum negotiated basis in addition to the lump sum fee presented herein prior to commencement of such work.
- h.** Deliverables: DAA will provide Smyth County with a PDF of the construction drawings, reports and SWPPP. Also, any hard copies of deliverables required by Smyth County will be billed as separate reimbursables.
- i.** Outcome: At the end of this phase, construction ready documents will be completed and ready for final land disturbance permitting. Engineer can assist contractor with land disturbance application; however contractor will have to hold the permit, post any bonding and identify the responsible land disturber.

## **2. Building Design** (By Reynolds Architects, as subconsultant to DAA)

- a.** Schematic design phase (to be completed under existing task order): Reynolds Architects will review the conceptual design drawings previously developed for the proposed transfer station building. These drawings are intended to be used to finalize the building design. During this phase, a meeting with the appropriate personnel will be held to review the previous conceptual design and to finalize the building program. Only the transfer station and a small office attached to the station are under design at this time.
- b.** Construction document preparation: Incorporating the Schematic Design Documents, Construction Documents (Working Drawings and limited Specifications) will be prepared for Contractor bidding. These Drawings will incorporate all disciplines (Architectural, Structural, Mechanical (Ventilation and Plumbing), and Electrical). As needed, Architect will support building permit although primary effort should be with contractor. A proposed listing of Drawings is provided below:

### Architectural (7 - 8 Drawings)

- Title Sheet
- Floor Plan and Notes
- Exterior Elevations
- Sections and Details
- Door and Finish Schedules
- Limited Specifications on Drawings

### Structural Engineering (2 - 3 Drawings)

- Structural Design and Calculations
- Foundation Plans and Notes
- Typical Foundation Details and Schedules
- Foundation Sections
- Limited Structural Specifications on Drawings

Mechanical (Ventilation / Plumbing) Engineering (1 - 2 Drawings)

- Mechanical Plan and Notes
- Limited Mechanical Specifications on Drawings

Electrical Engineering (1 - 2 Drawings)

- Power and Lighting Plan
- Schedules and Details
- Limited Electrical Specifications on Drawings

Three meetings to review documents are included in the fee estimate.

#### **D. VDEQ Permitting - Permit By Rule for New Facility and Closure of Existing Facility**

The transfer station will be permitted under 9VAC20-81-410 as a permit by rule. The requirements for submittal are outlined below. The permit by rule is a two part process.

- 1. Part 1: Notice of Intent (9VAC20-81-450):** DAA will prepare a Notice of Intent to notify VDEQ that the County proposes to construct and permit a transfer station at the landfill. The Notice of Intent will include the following components:
  - a. Cover letter
  - b. Area map
  - c. Site location map with property and facility boundaries.
  - d. Disclosure statement for key County personnel (will be same as landfill).
  - e. Certification of compliance with applicable local ordinances and compliance with the local Solid Waste Management Plan (DAA would prepare the document for the County to sign):
  - f. Statement describing the steps taken by the applicant to seek the comments of the residents of the area where the transfer station is proposed (includes publication of a public notice once a week for two consecutive weeks in a newspaper and a public meeting.) DAA will assist with this meeting using preliminary information provided by Price Building Inc.

DAA will assist the County with public participation efforts and will assist the County with scheduling the advertisements and meetings to prevent duplication of efforts.

The Notice of Intent will be submitted to the VDEQ while the other design activities are initiated that will support the preparation of the final PBR application.

- 2. Part 2: Permit-By-Rule (PBR) Application (9VAC20-81-410):** DAA will prepare the PBR application package for submittal to VDEQ as outlined under 9VAC20-81-410. Work will include the following components.
  - 1) PBR narrative discussing general facility design and pertinent information.
  - 2) Provide siting certification as outlined in 9VAC20-81-320. Siting requirements under the regulations require reference to the following:
    - a) No closer than 50' to property boundary

- b) No closer than 200' to any residence, a health care facility, school, recreational park area, or similar type of public institution
- c) No closer than 50' to any perennial stream or river; and no closer than 50' to any wetland if waste is being stored in piles
- d) Direct access to paved or surfaced roads
- e) Room to minimize traffic congestion and allow safe operation
- f) Water availability and ability to properly clean working areas

Variances can be granted by VDEQ should the site not meet the specific criteria outlined above. It is assumed that the Contractor will verify that these requirements are met and provide the Engineer with a copy of the final site plan.

- 3) Certification statement for siting requirements – based on site plan.
- 4) Provide design and construction certification. Based on the final design, Engineer will prepare certification that the design and construction are in conformance with the regulations in accordance with 9VAC20-81-330. Engineer will make a site visit at the end of construction for this certification.
- 5) Operations manual as required by 9VAC20-81-340:
  - a) County will need to provide DAA with details on the operations of the facility.
  - b) Certification for operational requirements (certification to be signed by the County).
- 6) Closure plan and certification as required by 9VAC20-81-360.
- 7) Closure cost estimate as required for Financial Assurance under 9VAC20-70. County to update financial assurance to include transfer station and submit to VDEQ prior to initiating operations at transfer station.
- 8) Demonstration of legal control of the site
- 9) Applicable permit fees – to be paid directly by County.

After the submittals to VDEQ, DAA will assist the County as necessary with interface with VDEQ, revisions to the submissions if required, and other related work necessary to successfully obtain the VDEQ permit. Engineer can meet with VDEQ during their final inspection and prior to their approval. Task 4 is completed upon the issuance of the permit by rule for the new facility.

- 3. Closure of Existing Facility:** Simultaneous with the permitting of a new facility, the County will need to work with VDEQ on the closure of the existing facility in accordance with the facility's current closure plan. Upon closure, the Engineering will need to certify to VDEQ that the facility has been closed in accordance with the existing plan. A site inspection will be required by VDEQ and Engineer will be in attendance.

## **E. Bid Phase Services**

Draper Aden Associates will provide the following services to support the County in the bidding and pre-construction phases.

- 1.** Prepare the bid advertisement and contract documents using the County's standard front-end contract documents for review and approval by the County. Upon approval, we will utilize our

bid portal for electronic distribution of the contract documents to bidders, and subsequent communications with potential bidders. No hard copies of the contract documents will be provided to bidders; however, we will provide the County with a PDF and a hard copy of the documents.

2. Prepare and distribute the pre-bid meeting agenda and minutes, attend the pre-bid meeting, and prepare responses to bidder inquiries and addenda, as required. Addenda will be distributed via our bid portal.
3. Attend the bid opening at the County.
4. Prepare and provide the Notice of Award, Agreements, and Notice to Proceed to the County for processing.

#### **F. Construction Phase Services**

DAA can provide any combination of activities as may be requested by the County:

1. Assistance with contract document preparation and notice to proceed
2. Review of shop submittals
3. Review of partial payments
4. Interface with contractor and County
5. Attendance at periodic progress meetings
6. Review and approval of change orders
7. Observance of work as requested by County
8. Review of material testing reports (concrete, compaction, etc.)
9. Attendance at substantial completion and preparation of punch list
10. Attendance at final completion and review of final payment
11. Stormwater certifications.

The level of involvement is directly related to County requirements and length of construction period.

### **III. SCHEDULE**

- A. Schematic Design: Finalize within 2 weeks of notice to proceed.
- B. Topographic Survey: Fieldwork will begin within two (2) weeks of approval of the schematic design plan. An AutoCAD base map and sealed PDF survey will be provided within another three (3) weeks after beginning the fieldwork.
- C. Geotechnical: We can usually mobilize for geophysical field services within two (2) to three (3) weeks of receiving written authorization. The field work is expected to be completed in one (1) day, and the geophysical report is expected to be delivered within one (1) week of the completion of the field work.

Commencement of geotechnical field services is subject to drilling contractor availability. We currently expect to be able to mobilize for geotechnical field work within four (4) to six (6) weeks following your written notice to proceed. We anticipate that the test borings will take up to three (3) days to complete. We anticipate that laboratory testing will be completed within two (2) weeks of the completion of field services, and that our geotechnical report will be submitted within approximately two (2) weeks following the completion of laboratory services.

It is emphasized that this schedule is an estimate and it is based on drill rig availability, normal workloads, and appropriate weather conditions. We understand the time-sensitive nature of this project and will make reasonable efforts to expedite completion of our services as feasible.

- D. Construction Documents:** DAA anticipates providing the 30-percent submittal within six (6) weeks of base map completion. After obtaining comments from the County, the 90-percent submittal will be provided for permitting approval is approximately eight (8) weeks. Permit review and revisions will be based on County's review time. Once permits are approved, final documents will be provided to the County for bidding with three (3) weeks.
- E. VDEQ Permitting:** Permitting can be initiated upon completion of the construction documents. It cannot be finalized until construction is completed and certified by the Engineer.
- F. Bid Phase Services:** The schedule for bidding will be a function of permit approvals, and the County's procurement system.
- G. Construction Phase Services:** We assume a construction duration of 9 to 12 months.

#### **IV. FEES AND CONTRACT TERMS**

DAA proposes to provide the services, as outlined in our Scope of Services above, for a total lump sum fee as detailed below. We will invoice monthly based on the percentage complete of each task, and bill reimbursables separately. We estimate approximately \$2500 for reimbursables. All services will be provided in accordance with our current contract with Smyth County.

A. Topographic and Compiled Boundary Survey .....	\$ 12,000
B. Geotechnical Services .....	\$ 24,800
C. Construction Documents	
1. Site Design .....	\$ 59,600
2. Building Design .....	\$ 119,400
D. VDEQ Permitting - Permit By Rule .....	\$ 18,000
E. Bid Phase Services .....	\$ 15,700
F. Construction Phase Services.....	\$ <u>TBD</u>
<b>Total \$249,500</b>	

#### **V. DELIVERABLES**

DAA will provide the following documents to the County.

- A digital (PDF) copy of the topographic and compiled boundary survey and geotechnical report
- A digital (PDF) copy of the draft plans, specifications to the County for review
- Local permitting documents (ESC/SWM, land disturbing, building)

#### **VI. ASSUMPTIONS / LIMITATIONS**

- A. If the scope of the project is revised by any party after acceptance of this proposal, we reserve the right to re-negotiate our schedule and fee accordingly.
- B. DAA will not be responsible for damage to property or utilities based on inaccurate information provided by others.
- C. Fieldwork is subject to weather delays. We will notify you immediately if these services will be impacted by weather, with the anticipated impact to the overall project schedule.

- D. All electronic information, data, and documents provided to us from any party will be in a format suitable for direct use by Draper Aden Associates and will not require any significant reformatting or conversion.
- E. Design of improvements beyond the state minimum requirements for erosion and sediment control, and stormwater management are excluded from this proposal.
- F. Analysis and/or design of off-site utility, stormwater management, roadway, and other improvements are not included in this scope of services.
- G. Submittal, application, permit, review, inspection, and/or bond fees are not included in our proposed fee. The County will be responsible for paying such items directly, if required.
- H. Services will be provided as noted in Section III. If the schedule is delayed, we reserve the right to request additional services.

#### Geophysical Services

- I. It is assumed that utilization of our ATV to portage geophysical equipment, where feasible, is acceptable.
- J. The estimated top of bedrock and other geologic features of interest will be based primarily on our interpretation of the modeled geophysical profiles and our experience with similar studies in this geologic environment, with available geotechnical drilling data used to calibrate those interpretations where feasible.
- K. The proposed geophysical scope does not include seismic site classification in accordance with the International Building Code (IBC). The site is located immediately north of a mapped thrust fault, and therefore determination of seismic site classification may be warranted. DAA can provide this service for an additional fee using shear wave analysis geophysical methods.

#### Geotechnical Services

- L. The borings will be field-located using a hand-held global positioning system (GPS) unit, and the existing ground surface elevations at the exploration locations will be estimated from the topography shown on the available plans or from available survey or GIS information. If greater accuracy is required, a professional, instrumented survey or boring stakeout can be performed as an additional service.
- M. The client will notify Draper Aden Associates of any private utilities within the site. A Miss Utility ticket will be submitted prior to drilling, but private utility location or Subsurface Utility Engineering (SUE) services is not included in the scope of this Proposal. Neither Draper Aden Associates nor our subcontracted drillers will be responsible for damage to property or utilities based on inaccurate information provided by others. Private utility location or Subsurface Utility Engineering (SUE) services, if required/requested, can be performed as an additional service.
- N. The site can be accessed with a truck- or ATV/track-mounted drill rig during normal business hours. Work performed outside of normal business hours may result in additional charges from our drilling subcontractor.
- O. The Client will notify DAA of any access constraints (specific points-of-entry, locked gates, etc.) as well as any areas to be avoided or not to be disturbed prior to our mobilization to the site.
- P. We understand that the site has been timbered/cleared and is generally accessible by vehicle. Light chainsaw clearing to access the boring locations, if required in localized areas, is assumed

to be acceptable. This Proposal does not include heavy clearing or grading to access the boring locations.

- Q. It is assumed that a water source will be made available to DAA and our subcontractor(s) as necessary for drilling. Procurement and hauling of water from offsite sources, if required, may result in additional charges.
- R. The boreholes will be backfilled with the available soil cuttings. Any excess soil cuttings generated at borings will be mounded over the excavations. Site restoration will be limited to backfilling the boreholes once. It should be noted that some settlement of the borehole backfill may occur over time. This Proposal does not include return visits for maintenance of the borehole locations after completion of the exploration program.
- S. Requests for revisions to our final report(s) more than 30-days following issuance will be considered as changes in our scope of work and may be subject to additional fee agreements.

## **VII.SUPPLEMENTAL SERVICES**

If necessary or requested, we can provide the following supplemental services in addition to those outlined above, including, but not limited to, the following:

- 1. Attendance or presentations at meetings, beyond what is included above.
- 2. Additional topographic, boundary, easement, or right-of-way and utility surveys, beyond what is included above.
- 3. Subsurface utility engineering.
- 4. Structural design, including any retaining walls.
- 5. Environmental services, beyond what is included above.
- 6. Geotechnical services, beyond what is included above.
- 7. Traffic studies or analysis.
- 8. Analysis or design of upgrades, extensions, or relocations to existing off-site utilities or off-site road improvements.
- 9. Construction services, including, but not limited to, inspection services (construction engineering inspections), construction quality assurance/quality control, special inspections, materials testing, field survey and stake out, etc.
- 10. Professional, instrumented boring stakeout or survey.

### Geotechnical Services

- 11. Professional, instrumented boring stakeout or survey.
- 12. Private Utility Location or Subsurface Utility Engineering (SUE) services.
- 13. Delay time, if unable to reach the boring locations for reasons beyond the control of Draper Aden Associates or our subcontractor(s).
- 14. Permit acquisition.
- 15. Procurement/hauling of water from offsite sources, if required.
- 16. Collection of Shelby tube samples.
- 17. Site restoration beyond backfilling the boreholes once.
- 18. Design-phase geotechnical services once details of the proposed grading scheme, structure(s), and other aspects of the proposed development have been further established or finalized.
- 19. Sinkhole remediation design or plan preparation.
- 20. Retaining wall design or plan preparation.
- 21. Slope stability analysis or stabilization design.



Any additional services requested can be undertaken on a time and material basis or negotiated lump sum fee based on your requirements in addition to the fees outlined herein. If any additional services should become necessary or desirable, a Request for Additional Services will be submitted.

On behalf of Draper Aden Associates, thank you for giving us the opportunity to provide our proposal for engineering services. If this proposal meets with your approval, please sign the of the Authorization to Proceed below and return it to us. Please note that it is the policy of Draper Aden Associates that no deliverables or other products of service will be submitted without a formal agreement between parties or written authorization acknowledging the scope of work and fees associated with the proposed work.

We look forward to working with you on this project. Please do not hesitate to contact us if you have any questions or require any additional information.

Sincerely,

**Draper Aden Associates**



Carolyn A. Howard, P.E.  
Senior Associate / Regional Manager  
Site Development & Infrastructure



Sri Nathella, PE  
Vice President / Managing Principal

Attachments: Concept B

cc: Lynn Klappich, Waste Resources Program Manager, Draper Aden Associates  
F Douglas Pinckney, PE, Geotechnical Team Leader, Draper Aden Associates  
Loren (Hoppy) W. Knighting, LS, Associate / Survey Manager, Draper Aden Associates  
Andrew J. Hemmen, PE, Senior Design Engineer, Site Development & Infrastructure, Draper Aden Associates

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**AUTHORIZATION TO PROCEED**  
**Proposal for Professional Services**  
**Smyth County Transfer Station**  
**Phase 2 - Construction Document Preparation**  
**Draper Aden Associates Project No. 2101859**

I/We agree and accept Draper Aden Associates' proposal to provide the above described services. We understand the Scope of Services as provided herein and agree to the fees estimated for these services. We further acknowledge that Draper Aden Associates will provide a proposal for any change in the Scope of Services described herein and that a signed agreement to provide those additional services will be executed prior to any work being performed.

---

Printed Name

---

Title

---


Signature

---

Date





<div>DESIGNED BY: -</div> <div>DRAWN BY: DLD</div> <div>CHECKED BY: LPK</div> <div>SCALE: 1"=50'</div> <div>DATE: 04/21/2022</div> <div>PROJECT NUMBER: 2101859</div> <div>B</div>										<div>CONCEPT B</div> <div>SMYTH COUNTY TRANSFER STATION</div> <div>SMYTH COUNTY, VIRGINIA</div>										<div><div></div><div>Draper Aden Associates</div><div>Engineering • Surveying • Environmental Services</div><div><div>2200 South Main Street, Suite A Blacksburg, VA 24060 540-552-0444 Fax: 540-552-0291 www.daa.com</div><div><ul style="list-style-type: none"><li>• Richmond, VA</li><li>• Charlottesville, VA</li><li>• Hampton Roads, VA</li></ul></div><div><ul style="list-style-type: none"><li>• Raleigh, NC</li><li>• Fayetteville, NC</li><li>• Northern Virginia</li><li>• Virginia Beach, VA</li></ul></div></div></div>									
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## ATTACHMENT 7

Smyth County, Virginia  
121 Bagley Circle, Suite 100  
Marion, Virginia 24354

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

County Administrator  
Asst. County Administrator – Operations  
Asst. County Administrator – Development

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

Shawn M. Utt  
Lisa Richardson  
Clegg Williams

### ORDINANCE SETTING FIXED CHARGES AND VOLUME CHARGES FOR WATER AND SEWER SERVICE, TO BE EFFECTIVE JULY 1, 2022

**WHEREAS**, the Board of Supervisors for Smyth County, Virginia has studied the rates for water and sewer utility services throughout the County with assistance from Davenport & Company; and,

**WHEREAS**, the study resulted in the recommendation for the Board of Supervisors to consider a long-term approach to ensuring the necessary funding available to operate the County's water and sewer utility system as efficiently and effectively as possible; and,

**WHEREAS**, the recommendation for the fiscal year set to begin July 1, 2022 is to provide for an across-the-board increase of *(5%/3.5%/2.5%)* in water and sewer utility rates and fees; and,

**WHEREAS**, the Board of Supervisors conducted a duly noticed public hearing on May 12, 2022 to received comments from the public on the proposed increases in the water and sewer utility rates, wherein the comments from the public could be heard.

**NOW, THEREFORE**, be it **ORDAINED** by the Board of Supervisors of Smyth County, Virginia, sitting in regular session this 26<sup>th</sup> day of May, 2022, that the utility service charges for both water and sewer services are hereby amended as set forth in **Appendix A** attached hereto and expressly made a part hereof as if set forth herein; and,

**FURTHER ORDAINED**, that this ordinance shall render null and void all previous ordinances setting fixed charges and volume charges for water and sewer utility service.

This Ordinance was duly considered following the required public hearing held on May 12, 2022 and was adopted by the Board of Supervisors of Smyth County, Virginia, at its regular meeting held on this, the 26<sup>th</sup> day of May, 2022 and shall be effective July 1, 2022, the members voting as follows:

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

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2022.

Attest:

\_\_\_\_\_  
Clerk of the Smyth County Board of Supervisors

**Water & Sewer Utility Rate Schedule  
(FY2022/23)*****Water Rates – Residential***

0 – 1,000 gallons	\$23.63 minimum bill
1,001 – 6,000 gallons	\$10.24 per 1,000 gallons
6,001 and over	\$12.60 per 1,000 gallons

***Water Rates – Commercial***

0 – 4,000 gallons	\$55.10 minimum bill
Each additional 1,000 gallons	\$12.60 per 1,000 gallons

***Water Rates –Industrial***

0 – 25,000 gallons	\$255.86 minimum bill
Each additional 1,000 gallons	\$12.60 per 1,000 gallons

***Sewer Rates – Residential***

0 – 1,000 gallons	\$23.63 minimum bill
1,001 – 6,000 gallons	\$10.24 per 1,000 gallons
6,001 and over	\$12.60 per 1,000 gallons

Residential Flat Rate      \$52.29 per month

***Sewer Rates – Commercial***

0 – 4,000 gallons	\$55.10 minimum bill
Each additional 1,000 gallons	\$12.60 per 1,000 gallons

***Sewer Rates –Industrial and Industrial Enterprise  
Zone***

0 – 3,000 gallons	\$78.73 minimum bill
Each additional 1,000 gallons	\$13.13 per 1,000 gallons

**Water & Sewer Utility Rate Schedule  
(FY2022/23)*****Water Rates – Residential***

0 – 1,000 gallons	\$23.07 minimum bill
1,001 – 6,000 gallons	\$9.99 per 1,000 gallons
6,001 and over	\$12.30 per 1,000 gallons

***Water Rates – Commercial***

0 – 4,000 gallons	\$53.79 minimum bill
Each additional 1,000 gallons	\$12.30 per 1,000 gallons

***Water Rates –Industrial***

0 – 25,000 gallons	\$249.77 minimum bill
Each additional 1,000 gallons	\$12.30 per 1,000 gallons

***Sewer Rates – Residential***

0 – 1,000 gallons	\$23.07 minimum bill
1,001 – 6,000 gallons	\$9.99 per 1,000 gallons
6,001 and over	\$12.30 per 1,000 gallons

Residential Flat Rate      \$51.05 per month

***Sewer Rates – Commercial***

0 – 4,000 gallons	\$53.79 minimum bill
Each additional 1,000 gallons	\$12.30 per 1,000 gallons

***Sewer Rates –Industrial and Industrial Enterprise  
Zone***

0 – 3,000 gallons	\$76.85 minimum bill
Each additional 1,000 gallons	\$12.81 per 1,000 gallons

**Water & Sewer Utility Rate Schedule  
(FY2022/23)*****Water Rates – Residential***

0 – 1,000 gallons	\$23.29 minimum bill
1,001 – 6,000 gallons	\$10.09 per 1,000 gallons
6,001 and over	\$12.42 per 1,000 gallons

***Water Rates – Commercial***

0 – 4,000 gallons	\$54.32 minimum bill
Each additional 1,000 gallons	\$12.42 per 1,000 gallons

***Water Rates –Industrial***

0 – 25,000 gallons	\$252.21 minimum bill
Each additional 1,000 gallons	\$12.42 per 1,000 gallons

***Sewer Rates – Residential***

0 – 1,000 gallons	\$23.29 minimum bill
1,001 – 6,000 gallons	\$10.09 per 1,000 gallons
6,001 and over	\$12.42 per 1,000 gallons

Residential Flat Rate	\$51.54 per month
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***Sewer Rates – Commercial***

0 – 4,000 gallons	\$54.32 minimum bill
Each additional 1,000 gallons	\$12.42 per 1,000 gallons

***Sewer Rates –Industrial and Industrial Enterprise  
Zone***

0 – 3,000 gallons	\$77.60 minimum bill
Each additional 1,000 gallons	\$12.94 per 1,000 gallons



## ATTACHMENT 8

Smyth County, Virginia  
121 Bagley Circle, Suite 100  
Marion, Virginia 24354

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

County Administrator  
Asst. County Administrator – Operations  
Asst. County Administrator – Development

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

Shawn M. Utt  
Lisa Richardson  
Clegg Williams

### A RESOLUTION ADOPTING THE BUDGET FOR THE COUNTY OF SMYTH, VIRGINIA FOR THE FISCAL YEAR OF JULY 1, 2022 THROUGH JUNE 30, 2023

**WHEREAS**, pursuant to Chapter 25 of Title 15.2 of the Code of Virginia, The Smyth County Board of Supervisors has prepared a budget for this county setting forth the contemplated expenditures and the aggregate amount to be appropriated for the upcoming fiscal year; and,

**WHEREAS**, notice and publication and synopsis to the same were published in the newspaper of general circulation in Smyth County, Virginia, and a public hearing was held more than seven days prior to the approval of the budget as provided by Section 15.2-2506 of the Code of Virginia.

**NOW, THEREFORE, BE IT RESOLVED AND ENACTED** by the Board, after due notice, public hearing and mature consideration of said budget, that the budget, attached hereto as Appendix A be and is hereby adopted as the budget of the County of Smyth for the Fiscal Year beginning July 1, 2022 and ending June 30, 2023;

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ENACTED** that there is hereby levied a tax of \$0.74 on each \$100.00 of assessed value of real estate and improvements situated thereon in the County; a tax of \$2.30 per \$100.00 on assessed value of tangible personal property assessed by the County and segregated pursuant to Title 15.2, Chapter 25 of the Code of Virginia, and amendments thereto including tangible personal property of public utilities located and doing business with the County and upon all other properties subject to taxation by the County and herein otherwise provided for; a tax of \$1.55 per \$100.00 of assessed value on machinery and tools; and a tax of \$0.40 per \$100.00 of assessed value on Merchant's Capital;

**NOW, THEREFORE, BE IT LASTLY RESOLVED AND ENACTED** by the Smyth County Board of Supervisors that all other assessments, taxes and fees previously imposed by the County unless repeated are again levied, assessed and imposed as set forth previously by the Board and shall remain in full force and effect until otherwise changed by the Board.

**THIS RESOLUTION** is hereby adopted this 26<sup>th</sup> day of May, 2022, in the County of Smyth, Virginia, by the Smyth County Board of Supervisors and shall be effective July 1, 2022.

ATTEST:

**SMYTH COUNTY  
BOARD OF SUPERVISORS**

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

\_\_\_\_\_  
Charles E. Atkins, Chair



**FY22/23 REVENUE SUMMARY****Budget  
2022/23****FUND 001 - General Fund**

Real Property Taxes	11,580,000
Public Services	1,535,949
Minerals	6,089
Personal Property	4,170,421
Machinery & Tools	2,040,541
Merchants Capital	264,233
Lodging Tax	65,000
Meals Tax	400,000
Cigarette Tax	250,000
Penalties & Interest	635,300
Franchise License Taxes	-
Motor Vehicle License	480,669
Rolling Stock	32,235
Utility Licenses Tax	98,431
Consumer Utility Taxes	1,050,892
Permits & Other License	92,647
Fine & Forfeitures	188,221
Interest on Investments	60,000
Use of Property	194,628
Court Cost	9,172
Charges for Commonwealth Atty	3,295
Charges for Sanitation & Waste	891,000
Expenditure Refunds	5,762,816
Miscellaneous	237,907
State Grant Money	938,561
Revenue from the Commonwealth	490,168
PPTRA	1,804,316
Comprehensive Services Act	1,799,290
Commonwealth Attorney (Comp. Board)	785,914
Sheriff (Comp. Board)	2,216,826
Commissioner of Revenue (Comp. Board)	140,127
Treasurer (Comp. Board)	126,502
Registrar/Electoral Board	73,697
Clerk & Employee (Comp. Board)	393,065
Transfer from Local Sales	2,526,000
Categorical Aid - Other	139,175
Payment in lieu of Taxes	213,332

**FY22/23 REVENUE SUMMARY****2022/23**

Special Assessments	4,800
Transfer to Other Funds	(17,294,635)
Animal License (Fund 003)	11,900
EDA Funds (Fund 004)	810,000
Court Reimbursements to Towns (Fund 006)	5,600
State/Federal School Funds (Fund 009)	48,530,057
Local Funds Transfer (Fund 009)	11,410,064
State/Federal Social Service Funds (Fund 013)	5,381,294
Local Social Service Funds (Fund 013)	1,270,427
School Text Book Revenue (Fund 037)	-
911 Wireless Revenue (Fund 038)	199,646
COVID Grant Money (Fund 040)	-
Revenue from Bonds (Fund 301)	-
CDBG Grant (Fund 303)	-
Water / Sewer Revenues (Fund 501)	2,503,009
Transfer from General Fund (Fund 502)	4,645,141
Grant Revenues (Fund 502)	-
Special Welfare SSI Revenues (Fund 734)	2,500
Special Welfare Collections (Fund 735)	70,610
Comm. Atty. Drug Asset (Fund 737)	50,000
Sheriff Restitution (Fund 738)	10,000
DARE Revenue (Fund 739)	10,000
DMV Highway Safety Revenue (Fund 740)	25,000
Courthouse Security (Fund 742)	303,234
Asset Forfeiture (Fund 743)	125,000
Police Activity Revenue (Fund 744)	753,012
Sheriff Federal Drug Asset Revenue (Fund 746)	60,000
Sheriff State Drug Asset Revenue (Fund 747)	30,000
Courthouse Misc. Equipment (Fund 748)	60,000
Recovery Court (Fund 749)	177,590
Commonwealth Atty Federal Funds (Fund 760)	20,000
Collections from Circuit Court (Fund 770)	5,000
CARES Act/COVID Funding (Fund 775)	-
ARPA Funding (Fund 777)	5,847,350
<b>TOTAL - COUNTY OPERATING REVENUES</b>	<b>106,723,018</b>

**FY22/23 EXPENDITURE SUMMARY****Budget  
2022/23****FUND 001 - General Fund**

Board of Supervisors	1,006,539
County Administration	414,530
County Attorney	100,000
Commission of Revenue	350,095
Assessor	-
Treasurer	455,381
Accounting Department	146,246
Information Systems	662,905
Registrar	267,537
Circuit Court	208,266
General District Court	14,930
Juvenile & Domestic Relations	160,864
Clerk of the Court	688,218
Sheriff	4,431,457
Law Library	1,000
Sheriff School Resource Officer Grant	218,002
Commonwealth Attorney's Office	823,939
Victim Witness Assistance Program	104,473
Central Dispatch	4,000
Smyth County Basic 911	280,683
Volunteer Fire Departments	504,745
Ambulance & Rescue Services	915,205
Forestry (Fire Service)	8,746
Southwest Virginia Regional Jail	2,228,006
Building & Zoning	401,875
Animal Control	522,810
Medical Examiner - Coroner	500
Emergency Management Coordinator	136,706
Collection & Disposal	1,483,937
Convenience Stations	460,253
Rye Valley Water Co.	25,922
Smyth County Tourism Assoc.	76,299
Courthouse Maintenance	295,295
Health Department Building Maintenance	104,358
County Office Building Maintenance	356,072
Local Health Department (Contribution)	333,442
Mental Health (Contribution)	195,982
Welfare & Social Services	4,200
Contributions - Other	345,739
Community College	69,064
Capital Improvements	1,902,913
Recreation	70,000

**FY22/23 EXPENDITURE SUMMARY****2022/23**

Explorer's After-School Program	54,325
Library Administration	752,500
Planning Commission	3,750
Community Development	93,851
County Engineer	-
Economic Development Authority	563,442
Soil & Water Conservation	30,000
Cooperative Extension Program	110,243
Comprehensive Services Act	2,017,339
Animal Control (Fund 003)	11,900
General EDA Expenses (Fund 004)	810,000
Court Reimbursements to Towns (Fund 006)	5,600
County School Op's & Capital - Non-Local Funds (Fund 009)	48,530,057
County School Op's & Capital - Local Funds (Fund 009)	9,239,797
County School Debt Service - Local Funds (Fund 009)	2,170,267
Dept. of Social Services (Fund 013)	6,651,721
School Textbook Fund (Fund 037)	-
Emergency Dispatch Supp. (Fund 038)	199,646
Water/Sewer Operational Expense (Fund 501)	1,488,381
Water/Sewer Debt Retirement (Fund 501)	945,628
County Funded Projects (Fund 501)	69,000
Capital Projects (Fund 502)	4,645,141
Social Security Funds (Fund 734)	2,500
Social Security Funds (Fund 735)	70,610
Drug Asset Expense (Fund 737)	50,000
Sheriff Restitution (Fund 738)	10,000
Sheriff DARE Program (Fund 739)	10,000
Sheriff DMW Safety Grant (Fund 740)	25,000
Courthouse Security (Fund 742)	303,234
Asset Forfeiture (Fund 743)	125,000
Police Activity Expenses (Fund 744)	753,012
Sheriff Drug Asset Expenses (Fund 746)	60,000
Sheriff Drug Asset Expenses (Fund 747)	30,000
Purchase of Equipment (Fund 748)	60,000
Recovery Court (Fund 749)	177,590
Commonwealth Atty Federal Funds (Fund 760)	20,000
Expenses Circuit Court (Fund 770)	5,000
CARES Act/COVID Funding (Fund 775)	-
ARPA Funding (Fund 777)	5,847,350
<b>TOTAL - COUNTY OPERATING EXPENDITURES</b>	<b>106,723,018</b>



## ATTACHMENT 9

Smyth County, Virginia  
121 Bagley Circle, Suite 100  
Marion, Virginia 24354

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

County Administrator  
Asst. County Administrator – Operations  
Asst. County Administrator – Development

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

Shawn M. Utt  
Lisa Richardson  
Clegg Williams

### A RESOLUTION APPROVING THE SMYTH COUNTY SCHOOL BOARD BUDGET FOR THE FISCAL YEAR OF JULY 1, 2022 THROUGH JUNE 30, 2023 BY EXPENDITURE CLASSIFICATION/CATEGORY

**WHEREAS**, the Smyth County School Board has approved and presented to the Board of Supervisors a budget for FY 2022-23 totaling \$59,940,121; and,

**WHEREAS**, §22.1-1-115 of the Code of Virginia establishes expenditure classifications or categories; and,

**WHEREAS**, the Smyth County School Board presented the budget in seven (7) categories; and,

**WHEREAS**, the Board of Supervisors has the legal authority and ability to approve the Smyth County School Board budget by category (§§ 22.1-94 and 95); and,

**WHEREAS**, given the magnitude of the County (Local Funds) contribution to the Schools' budget and to provide increase accountability for the expenditure of such funds, it is appropriate to approve the overall spending plan for the Smyth County School Board on a categorical basis.

**NOW, THEREFORE, BE IT RESOLVED** by the Smyth County Board of Supervisors duly assembled this 26<sup>th</sup> day of May, 2022 the Smyth County School Board FY2022-23 budget is hereby approved as follows:

<b><u>EXPENDITURES/EDUCACTION CATEGORY</u></b>	<b><u>2022-23</u></b>
Instruction	\$41,135,823
Administration, Attendance & Health	\$ 2,025,641
Transportation	\$ 2,813,181
Facilities	\$ 5,986,788
Food Service	\$ 4,088,368
Technology	\$ 1,720,053
Debt and Fund Transfers	\$ 2,170,267
<b>TOTAL FUNDS BUDGETED</b>	<b>\$59,940,121</b>

**THIS RESOLUTION** is hereby adopted this 26<sup>th</sup> day of May, 2022, in the County of Smyth, Virginia, by the Smyth County Board of Supervisors.

**ATTEST:**

**SMYTH COUNTY  
BOARD OF SUPERVISORS**

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

\_\_\_\_\_  
Charles E. Atkins, Chair



## ATTACHMENT 10

Smyth County, Virginia  
121 Bagley Circle, Suite 100  
Marion, Virginia 24354

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

County Administrator  
Asst. County Administrator – Operations  
Asst. County Administrator – Development

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

Shawn M. Utt  
Lisa Richardson  
Clegg Williams

### A RESOLUTION SETTING 2022 PROPERTY TAX RATES FOR THE PERIOD OF JULY 1, 2022 THROUGH JUNE 30, 2023

**WHEREAS**, the Smyth County Board of Supervisors has hereby adopted a budget for the fiscal year ending June 30, 2023; and

**WHEREAS**, the Board of Supervisors is required to establish tax rates and set a levy sufficient to meet the expenditure requirements of the budget.

**THEREFORE, BE IT RESOLVED** that the Board of Supervisors make the following property tax rates for July 1, 2022 through June 30, 2023:

Real Estate	\$0.74 per hundred dollars of assessed valuation
Tangible Personal Property	\$2.30 per hundred dollars of assessed valuation
Airplanes	\$1.40 per hundred dollars of assessed valuation
Machinery and Tools	\$1.55 per hundred dollars of assessed valuation
Merchants Capital	\$0.40 per hundred dollars of assessed valuation

**Adopted** this the \_\_\_\_ day of \_\_\_\_\_, 2022

**ATTEST:**

**SMYTH COUNTY  
BOARD OF SUPERVISORS**

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

\_\_\_\_\_  
Charles E. Atkins, Chair