The Smyth County Board of Supervisors held its regular meeting on Tuesday, January 11, 2022 at 5:00 p.m. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Atkins District Supervisor Charles Atkins; Rye Valley District

Supervisor Lori Deel; Park District Supervisor Kris Ratliff; Chilhowie District Supervisor Michael Sturgill; Royal Oak District

Supervisor Courtney Widener

ABSENT: Saltville District Supervisor Roscoe Call; North Fork District

Supervisor Phil Stevenson

STAFF: County Administrator Shawn Utt; Administrative Assistant Paula

Harvey; County Attorney Scot Farthing; Building & Zoning Administrator Clegg Williams; Economic Development Project

Manager Kendra Hayden

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

and citizens

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

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

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

• Chilhowie District Supervisor Michael Sturgill made a motion to appoint Shawn Utt, County Administrator, as Clerk for calendar year 2022 and Lisa Richardson, Assistant County Administrator and Paula Harvey, Administrative Assistant to each serve as Deputy Clerks for calendar year 2022 and to close nominations. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

Proposed Board Meeting Schedule for 2022:

(Beginning February, second Thursday and fourth Thursday)

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

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

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

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call • A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the minutes from the December 14, 2021 and the December 30, 2021 meeting as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Courtney Widener ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins, Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener Chilhowie District Supervisor Michael Sturgill, and Park District Supervisor Kris Ratliff NAYS: None.

ABSTAINERS: None.

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

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

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

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

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

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

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

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

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

<u>Recommendation of the Proposal for Robert de Camara for a Special Use Permit</u> <u>for an Airport</u>

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

Vote: 5 yeas Pugh, Davidson, Jr, Wagoner, Shephard, Spence

0 nays

1 abstain Campbell 1 absent Dean

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

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

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

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

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

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

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins, Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, and Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call • A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the FY 21/22 Budget Appropriation for the Sheriff's Fund 746 for the 3rd Quarter in the amount of \$6,000.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Courtney Widener ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call

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

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

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins, Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and Park District Supervisor Kris Ratliff NAYS: None.

ABSTAINERS: None.

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

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

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

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins, Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, and Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Chair, Atkins District Supervisor Charles Atkins ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Chair, Atkins District Supervisor Charles Atkins ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

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

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

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

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

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

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

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

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

11/11/2022 6:17 PM County Attorney, Scot Farthing provided updates on various projects that he is currently working on and also said he will be working on completing various draft ordinances and noted that he is also working on several zoning issues as well.

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

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

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

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

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

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

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

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

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson,

Saltville District Supervisor Roscoe Call

1/11/2022 6:55 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to adopt the following resolution certifying the business conducted in closed session as follows.

RESOLUTION CERTIFICATION OF CLOSED SESSION

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

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

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

The Smyth County Board of Supervisors held its regular meeting on Thursday, January 27, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye

Valley District Supervisor Lori Deel; Park District Supervisor Kris Ratliff; Saltville District Supervisor Roscoe Call; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Courtney Widener; North Fork District Supervisor

Phil Stevenson

ABSENT: None

STAFF: County Administrator Shawn Utt; Assistant County

Administrator Lisa Richardson; Administrative Assistant Paula Harvey; County Attorney Scot Farthing; Emergency Services Coordinator Curtis Crawford; Building & Zoning Administrator Clegg Williams; Economic Development Assistant Kendra

Hayden

OTHERS: Smyth County News & Messenger; Smyth County Sheriff's

Deputy and citizens

1/27/2022 5:02 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

1/27/2022 5:03 PM County Administrator, Shawn Utt led the Pledge of Allegiance. Kendra Hayden, Economic Development Project Manager, gave the invocation.

1/27/2022 5:03 PM Chilhowie District Supervisor Michael Sturgill made a motion to amend the agenda to include setting a public hearing to amend and re-adopt the County ordinance for Pathway Regional Industrial Facilities Authority.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: North Fork District Supervisor Phil Stevenson

ABSENT: None.

1/27/2022 5:04 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the January 11, 2022 meeting as presented.

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

NAYS: None.

ABSTAINERS: North Fork District Supervisor Phil Stevenson Saltville District Supervisor Roscoe Call

ABSENT: None.

1/27/2022 5:04 PM Assistant County Administrator, Lisa Richardson, read the rules of Public Hearings.

1/27/2022 5:05 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing regarding the Proposed Amendments to the Smyth County Code Section 23, Article VII in regards to Tax Exemptions for Certain Elderly and Disabled Persons. Shawn Utt, County Administrator read the following public hearing notice for the record:

Notice of Public Hearing

In compliance with the Code of Virginia of 1950, and amendments thereto, the Smyth County Board of Supervisors will conduct a public hearing to consider an Amendment of the Smyth County Code of Ordinances Chapter 23 Article VII entitled, "Tax Exemptions for Certain Elderly and Disabled Persons." The Board of Supervisors shall hear comments from citizens concerning the amendment and reenactment of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, January 27, 2022, beginning at 5:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to receive comments on the proposed amendment and proposed ordinance.

All interested persons may express their views by emailing pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to Shawn M. Utt, County Administrator, 121 Bagley Circle, Suite 100, Marion, VA 24354, or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, January 27, 2022.

A copy of this proposed amendment and proposed reenacted ordinance is on file in the County Administrator's Office located at 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

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

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

1/27/2022 5:09 PM With no one wishing to speak regarding the Proposed Amendments to the Smyth County Code Section 23, Article VII in regards to Tax Exemptions for Certain Elderly and Disabled Persons, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

1/27/2022 5:10 PM A motion was made by North Fork District Supervisor Phil Stevenson to waive the rules of public hearings.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

1/27/2022 5:10 PM A motion was made by North Fork District Supervisor Phil Stevenson to approve the Proposed Amendments to the Smyth County Code Section 23. Article VII in regards to Tax Exemptions for Certain Elderly and Disabled Persons as presented with one revision to increase the income threshold to \$30,000.00 instead of \$27,000.00.

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

A public hearing was held on the 27th day of January 2022 at 5:00 p.m. in the Board Room of the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia to consider this amendment to Smyth County Virginia Code of Ordinances Section 23-218(3) titled "Requirements for Exemption" and Section 23-220 titled "Amount of Exemption."

DELETE:

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

ADD:

Sec. 23-218(3). The gross combined income of the owner during the year immediately preceding the taxable year shall be determined by the commissioner of the revenue to be in an amount not to exceed \$30,000.00. The term "gross combined income" shall include all income from all sources of the owner and of the owner's relatives living in the dwelling for which claimed; provided that the first \$1,500.00 of income of each relative other than the spouse of the owner who is living in the dwelling shall not be included in such total.

DELETE:

Sec. 23-220. - Amount of exemption.

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

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

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

If the income is:	And net worth is:	The percentage is:
\$0.00 to \$10,000.00	0 to \$28,500.00	80
-6	\$28,501.00 to \$41,000.00	64
	\$41,000.00 to \$65,000.00	56
\$10,001.00 to \$14,000.00	0 to \$28,500.00	70
	\$28,501.00 to \$41,000.00	55
	\$41,000.00 to \$65,000.00	40
\$14,001.00 to \$18,000.00	0 to \$28,500.00	55
	\$28,501.00 to \$41,000.00	40
	\$41,000.00 to \$65,000.00	30
\$18,001.00 to \$25,000.00	0 to \$28,500.00	40
	\$28,501.00 to \$41,000.00	25
	\$41,000.00 to \$65,000.00	15

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

ADD:

Sec. 23-220. - Amount of exemption.

(a) The person qualifying for and claiming exemption under this article shall be relieved of that portion of real estate tax levied on the qualifying dwelling and land in an amount not to exceed \$200. A person qualifies for this exemption if their gross combined income as described in Section 23-218 is less than \$30,000.00 and their total net worth is less than \$65,000.00.

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

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

This amendment shall be effective on and after 12:01 a.m. on the 27th day of January 2022

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of January 27, 2022.

Shawn Utt, Clerk of the Board

Saltville District Supervisor Roscoe Call seconded the motion.

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

1/27/2022 5:11 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing regarding the Proposed Amendments to Smyth County Code Section 23, Article XIII in regards to the Transient Occupancy Tax. Shawn Utt, County Administrator read the following public hearing notice for the record:

NOTICE OF PUBLIC HEARING

In compliance with the Code of Virginia of 1950, and amendments thereto, the Smyth County Board of Supervisors will conduct a public hearing to consider an Amendment and Reenactment of the Smyth County Code of Ordinances Chapter 23 Article XIII entitled, "Transient Occupancy Tax." The Board of Supervisors shall hear comments from citizens

concerning the amendment and reenactment of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, January, 27th, 2022, beginning at 5:00 p.m. or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion Virginia, to receive comments on the proposed amendment and proposed ordinance.

All interested persons may express their views by emailing pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to Shawn M. Utt, County Administrator, 121 Bagley Circle, Suite 100, Marion VA 24354, or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, January 27th, 2022.

A copy of this proposed amendment and proposed reenacted ordinance is on file in the County Administrator's Office located at 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

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

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

Mr. Utt discussed that the change of the proposed ordinance is to move the County ordinance in line with the State ordinance.

Mr. Stevenson asked who essentially pays the Transient Occupancy Tax and Mr. Utt responded that the person who actually books the room would pay the said tax, which follows suit with the State.

Mr. Widener asked if this tax would apply to those if they were affected by a natural disaster and Mr. Atkins replied that if it is a stay greater than thirty (30) days then the tax would not apply and Mr. Utt said that is the way the State Code was written.

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to adopt the Proposed Amendments to Smyth County Code Section 23, Article XIII in regards to the Transient Occupancy Tax. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After further discussion, Vice Chair, Rye Valley District Supervisor Lori Deel retracted her motion and Chilhowie District Supervisor Michael Sturgill retracted his second on the motion for the Proposed Amendments to Smyth County Code Section 23, Article XIII in regards to the Transient Occupancy Tax.

Mr. Widener and Mr. Stevenson asked Mr. Utt to see if the ordinance can be amended to help those affected by a natural disaster to not incur the Transient Occupancy Tax. Mr. Utt responded that he will check with the Commissioner of Revenue and that the item would be revisited at a future meeting.

1/27/2022 5:17 PM With no one wishing to speak regarding the Proposed Amendments to Smyth County Code Section 23, Article XIII in regards to the Transient Occupancy Tax, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

1/27/2022 5:18 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing regarding the Proposed Ordinance Authorizing a Junior Firefighter Program. Shawn Utt, County Administrator read the following public hearing notice for the record:

NOTICE OF PUBLIC HEARING

In compliance with the Code of Virginia of 1950, and amendments thereto, the Smyth County Board of Supervisors will conduct a public hearing to consider an Amendment to the Smyth County Code of Ordinances Chapter 26 – Fire Prevention & Protection to include a Junior Firefighter Program. The Board of Supervisors shall hear comments from citizens concerning the amendment and reenactment of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, January 27th, 2022, beginning at 5:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion Virginia, to receive comments on the proposed amendment and proposed ordinance.

All interested persons may express their views by emailing pharvey@smythcounty.org
prior to the scheduled public hearing. Written comments may also be mailed or delivered to Shawn M. Utt, County Administrator, 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

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

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

Mr. Utt added that during a recent Public Safety meeting it was discussed for a potential program for Junior Firefighters ages 16-17 years old and in order to be included for liability purposes by the entity it must first be written in the County Code. Dr. Ratliff asked Mr. Utt if the liability falls under the County and he responded that it does not, it falls on the entity where the first responder is a member.

1/27/2022 5:20 PM With no one wishing to speak regarding the Proposed Ordinance Authorizing a Junior Firefighter Program, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

1/27/2022 5:21 PM John Graham and Joey Carrico representing the Appalachian Center for Hope presented an update to the Board on their current standing and on-going projects. Mr. Graham advised they recently just received their 501(c)3 status and have an active working group of about 30-40 people currently involved at this time. Mr. Carrico thanked the Board members for their continued support. Mr. Atkins said the Appalachian Center for Hope is a great thing and thanked them for their effort on this as well as added that SW VA will benefit greatly from it. Mrs. Deel said she has been longing for this program.

1/27/2022 5:33 PM Smyth County Economic Development Team report:

Economic Development Project Manager, Kendra Hayden provided an update on the Smyth Strong initiative. Mrs. Hayden discussed they are currently working on a planning grant to identify possible funding for infrastructure and site development for future outdoor recreation projects.

Director of Tourism, Amanda Livingston noted that Smyth Strong's request for American Rescue Plan Act (ARPA) funding is still currently under review. Mrs. Livingston discussed the Exit 54/Groseclose conceptual design and added they were one of four recently selected to receive free conceptual design and planning services funded with a grant. Mrs. Livingston added that three entities, EDA, Chamber and Tourism are excited to have placed the first order of Smyth Strong swag to be available this Spring to be able to share with elected officials and others.

Smyth County Chamber of Commerce Director, Sarah Gillespie discussed the newly purchased domain for Smyth Strong and added there will be a landing page on the Chamber's website, noting the Chamber has a newly design website as well. Ms. Gillespie said the Smyth Strong website will be a great resource for members of the community to stay involved and added Earth Day spring clean-up day will be held on April 23, 2022. Ms. Gillespie thanked the Board for being supportive.

Chair, Atkins District Supervisor Charles Atkins added that Smyth County was recently featured in Southern Living magazine and wanted to give thanks to Mrs. Livingston and the team for their continued efforts for working together.

Vice Chair, Rye Valley District Supervisor Lori Deel asked Mrs. Hayden if she would briefly discuss the broadband expansion grant. Mrs. Hayden explained the Mt. Rogers PDC's VATI grant application, which included Smyth, Wythe & Washington Counties, was recently awarded just over \$100 million that will bring universal (by the Governor's definition) broadband to all three counties. Vice Chair, Rye Valley District Supervisor Lori Deel stated, generally speaking, this grant provides funding for internet across all unserved areas of the counties involved.

1/27/2022 5:42 PM Veda Odle, 506 South Fork Road, Marion spoke regarding her ongoing concerns regarding the proposed airstrip adjacent to her property. Ms. Odle referenced a number of state and federal code sections regarding nuisance, sound level and noise ordinances. Ms. Odle also discussed requirements of the conservation easement on Mr. de Camara's property.

1/27/2022 6:02 PM Bob de Camara, 1640 Redstone Road, Chilhowie spoke regarding his application for a Special Use Permit located at 592 South Fork Road. Mr. de Camara noted his numerous letters of support regarding the SUP application and discussed how some noted that the noise did not hinder or affect their cattle farming. Mr. de Camara touched on the fundamental rights of Americans.

1/27/2022 5:53 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

1/27/2022 6:06 PM Kenneth Browning, Sugar Grove, VA spoke regarding the need for a homeless shelter in Smyth County. Mr. Browning said he had talked with several local businesses, churches and restaurants and they were willing to help out in any way they could. Chair, Atkins District Supervisor Charles Atkins thanked Mr. Browning for his

willingness to help but added that there is not much the Board of Supervisors can do until he can find someone to start the program and get the ball rolling.

1/27/2022 6:10 PM Chair, Atkins District Supervisor Charles Atkins called for a 5-minute recess.

1/27/2022 6:20 Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.

1/27/2022 6:20 Scott White, Castlewood, VA spoke about his flying experiences over many years and said that he has built 3 airstrips and had been flying and landing over many years with his cattle operation. Mr. White noted that when planes come in and take off it has never bothered his cattle nor had any complaints from neighbors for the 45 years of flying and added that a grass strip usually has small activity as well.

1/27/2022 6:22 Dr. Alan White, Christiansville, VA, the Virginia liaison with The Recreational Aviation Foundation (RAF) provided a copy of their Summer/Fall 2021 newsletter to each Board member. Mr. White said he understands the concerns of Ms. Odle and addressed noise concerns as well as the concern for livestock.

1/27/2022 6:27 With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

1/27/2022 6:27 Building & Zoning Administrator, Clegg Williams read and discussed the recommendation from the Planning Commission regarding the proposal for Robert de Camara for a Special Use Permit for an Airport. An excerpt of that recommendation as follows:

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

<u>Recommendation of the Proposal for Robert de Camara for a Special Use Permit for an Airport</u>

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

Vote:

5 yeas Pugh, Davidson, Jr., Wagoner, Shepherd, Spence

0 nays

1 abstain Campbell 1 absent Dean

North Fork District Supervisor Phil Stevenson asked Mr. Williams if the said area for the proposed airstrip is accessible by vehicle for use by Med Flight if needed to which Mr. Williams said it was. Mr. Stevenson also asked Mr. Williams if he has seen Ms. Odle's property and asked if it was a cattle/calf operation and Mr. Williams said he has seen the property and he understands it to be a cattle/calf operation. Mr. Stevenson asked Ms. Odle if Mr. Williams was correct in saying she ran a cattle/calf farm to which she answered yes.

Chilhowie District Supervisor Michael Sturgill asked Mr. de Camara if his plan was a prop plane and Mr. Camara said it was a propeller plane, Cessna 185.

Saltville District Supervisor Roscoe Call asked what the Virginia Outdoor Foundation letter was. Mrs. Sharon Hayden who is the wife of Robert de Camara and resides at 1640 Redstone Road, Chilhowie, VA responded that prior to purchasing their property they were informed that there was a Virginia Outdoor Foundation easement associated with the property on South Fork Road, Marion. Mrs. Hayden echoed that it is for use of open space and prior to purchasing the property they called and spoke to a Mr. Tommy Oravetz and along with the letter Mr. Oravetz send earlier this week to Mr. Utt and Mr. Williams it did indicate that if the Special Use Permit is approved that they are not in direct conflict with the open space agreement. Mrs. Hayden also added that Mr. Oravetz indicated he would work with them to make sure any open requirements are met. Mrs. Hayden noted that she and Mr. de Camara are going to continue to produce hayfields on the property.

Chair, Atkins District Supervisor Charles Atkins added that the Virginia Outdoor Foundation contract is not the Board of Supervisors responsibility to enforce and added that it is a contract between the property owners and the VOF.

1/27/2022 6:31 PM North Fork District Supervisor Phil Stevenson advised Ms. Veda Odle that he tries to be fair and neutral and that he understands her concerns and that he doesn't like conflict but does like to tell people why he comes to his decisions the way he does. Mr. Stevenson told Ms. Odle that when it comes to the noise issue, she won't hear much.

After discussion the following motion was rendered:

• North Fork District Supervisor Phil Stevenson made a motion to approve the Special Use Permit for Robert de Camara located at 592 South Fork Road, Marion, VA with the conditions that it follows any required FAA standards.

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

1/27/2022 6:35 PM County Attorney, Scot Farthing provided an update on the following nuisance complaints:

- 243 Quail Run, Sugar Grove, VA Mr. Farthing said they had an on-going issue trying to locate the land owner and added his suggestion would be for the Board to move forward with both zoning and nuisance violations.
- 500 Riverside Road, Chilhowie, VA Mr. Farthing noted he has filed a lawsuit on Riverside Road but needs to amend the complaint. Mr. Farthing also added they had problems with getting the owner served but said that last week they were able to finally get her served.

County Administrator, Shawn Utt, recommended the Board schedule two public hearings for each said nuisance item for February 10, 2022 at 5:00 p.m. or shortly thereafter.

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to schedule two public hearings for 243 Quail Run, Sugar Grove, VA and for 500 Riverside Road, Chilhowie, VA for February 10, 2022 at 5:00 p.m. or shortly thereafter to declare each property a public nuisance.

North Fork District Supervisor Phil Stevenson Supervisor seconded the motion.

After consideration, the motion PASSED by the following vote:

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

Chair, Atkins District Supervisor Charles Atkins asked Mr. Farthing for an update on Church Land Drive, Atkins VA. Mr. Farthing advised that the lawsuit has been filed and that he is preparing a motion for default judgement. Mr. Farthing said he would mail a certified copy to the owner and indicated the judge would essentially issue an order for the property to be cleaned up and if they owner does not clean up the County would step in and clean up and put a lien on said property. Mr. Atkins told Mr. Farthing that something needed to happen soon on this and Mr. Farthing added he would keep on it and continue to move forward with action.

1/27/2022 6:39 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the American Rescue Plan Act (ARPA) Committee meeting held on January 20, 2022 and presented the following recommendation:

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

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

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

North Fork District Supervisor Phil Stevenson asked who was doing the County-wide water study and Mr. Utt advised him that The Lane Group was chosen and they are ready to hit the ground running and get the applications in the next few months.

1/27/2022 6:49 PM Chair, Atkins District Supervisor Charles Atkins read the minutes from the Budget Committee meeting held on January 21, 2022 and presented the following recommendations:

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



SMYTH COUNTY BOARD OF SUPERVISORS

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

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

WHEREAS, on August 26, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #1) for Fiscal Year 2021-2022 in the amount of \$100,246,861 to allow for FY21 budget rollovers; and,

WHEREAS, on September 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #2) for Fiscal Year 2021-2022 in the amount of \$99,996,861 to allow for the loss of revenues related to the County meals tax implementation delay; and,

WHEREAS, on October 12, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #3) for Fiscal Year 2021-2022 in the amount of \$100,126,223; and,

WHEREAS, on December 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #4) for Fiscal Year 2021-2022 in the amount of \$100,613,336; and,

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

WHEREAS, the aggregate amount of budget amendment #6 is \$6,000 which would increase the Fiscal Year 2021-2022 budget to a total of \$100,792,202 as shown in greater detail on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors sets forth and approves the amended Smyth County Budget for the Fiscal Year 2021-2022 in the amount of \$100,792,202.

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

Adopted this the 27th day of January, 2022

ATTEST:

Shawn M. Utt, Clerk

SMYTH COUNTY

BOARD OF SUPERVISORS

Charles Atkins, Chair

		ment #5 (1-27-22)	
EXHIBITA	FY 2021-22	Budget Amend	

Fund	Department	Line Item Number	Account Title	Adopted	Amendment	Budget with Notes Amendment
FUND GOT	Expenditure Refunds	018030-0016	NAZMAT Billing Proceeds \$		\$ (000'9)	(6,000) Billing proceeds for Hauffat Chan-ups
Total Reven	Total Revenues With Amendment		\$	(100,786,202) \$	\$ (000'9)	(100,792,202)
But 2 EVBC	SAIN-THE IDEC					
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Fund	Department	Line Item	Account Title	Adopted	Amount of	Amended Budget Notes
		Number		Budget	Amendment	Amount
FUND 001	Emergency Management Coordinator	035050-7004	HAZMAT Raindsursernent/Billing 5	\$ 006	\$ 000'9	6,500 Rolmbursa Volunteer Departments for HarMat Chan-ups
Total Expend	fotal Expenditures With Amendment		8	100,786,202 \$	\$ 000'9	100,792,202
			Revenues	\$ (200,786,202) \$	\$ (000'9)	(300,792,202)
			Expenditures	100,786,302 \$	\$ 000'9	300,792,202

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

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

NAYS: None.

ABSTAINERS: None.

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

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

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

NAYS: None.

ABSTAINERS: None.

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

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

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

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Courtney Widener

ABSENT: None.

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

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

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

• A motion was made by Rye Valley District Supervisor Lori Deel to recommend approval of the draft budget calendar for FY22/22. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.



Smyth County, Virginia 121 Bagley Circle, Suite 100 Marion, VA 24354 (276) 783-3298 p Atkins District Chilhowie District North Fork District Park District Royal Oak District Rye Valley District Saltville District

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

County Administrator
Assistant County Administrator

Shawn M. Utt Alicia Richardson

January 12, 2022

To: Members, Smyth County Board of Supervisors

CC: Smyth County Leadership Team

From: Shawn M. Utt, Smyth County Administrator

RE: FY22/23 Budget Calendar

Budget forms distributed to Departments	January 14, 2022
Budget request notification published in newspaper/websites	January 14, 2022
Budget requests due to County Administrator's Office from Departments	February 11, 2022
Budget requests due to County Administrator's Office from Agencies	February 18, 2022
Revenue Projections (County Admin., Treasurer, Commissioner)	February 25, 2022
First Budget Draft to Budget Committee / Budget Committee Work Session	March 3, 2022
Budget Committee Work Session (with SCSB Budget Comm./Superintendent)	March 17, 2022
Budget Committee Work Session	March 31, 2022
Budget Committee Work Session (if needed)	April 7, 2022
Present Full Budget to Board of Supervisors	April 14, 2022
Budget Committee Work Session (if needed)	April 21, 2022
Budget Committee Work Session (if needed)	April 28, 2022

Budget Committee Work Session (if needed) Public Hearing(s) – (draft budget and any potential rate/tax adjustments?)	May 5, 2022 May 12, 2022
Adopt County Budget for FY22/23 (tentative)	May 27, 2022
Adopt Tax Levies for FY22/23 (tentative)	May 27, 2022
Adopt CIP for FY22/23 (tentative)	May 27, 2022

1/27/2022 6:56 PM County Attorney, Scot Farthing explained information regarding the Pathway Regional Industrial Facilities Authority (PRIFA) and noted that the County would need to re-adopt the ordinance to include Washington County so that all three localities, Smyth, Bland and Washington be incorporated. Mr. Farthing added that Washington County made a few edits to the ordinance and referenced the copy that was provided to each Supervisor.

After discussion, the following motion was rendered:

Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to adopt the revisions
of the Pathway Regional Industrial Facilities Authority (PRIFA) agreement to include
Washington County. Saltville District Supervisor Roscoe Call seconded the motion and
it was unanimously approved.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

1/27/2022 6:58 PM Smyth County Public Library Director, Rose Likins presented and discussed information regarding the ARC Planning Grant for the Saltville Branch Library. Ms. Likins explained the reason for her request was for Smyth County as a neutral party to

be the applicant for the grant to explore the possibilities of renovating or replacing the Smyth County Public Library Saltville branch which is in dire need. Ms. Likins added it would be a \$50,000 grant with a \$50,000 match and noted she is going to submit an application to the ARPA committee for a request for \$25,000 to help with the match.

After discussion the following motion was rendered:

 Saltville District Supervisor Roscoe Call made a motion to allow the County to be the applicant for the ARC Planning Grant for the Saltville Branch Library and authorize the County Administrator to execute all necessary documents.

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None. ABSTAINERS: None. ABSENT: None.



1/27/2022 7:09 PM County Attorney Report -

Scot Farthing provided updates on various projects he is currently working on and said he is working on several zoning issues as well as a water department domestic case. Mr. Farthing noted he will have a list of what he is working on to provide at the next meeting.



1/27/2022 7:11 PM County Administrator Report -

Mr. Utt discussed the handout regarding Capital Contact and reminded about next week's VACO Legislative Day in Richmond that he, Mr. Widener and Mr. Sturgill will be attending. Mr. Utt said he would like to have a list of priorities for Smyth County. Mr. Utt reviewed bills being introduced that would change or inhibit local government budget abilities.

Mr. Utt also referenced the handout on the current Smyth County Covid 19 statistics.

2 1/27/2022 7:19 PM Supervisor Comment Time -

Vice Chair, Rye Valley District Supervisor Lori Deel expressed her appreciation to the board members and citizens for both sides of the Special Use Permit. Mrs. Deel said she enjoys everyone working together and hopes the weather will warm up soon.

Chilhowie District Supervisor Michael Sturgill spoke about all the positive feedback and support the School Board has had due to the newly implemented after-school program and added it really helps working parents. Mr. Sturgill added that the Board may not always agree but they do their best to come up with the best solution for the greater of the County. Mr. Sturgill wished Mr. Call a Happy Birthday.

North Fork District Supervisor Phil Stevenson welcomed Mr. Widener and added that he appreciated him on being professional and a job well done. Mr. Stevenson said he would like to have an Ordinance meeting to go through them and update those that need to be.

Royal Oak District Supervisor Courtney Widener thanked everyone for being here and said there are tough decisions that need to be made but at the end of the day they try to make the best decisions to the best of their ability. Mr. Widener expressed his excitement for the new Appalachian Center for Hope and said that it was long overdue and much needed and that the County will greatly benefit from it. Mr. Widener added that the Board really needs to stand behind the Saltville Library and help them out as much as possible.

• Royal Oak District Supervisor Courtney Widener made a motion to re-appoint Anthony "Tony" Dean, Planning Commissioner Royal Oak District representative for an additional 4-year term set to expire on 1-31-2026.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Saltville District Supervisor Roscoe Call apologized for missing the last meeting. Mr. Call said that he had recently attended a luncheon with Marsha Peters who is the CEO of Texas United Corporation in Houston, Texas and added that she announced that they were doing an \$8 million expansion at the Saltville Salt plant and will be drilling another well. Mr. Call added that it is expected to bring about a \$14 million revenue and that will kick them up to making 250,000 tons of salt a year. Mr. Call said he appreciated all the birthday wishes and hopes everyone stays safe from Covid and added his wife had recently had Covid but luckily she was symptom free.

Park District Supervisor Kris Ratliff made the following motion:

• Park District Supervisor Kris Ratliff made a motion to re-appoint Joel Pugh, Planning Commissioner Park District representative for an additional 2-year term set to expire on 1-31-2024.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

Park District Supervisor Kris Ratliff said that there was a rise of Covid in the County and it was having quiet a large impact on local businesses. Dr. Ratliff said he went to a local restaurant one morning for breakfast and came to find out there were only 3 people working and running it that morning. Dr. Ratliff reminded everyone to have grace and patience for those who are still out working and fighting the fight. Dr. Ratliff thanked the staff and the Board for all hard working being put in to move Smyth County forward and added he would like to promote the Smyth Strong logo at his local pharmacy.

Chair, Atkins District Supervisor Charles Atkins made the following motion:

• Atkins District Supervisor Charles Atkins made a motion to re-appoint Hazel Wagoner, Planning Commissioner Atkins District representative for an additional 4-year term set to expire on 1-31-2026.

Saltville District Supervisor Roscoe Call seconded the motion.

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

Chair, Atkins District Supervisor Charles Atkins said he has heard a lot of positive comments at tonight's meeting. Mr. Atkins said he was tickled with the way the EDA, Tourism and Chamber are working so well together and getting results. Mr. Atkins thanked Rose Likins for her work at the Library and is happy to see things getting back to normal. Mr. Atkins thanked Building & Zoning Administrator, Clegg Williams for his continued expertise and added that he is happy that all the staff is working together and that the community is benefiting from it. Mr. Atkins also noted he has had complaints of the school speed limit sign flashing when school was not in session and said the schools are looking at some ways to make that more friendly.

1/27/2022 7:38 PM With no further business to discuss, the meeting was adjourned. The next meeting is scheduled for February 10, 2022 at 5:00 PM.

The Smyth County Board of Supervisors held its regular meeting on Thursday, February 10, 2022 at 5:00 p.m. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Atkins District Supervisor Charles Atkins; Rye Valley District

Supervisor Lori Deel; Park District Supervisor Kris Ratliff; Chilhowie District Supervisor Michael Sturgill; Royal Oak District

Supervisor Courtney Widener

ABSENT: Saltville District Supervisor Roscoe Call; North Fork District

Supervisor Phil Stevenson

STAFF: County Administrator Shawn Utt; Assistant County

Administrator Lisa Richardson; Administrative Assistant Paula Harvey; County Attorney Scot Farthing; Building & Zoning Administrator Clegg Williams; Information Technology Assistant

Director Heather Street

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

and citizens

2/10/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

2/10/2022 5:02 PM Information Systems Assistant Director, Heather Street led the Pledge of Allegiance and gave the invocation.

2/10/2022 5:02 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to amend the agenda to include scheduling a Public Hearing for February 24, 2022 at 5:00 p.m. or shortly thereafter in relation to Community Development Block Grant funding for the Cardwell Town Water Line Replacement Project and to include the ARPA Committee meeting notes and recommendations. Vice Chair Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

 $AYES:\ Atkins\ District\ Supervisor\ Charles\ Atkins,$

Rye Valley District Supervisor Lori Deel,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 5:04 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for 243 Quail Run, Sugar Grove, VA in regards to Declaration of Public Nuisance.

2/10/2022 5:05 PM Building & Zoning Administrator, Clegg Williams discussed the nuisance ordinance for 243 Quail Run, Sugar Grove and added he tried all possible ways to contact the owners but was unsuccessful and noted that he did post notice at the actual property.

2/10/2022 5:06 PM Assistant County Administrator, Lisa Richardson read the rules of Public Hearings.

2/10/2022 5:07 PM County Administrator, Shawn Utt read the following Public Hearing notice for the record:

BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS

The Smyth County Board of Supervisors will conduct a public hearing in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia on Thursday, February 10, 2022, at 5:00 P.M. or as soon thereafter to receive public input on whether the properties referenced below constitutes a public nuisance as defined by Smyth County Code, Article 3, Section 20-64.

243 Quail Run, Sugar Grove; identified as Tax Map Nos. 74A - 2 - 19 and 74A - 2 - 20 Formally Addressed 500 Riverside Road, Chilhowie; identified as Tax Map No. 65C - 1 - 2

Publication is required in cases where the property owner is unknown or the County has been unable to locate the owner. Those with an ownership interest in the property should contact Clegg Williams at 276-706-8315. Should the property be declared a public nuisance and the owner(s) do not file a plan to abate or raze the nuisance at his/her cost, the County will file a complaint with the Circuit Court and take action to remove the nuisance. The cost will be charged to the owner and is a lien against the property ranking on parity with real estate taxes. Failure to pay nuisance abatement charges may result in the property being sold for nuisance abatement costs as well as delinquent real estate taxes pursuant to Virginia Code §58.1-3965 (1950) as amended.

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

Done by order of the Board of Supervisors Shawn Utt, County Administrator 2/10/2022 5:09 Diane Grant, 3624 Wilmont Avenue NW, Roanoke, VA who serves as the treasurer and registered agent of the homeowners' association discussed and passed out maps of the 243 Quail Run, Sugar Grove, VA property. Ms. Grant also provided copies of 16 letters to Board members from neighbors addressing their concerns on the tire dump. Ms. Grant said this has continued to be an ongoing issue and that it is driving down property value in the area. Ms. Grant asked the Board for their help in rectifying the situation and thanked them for their time.

2/10/2022 5:19 PM Randy Williams, President of the homeowners' association discussed the tire dump and said it is an eye sore and appreciates the Board of Supervisor's considering to remedy the situation. Mr. Randy Williams thanked Building & Zoning Administrator, Clegg Williams for all of his hard work in working with them on the Quail Run issue.

2/10/2022 5:20 PM Shea Ray, one of the three current owners of the 243 Quail Run, Sugar Grove, VA spoke regarding the efforts he making on cleaning up the property. Mr. Ray said he was recently incarcerated and that he hopes to have this cleaned up by Spring.

2/10/2022 5:21 PM With no one else wishing to speak regarding the Declaration of Public Nuisance at 243 Quail Run, Sugar Grove, VA, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

2/10/2022 5:22 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for 500 Riverside Road, Chilhowie, VA in regards to Declaration of Public Nuisance.

2/10/2022 5:22 PM Building & Zoning Administrator, Clegg Williams discussed the long history with the 500 Riverside Road, Chilhowie, VA property and said most recently there are RV's moving in and added that the occupants were currently living without any sewage disposal. Mr. Williams said County Attorney, Scot Farthing was successful in getting the occupant served with the first round of a zoning violation.

2/10/2022 5:23 PM Anne Marie Koner, 484 Riverside Road, Chilhowie, VA spoke regarding the Public Nuisance compliant at 500 Riverside Road, Chilhowie and expressed this has been an ongoing problem for about 2 ½ years. Ms. Koner said they have been threatened by the people residing there and noted they are dumping their sewage and oil in the river behind property. Ms. Koner said she has contacted the EPA and game warden and that no one seems to want to address this issue. Ms. Koner said the situation is out of control, people are in and out at all hours of the night and it is disturbing the peace. Chilhowie District Supervisor Michael Sturgill apologized to Ms. Koner that she has continued to endure this and added he is pressing to get the issue taken care of. Park District Supervisor Kris Ratliff asked for clarification on the camper on the said property and asked if it had a permanent foundation to which Ms. Koner said it does not.

2/10/2022 5:33 PM Tiffany Waddle, 503 Riverside Road, Chilhowie, VA spoke regarding the 500 Riverside Road, Chilhowie, VA Public Nuisance complaint. Ms. Waddle said her family was forced to move out because her kids couldn't play outside and that the occupants of 500 Riverside Road were being indecent.

2/10/2022 5:34 PM Clegg William, Building & Zoning Administrator advised the Board that since all public comments have been taken for both Public Hearings regarding 243 Quail Run, Sugar Grove, VA and 500 Riverside Road, Chilhowie, VA that the Board can either wait until the next meeting to vote or if they wish they can waive the rules and vote tonight. Mr. Williams said he would work with the County Attorney, Scot Farthing to get court order to allow the County to go in and clean the said properties up if declared Public Nuisances.

2/10/2022 5:34 PM With no one else wishing to speak regarding the Declaration of Public Nuisance at 500 Riverside Road, Chilhowie, VA, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

2/10/2022 5:35 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to waive the rules of public hearings. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 5:36 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to declare both 243 Quail Run, Sugar Grove, VA and 500 Riverside Road, Chilhowie, VA Public Nuisances and authorize the County Attorney to move forward with legal action.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 5:37 PM Tracy Thompson, Executive Director of the Lincoln Theater, Marion, VA provided an update on the 2022 calendar of events. Ms. Thompson said that one exciting thing is that with Covid and other venues being shutdown they were able to get money from different sources and noted that since 2004 they are happy to report that The Lincoln Theater is 100% debt free. Ms. Thompson added that the theater brought in over 7,000 patrons last year. She also briefly discussed a theater camp they will be having this year at no cost to the children over a 2-week span and it will be for ages 6-18. Ms. Thompson thanked the Board members for their continued support and for allowing her to come speak.

2/10/2022 5:52 PM Mr. Allan Sumpter, Residency Engineer for VDOT discussed updates on various projects throughout the County and presented information on the VDOT quarterly update. Mr. Sumpter said that VDOT is in snow season currently and coming out of that there will be a lot of activity to patch pot holes and remove trees in various locations. Mr. Sumpter briefly discussed the Rt. 11 and Railroad Drive intersection of Marion and advised those improvements are going along well. Chilhowie District Supervisor Michael Sturgill asked for clarification on what "scoping" is referring to and Mr. Sumpter answered that it means essentially reviews are being done on a specific project to see if permits are needed, talks with contractor about the schedule, and preliminary design etc. Chair, Atkins District Supervisor Charles Atkins said he on a personal level was upset about VDOT willing to spend money on the round-a-bout and said he feels the bridge to get people in and out of the Hall Addition was more important.

2/10/2022 5:52 PM Mr. Matthew Lewis, VDOT, Abingdon Residency presented information on various maintenance project updates throughout the County. Mr. Lewis welcome the newest Board member Mr. Courtney Widener. Mr. Lewis advised that VDOT is currently doing some patching on the interstates and trying to navigate through Winter. Mr. Lewis also advised that the patching in the Pleasant Heights area that Saltville District Supervisor Roscoe Call had asked about previously in his district has been completed. Mr. Lewis said VDOT plans to do more ditching this year and bring those back up to standards. Chilhowie District Supervisor Michael Sturgill thanked VDOT and Mr. Lewis for all they do. Royal Oak District Supervisor Courtney Widener asked Mr. Lewis about the Colonial Heights

area off Riverside Road becoming a state maintained road as he had a resident in the area requesting that possibility and Mr. Lewis said he would look in to it. County Administrator, Shawn Utt said he was asked about the curvy road signage in the Meek Hill area of Adwolfe needing to update the location and Mr. Lewis said he would also look into that.

2/10/2022 6:23 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to approve the minutes from the January 27, 2022 meeting as presented.

Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 6:24 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

2/10/2022 6:28 PM A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to approve the following accounts payable listing.

General County	
Accounts Payable Listing 1/1/2022-1/31/2022	\$1,592, 968,18
Total General County	\$1,592,968.18
Fund Accounts	
EDA Fund 4	\$52,000.00
CDBG Food Pantry Grant Fund 303	\$9,226.57
Sheriff Fund 746	\$5,077.78
Sheriff Fund 748	\$5,653.87
Recovery Court Fund 749	<u>\$104.99</u>
Total Fund Accounts	\$72,063.21
TOTAL ACCOUNTS PAYABLE-JANUARY 2022	\$1,665,031.39

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 6:29 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

2/10/2022 6:29 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

2/10/2022 6:30 PM County Administrator, Shawn Utt discussed the Proposed Amendments to the Smyth County Code Section 23. Article XIII in regards to the Transient Occupancy Tax. Mr. Utt discussed the potential for exemption for those who are forced into a hotel due to a natural disaster or a fire and after talking with the Commissioner of Revenue in regards to the Transient Occupancy Tax it was decided that the County would step in and reimburse whoever is paying for the hotel room in those circumstances.

Vice Chair, Rye Valley District Supervisor Lori Deel discussed an email she received from one of the constituents in her district expressing their frustration with some of the Air B&B's not being charged the occupancy tax. Discussion ensued.

2/10/2022 6:34 Vice Chair Rye Valley District Supervisor Lori Deel made a motion to adopt the Amendment to Smyth County Code of Ordinances Chapter 23, Article XIII in regards to the Transient Occupancy Tax.

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

A public hearing was held on the 27th day of January, 2022 at 5:00 p.m. in the Board Room of the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia to consider this amendment/re-adoption of the Smyth County, Virginia, Code of Ordinances Article XIII "Transient Occupancy Tax."

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

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

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

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

Sec. 23-426. - Definitions.

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

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

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

Amendment to Smyth County Code Article XIII Page 1 of 6 Accommodations intermediary means any person other than an accommodations provider that facilitates the sale of an accommodation, charges a room charge to the customer, and charges an accommodations fee to the customer, which fee it retains as compensation for facilitating the sale. For purposes of this definition, "facilitates the sale" includes brokering, coordinating, or in any other way arranging for the purchase of the right to use accommodations via a transaction directly, including via one or more payment processors, between a customer and an accommodations provider. Accommodations intermediary does not include a person:

- If the accommodations are provided by an accommodations provider operating under a trademark, trade name, or service mark belonging to such person; or
- 2. Who facilitates the sale of an accommodation if (i) the price paid by the customer to such person is equal to the price paid by such person to the accommodations provider for the use of the accommodations and (ii) the only compensation received by such person for facilitating the sale of the accommodation is a commission paid from the accommodations provider to such person.

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

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

Commissioner means the commissioner of the revenue of the county.

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

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

Lodging means any space or room furnished to any transient.

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

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

Amendment to Smyth County Code Article XIII Page 2 of 6 Room charge means the full retail price charged to the customer by the accommodations intermediary or by the accommodations provider, as applicable, for the use of the accommodations, including without limitation any accommodations fee and accommodations intermediary fee, before taxes.

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

<u>Transient</u> means any person who, for a period of fewer than thirty (30) consecutive days, either at his own expense or at the expense of another, obtains room or space from an accommodations provider for which a charge is made.

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

Treasurer means the treasurer of the county.

Sec. 23-427. - Levy and rate.

- (a) In addition to any other tax imposed by law, A transient occupancy tax on hotel, motel, inn, tourist camp, tourist cabin, camping grounds, club, boarding houses, travel campgrounds, and other facilities offering room or space rented out for continuous occupancy for fewer than thirty (30) consecutive days.
- (b) The transient occupancy tax imposed pursuant to the authority of this article shall be imposed only for the use or possession of any room or space that is suitable or intended for occupancy by transients for dwelling, lodging, or sleeping purposes.
- (c) The transient occupancy tax shall be imposed at the rate of five percent of the room charge paid by the customer for the use or possession of the room or space.
- (d) The revenue from three percent of such tax shall be designated and spent solely for tourism and travel, marketing of tourism or initiatives that as determined after consultation with the local tourism industry organlizations, including representatives of lodging properties located in the county, attract travelers to the locality, increase occupancy at lodging properties, and generate tourism revenues in the locality.

Sec. 23-428. - Exceptions to tax.

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

> Amendment to Smyth County Code Article XIII Page 3 of 6

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

Sec. 23-429. - Collection.

- (a) Every person receiving any payment for room rental with respect to which a tax is levied under this article shall collect the amount of tax imposed by this article at the time payment for such room rental is made. Such tax shall be deemed to be held in trust by the person required to collect the tax until remitted to the county as required by section 23-430.
- (b) For any retail sale of accommodations not facilitated by an accommodations intermediary, the accommodations provider shall collect the tax imposed pursuant to this article and shall remit the same to the locality and shall be liable for the same.
- (c) For any retail sale of accommodations facilitated by an accommodations intermediary, the accommodations intermediary shall collect the tax imposed pursuant to this article and shall remit the same to the locality and shall be liable for the same, except as follows: when the accommodations are at a hotel, the accommodations intermediary shall remit the taxes on the accommodations fee to the locality and shall remit any remaining taxes to the hotel, which shall remit such taxes to the locality.
- (d) An accommodations intermediary shall not be liable for taxes under this article remitted to an accommodations provider but that are then not remitted to the locality by the accommodations provider. For any retail sale of accommodations facilitated by an accommodations intermediary, an accommodations provider shall be liable for that portion of the taxes under this article that relate to the discount room charge only to the extent that the accommodations intermediary has remitted such taxes to the accommodations provider.
- (e) In any retail sale of any accommodations in which an accommodations intermediary does not facilitate the sale of the accommodations, the accommodations provider shall separately state the amount of the tax in the bill, invoice, or similar documentation and shall add the tax to the room charge. In any retail sale of any accommodations in which an accommodations intermediary facilitates the sale of the accommodation, the accommodations intermediary shall separately state the amount of the tax on the bill, invoice, or similar documentation and shall add the tax to the room charge; thereafter, such tax shall be a debt from the customer to the accommodations intermediary, recoverable at law in the same manner as other debts.

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

The person collecting the tax levied under this article shall make a report upon such forms and setting forth such information as the Commissioner may prescribe and require. Such report shall

Amendment to Smyth County Code Article XIII Page 4 of 6 show the amount of room charge fees, and tax collected and the amount of transient occupancy tax required to be collected. The form shall be signed by a duly authorized representative of the person; and shall be delivered to the Commissioner with the remittance of such tax. Such reports and remittances shall be made quarterly on or before October 31, January 31, April 30 and July 31 in each year and shall include the amount of tax collected during the three months immediately preceding the months in which such reports and remittances are required. If the remittance is by check or money order, the check or money order shall be made payable to the county treasurer. The Commissioner and Treasurer shall have the power to examine pertinent records for the purpose of administering or enforcing the provisions of this article.

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

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

Sec. 23-432. - Surcharge and interest.

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

Sec. 23-433. - Penalty.

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

Sec. 23-434. - Applicability.

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

Supervisor Lori Deel	made a motion to approve this amendment. The motion
was seconded by Supervisor Cour	they widenerand the roll call vote is as follows:

NAME	FOR	AGAINST	ABSENT
Charlie E. Atkins	×		
Roscoe D. Call			X
Lori H. Deel	×		
Kristopher S. Ratliff, DPh	Ç		
Charles P. Stevenson	^		×
Mike Sturgill	×		
Courtney Widener	×		

This amendment shall be effective on and after 12:01 a.m. on the 10th day of February 2022.

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of February 10th, 2022.

Shawn Utt, Clerk of the Board

Amendment to Smyth County Code Article XIII Page 6 of 6 Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 6:35 PM County Administrator, Shawn Utt discussed the Proposed Ordinance Authorizing a county-wide Junior Firefighter Program to allow juveniles ages sixteen (16) through seventeen (17). Chair, Atkins District Supervisor Charles Atkins said he's received a lot of positive feedback from the various departments regarding the Junior program.

• A motion was made by Vice Chair Rye Valley District Supervisor Lori Deel to adopt the Ordinance Authorizing Junior Firefighter Program for juveniles ages sixteen (16) through seventeen (17) to participate.

ORDINANCE AUTHORIZING JUNIOR FIREFIGHTER PROGRAM

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

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

- A. Subject to any restriction that may be placed by the Virginia Department of Fire Programs, any person who is sixteen (16) years of age or older may engage in firefighting activity, only if allowed in the bylaws of the volunteer fire department after first obtaining his or her parents' or guardians' approval, in writing, provided that such person attained their certification under National Fire Protection Association 1001, Level One, firefighters' standards, as administered by the state department of fire programs, as soon as the course is locally available, or within twelve months of joining the volunteer department.
- B. The certification record and parental or guardian consent shall be kept on file in the office of the volunteer fire department for each participant who is enrolled in a fire company pursuant to this section.
- C. Certified copies of this Ordinance and all amendments thereto shall be filed in the offices of the County Administrator, Commission of Revenue and the Clerk of the Circuit Court of Smyth County, Virginia.
- D. Effective date. This Ordinance was duly considered following the required public hearing held on January 27, 2022 and was adopted by the Board of Supervisors of Smyth County, Virginia, at its regular meeting held on 210 22 the members voting as follows:

Member	For	Against	Abstain	Absent
Charles E. Atkins	×			
Roscoe D. Call				×
Lori H. Deel	\times			
Kristopher S. Ratliff, DPh	×			
Charles P. Stevenson				×
Michael L. Sturgill	\times			^
Courtney Widener	\times			

This amendment shall be effective on and after 12:01 a.m. on the tag of February 2022.

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of February 10, 2022.

Shawn Utt, Clerk of the Board

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 6:35 PM County Administrator, Shawn Utt asked the Board to consider moving the Pathway Park Regional Industrial Authority Ordinance Public Hearing which was originally scheduled for February 24, 2022 to March 10, 2022 at 5:00 p.m. or shortly thereafter due to Joint Meeting with the Planning Commission on that day.

• A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to move the Pathway Park Regional Industrial Authority Ordinance Public Hearing from February 24, 2022 to March 10, 2022 at 5:00 p.m. or shortly thereafter.

Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 6:37 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee meeting and presented the following recommendation:

• A motion was made by Royal Oak District Supervisor Courtney Widener to recommend for the Ordinance Committee to put forth an Ordinance for the cohabitation of Smyth

County Land Mobile Radio systems to construct all new cell towers. Chilhowie District Supervisor Michael Sturgill seconded the motion and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

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

After further discussion, the following motion was rendered:

• Chilhowie District Supervisor Michael Sturgill made a motion to allow the County Administrator to advertise a Request for Proposal (RFP) for speed enforcement in school and work zones in Smyth County.

Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 6:45 PM County Administrator, Shawn Utt read the minutes from the Solid Waste Committee meeting and presented the following recommendation:

 North Fork District Supervisor Phil Stevenson made a motion to approve the Draper Aden & Associates Proposal No. 2101859 with the addendum to the proposal that there will be two separate fee options for the County to utilize based on the concept plan development. Saltville District Supervisor Roscoe Call seconded the motion and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

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

Chair, Atkins District Supervisor Charles Atkins asked when the current Transfer Station lease is up and Mr. Utt said it will be up in September of 2023.

2/10/2022 6:48 PM County Administrator, Shawn Utt read the minutes from the Water & Sewer Committee meeting and presented the following recommendations:

North Fork District Supervisor Phil Stevenson made a motion to recommend the approval
of The Lane Group, Smyth County Comprehensive County-Wide Water Study Proposal for
Professional Engineering Services and to authorize the County Administrator to execute
any necessary documents on behalf of the County. Vice Chair, Rye Valley District
Supervisor Lori Deel seconded the motion and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call • Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to recommend the approval of the Resolution for USDA Rural Development Predevelopment Planning Grant. North Fork District Supervisor Phil Stevenson seconded the motion and it was unanimously approved.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION FOR USDA RURAL DEVELOPMENT PREDEVELOPMENT PLANNING GRANT

The Smyth County Board of Supervisors, consisting of seven members, in a duly called meeting held on the 10 meeting held on 10 meeting held on

BE IT HEREBY RESOLVED that, in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development, (the Government) for the Predevelopment Planning Grant and associated construction project associated with the County's Comprehensive Water Study and Interconnect Project, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the County Administrator be authorized to execute on behalf of Smyth County, the above-referenced agreements and to execute such other documents including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance.

This Resolution, along with a copy of the above-referenced documents, is hereby entered into the permanent minutes of the meetings of this Board of Supervisors.

Adopted this the 10th day of February, 2022

ATTEST:

Shawn M. Utt, Clerk

SMYTH COUNTY BOARD OF SUPERVISORS

Charles Atkins, Chair

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Board of Supervisors of Smyth County in a duly assembled meeting on the loth day of February, 2022.

Shawn M. Utt. Clerk

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

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 6:51 PM Chair, Atkins District Supervisor Charles Atkins read the minutes from the American Rescue Plan Act (ARPA) Committee meeting and presented the following recommendations:

 Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to recommend the approval for up to \$250,000 for the Blue Ridge Discovery Center request for a Waste-Water Treatment System. North Fork District Representative John McLean seconded the motion and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

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

• Park District Representative Dr. Mike Robinson made a motion to recommend to approve the Mount Roger's Regional Partnership request for \$110,000 for the Mount Roger's 181-177 Crossroads Talent Recruitment program. North Fork District Representative John McLean seconded the motion and it was unanimously approved.

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

AYES: Atkins District Supervisor Charles Atkins,

Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None.

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

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to recommend to approve the \$364,500 year-one funding request for the Smyth County Fire Training Academy. Park District Representative Dr. Mike Robinson seconded the motion and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

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

 Chilhowie District Representative Ronnie Corvin made a motion to recommend to approve \$50,000 for external marketing purposes for Smyth County Tourism. Park District Representative Dr. Mike Robinson seconded the motion and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call After further discussion, the following motions were rendered:

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to approve \$15,000 from supplemental appropriations to go towards the Smyth County Public Library – Saltville Branch building study as originally requested through the ARPA committee.

Chilhowie District Supervisor Michael Sturgill seconded the motion:

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to approve \$30,000 from supplemental appropriations for the Smyth County Chamber of Commerce Child Development Program as originally requested through the ARPA committee.

Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 7:10 PM A motion was made by Royal Oak District Supervisor Courtney Widener to approve the Smyth County School Board additional appropriation for Technology Fund in the amount of \$100,000.

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill ABSENT: North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call

2/10/2022 7:11 PM County Attorney Report – Scot Farthing provided an update on various projects he is working on and advised he was given a to-do task list and if the Board has anything else for him to add to please let him know.

2/10/2022 7:14 PM County Administrator Report -

Mr. Utt discussed the recent VACO trip he, Mr. Sturgill and Mr. Widener attended in Richmond last week and said that one thing he learned was that there had been concerns on tax related bills that could potentially affect County finance and added that most of those bills had been overturned with the exception of the grocery tax. Mr. Utt said he is optimistic the County will not be greatly affected by whatever grocery tax bill that goes through.

2/10/2022 7:16 PM Supervisor Comment Time -

Park District Supervisor Kris Ratliff thanked the staff for their hard working on assembling and gathering information for the Board meeting packets and also thanked County Attorney, Scot Farthing for his work on the legal side of things. Dr. Ratliff commended the other Board members for taking hard stances on other issues regarding concerns of the citizens.

Chilhowie District Supervisor Michael Sturgill said there was good news regarding the COVID numbers starting to decline. Mr. Sturgill said it has been hard keeping the schools staffed and takes a lot extra to stay afloat. Mr. Sturgill thanked the Board for working together and said that he is looking forward to a great year.

Chair, Atkins District Supervisor Charles Atkins thanked everyone for being here and taking care of the nuisance complaints. Mr. Atkins was thankful for the willingness to discuss and make headway as a Board and with the budget rolling around for everyone to pray for those folks involved as it is not an easy process. Mr. Atkins also added it may be time for the Board

to start looking at designating some funding for discretionary road development within the County. Mr. Atkins thanked the Board for their open discussions.

Vice Chair, Rye Valley District Supervisor Lori Deel thanked the ARPA committee and for those appointed for listening and understanding the project. Mrs. Deel said there are so many good organizations with good causes and added it is difficult to comb through those things. Mrs. Deel expressed her appreciation for those folks that showed up tonight to speak at the Public Hearing and for standing together to move forward to take care of the nuisance issues. Mrs. Deel thanked for Board and staff for their continued hard work.

Royal Oak District Supervisor Courtney Widener was glad to see things such as the nuisances moving forward towards resolution and in making citizens happy. Mr. Widener said he enjoyed his recent VACO trip to Richmond and that he learned a lot. Mr. Widener wished for everyone to have a safe trip home.

2/10/2022 7:24 PM Royal Oak District Supervisor Courtney Widener made a motion to enter into closed session under Code of Virginia Section 2.2-3711(a)1 – discussion for consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of public officers, appointees or employees, regarding the County Attorney position recruitment. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion and it was unanimously approved.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 7:36 PM Royal Oak District Supervisor Courtney Widener made a motion to adopt the following resolution certifying the business conducted in closed session as follows. Vice Chair, Rye Valley District Supervisor seconded the motion.

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session

on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

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

2/10/2022 7:39 PM With no further business to discuss, the meeting was adjourned. The next meeting will be February 24, 2022 at 5:00 p.m.

The Smyth County Board of Supervisors held its regular meeting on Thursday, February 24, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye

Valley District Supervisor Lori Deel (electronically); Park District Supervisor Kris Ratliff; Saltville District Supervisor Roscoe Call; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Courtney Widener; North Fork

District Supervisor Phil Stevenson

ABSENT: None

STAFF: County Administrator Shawn Utt; Assistant County

Administrator Lisa Richardson; Administrative Assistant Paula Harvey; County Attorney Scot Farthing; Building & Zoning Administrator Clegg Williams; Economic Development Project

Manager Kendra Hayden

OTHERS: Smyth County News & Messenger; Smyth County Sheriff's

Deputy and citizens

2/24/2022 5:02 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

2/24/2022 5:03 PM County Administrator, Shawn Utt led the Pledge of Allegiance. Sandy Elswick, Registrar, gave the invocation.

2/24/2022 5:03 PM Chair, Atkins District Supervisor Charles Atkins asked everyone to say a prayer and to remember the military over in Europe.

2/24/2022 5:03 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing regarding the Community Development Block Grant (CDBG) funding for a project in the County.

2/24/2022 5:04 PM County Administrator, Shawn Utt read the following Public Hearing notice for the record:

NOTICE OF PUBLIC HEARING

Smyth County Board of Supervisors will conduct a public hearing on Thursday, February 24, 2022, at 5:00 p.m. or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia to solicit public input on local community development in relation to the Community Development Block Grant (CDBG) funding for a project in our county.

Information on the amount of funding available, the requirements on benefit to lowand moderate – income persons, eligible activities, and plans to minimize displacement and provide displacement assistance as necessary will be available. Citizens will also be given the opportunity to comment on the County's past use of CDBG funds. All interested citizens are urged to attend. For additional information, contact Kendra Hayden, Economic Development Project Manager at 276-783-3298.

Comments and grievances can be submitted in writing to Smyth County at 121 Bagley Circle, Suite 100, Marion, VA 24354, by email at pharvey@smythcounty.org or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, February 24, 2022.

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

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

2/24/2022 5:09 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to waive the reading of rules of public hearings for this specific public hearing. Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

2/24/2022 5:06 PM Economic Development Project Manager, Kendra Hayden, discussed information regarding the CDBG funding available through the Department of Housing and Community Development. Mrs. Hayden said that the Department of Housing and Community Development has allocated over \$18 million for CDBG Community Improvement grant funding for Counties, Towns and small cities and noted that Smyth County has shown an interest in applying for these funds. Mrs. Hayden added that as a requirement of the grant, two public hearings are required but said the public hearing is not project specific, it is simply to inform the public of the available funds and offer an opportunity to comment on past use by the County of CDBG funds.

2/24/2022 5:07 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing with no further action necessary.

1/27/2022 5:08 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the minutes of the February 10, 2022, meeting. 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,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Courtney Widener, and
Chilhowie District Supervisor Michael Sturgill,

NAYS: None.

ABSTAINERS: Saltville District Supervisor Roscoe Call.

North Fork District Supervisor Phil Stevenson

ABSENT: None.

2/24/2022 5:08 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

2/24/2022 5:08 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

2/24/2022 5:09 PM County Administrator, Shawn Utt read the minutes from the Appointment Committee meeting and presented the following recommendations:

• A motion was made by Royal Oak District Supervisor Courtney Widener to recommend appointing Shawn Utt, County Administrator and John McLean, Economic Development Authority representative to serve on the Pathway Regional Industrial Facilities Authority Board and to nominate Kendra Hayden, Economic Development Assistant as alternate. Saltville District Supervisor Roscoe Call seconded the motion, and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

After discussion, the following motion was made:

• A motion was made by North Fork District Supervisor Phil Stevenson to appoint Chilhowie District Supervisor Michael Sturgill as Smyth County Board of Supervisors representative to serve on the Pathway Regional Industrial Facilities Authority Board.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill Supervisor

ABSENT: None.

• A motion was made by Royal Oak District Supervisor Courtney Widener to recommend reappointing Bradley Powers to the Smyth-Washington Industrial Facilities Authority Board for an additional 4-year term set to expire February 28, 2026. 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,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson

NAYS: None.

ABSTAINERS: None.
ABSENT: None.

 A motion was made by Atkins District Supervisor Charles Atkins to recommend the appointment of Curtis Crawford, Emergency Management Coordinator to serve as the County's voting member on the Regional Preparedness Advisory Committee – Interoperability and Shannon Williams, 911 Coordinator to serve as the alternate. Royal Oak District Supervisor Courtney Widener seconded the motion, and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

> • A motion was made by Royal Oak District Supervisor Courtney Widener to recommend the reappointment of County Administrator, Shawn Utt to serve on the Southeast Rural Community Assistance Project Board for an additional 5-year term. 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,
Park District Supervisor Kris Ratliff,
Royal Oak District Supervisor Courtney Widener,
Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call, and
North Fork District Supervisor Phil Stevenson

NAYS: None.

ABSTAINERS: None. ABSENT: None.

2/24/2022 5:15 PM County Administrator, Shawn Utt read the minutes from the Budget Committee meeting and presented the following recommendations:

 A motion was made by Rye Valley District Supervisor Lori Deel to recommend the approval of the FY21/22 Budget Amendment #7a to include \$950,000 with \$350,000 going towards Technology and \$600,000 going towards Facilities/Maintenance for the School Board (Fund 009). Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: None.

• A motion was made by Rye Valley District Supervisor Lori Deel to recommend the approval of the FY21/22 Budget Amendment #7b to include \$29,435 from Capital Improvements to go towards the Nick's Creek Pump Station repairs. Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #7

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 the aggregate amount of budget amendment #7 is \$979,435 which would increase the Fiscal Year 2021-2022 budget to a total of \$101,771,637 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 \$101,771,637.

BE IT FURTHER RESOLVED, the approval of this budget amendment #7 shall indeed constitute an appropriation of the same funds.

Adopted this the 24th day of February 2022

ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles Atkins, Chair

Exhibit A FY 2021-22 Budget Amendment #7 (2-17-22)

Part 1. REVENUES

Fund	Department	Line Item	Account Title		Adopted	Amount of	Budget with Notes
		Number			Budget	Amendment	Amendment
FUND 009	State School Funds	009-021010-0230	VA DOE ESSER Funds	\$	(973,911) \$	(950,000) \$	(1,923,911) Additional ESSER Grant Funding
FUND 502	Capital Improvements	502-012010-0148	Mt. Rogers PDC-Water	\$	- \$	(29,435) \$	(29,435) Grant funding for Nick's Creek Pump Station
	* **						
Total Revenues With Amendment \$					(100,792,202) \$	(979,435) \$	(101,771,637)

Part 2. EXPENDITURES

Fund	Department	Line Item	Account Title	Adopted		Amount of	Amended Budget	Notes
		Number			Budget	Amendment	Amount	
FUND 009	Smyth County School Operations	009-099990-5804	Facilities	\$	5,973,216	\$ 600,000	\$ 6,573,216	Use of ESSER Grant Funding
FUND 009	Smyth County School Operations	009-099990-5806	Technology	\$	1,521,396	\$ 350,000	\$ 1,871,396	Use of ESSER Grant Funding
FUND 502	Capital Improvements	502-012010-0243	PDC GRANT TA	\$	-	\$ 29,435	\$ 29,435	
Total Expend	Total Expenditures With Amendment				100,792,202	\$ 979,435	\$ 101,771,637	

Revenues	\$ (100,792,202)	\$ (979,435)	\$ (101,771,637)
Expenditures	\$ 100,792,202	\$ 979,435	\$ 101,771,637
Difference	\$	\$ -	\$ -

 A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend a supplemental appropriation for Recovery Court Fund 749 in the amount of \$42,421. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

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

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

NAYS: None. ABSTAINERS: None.

ABSENT: None.

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend moving \$6,000 from the Board of Supervisor's Supplemental Appropriations line (001-011010-8888) to the Sheriff Department's County-Funded Dispatchers – Part-time line (001-021070-1004) and to increase the part-time hourly rate to \$15 per hour. Rye

Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

2/24/2022 5:21 PM Chilhowie District Supervisor Michael Sturgill read the minutes from the Ordinance Committee meeting and presented the following recommendations:

 A motion was made by Atkins District Supervisor Charles Atkins to recommend scheduling a Public Hearing on an Ordinance related to the use of speed monitoring devices in school crossing zones and road work zones for March 10, 2022, at 5:00 p.m. or shortly thereafter. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend repealing the County's current noise ordinance until other enforcement alternatives can be

explored. Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.

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

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

Mr. Utt suggested that the next step would be to schedule a Public Hearing to consider repealing the County Noise Ordinance. After discussion the following motion was made:

• A motion was made by North Fork District Supervisor Phil Stevenson to schedule a public hearing to repeal the County's current noise ordinance for March 24, 2022, at 5:00 p.m. or shortly thereafter.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

2/24/2022 5:30 PM Chilhowie District Supervisor Michael Sturgill read the minutes from the Personnel Committee meeting. No action was taken, informational only.

2/24/2022 5:31 PM County Administrator, Shawn Utt read the minutes from the Public Safety Committee meeting. No action was taken, informational only.

Park District Supervisor Kris Ratliff asked Mr. Utt about the timetable for the new County radio system and Mr. Utt referenced page 58 in the packet with implementation and cost estimates for each fiscal year.

Chair, Atkins District Supervisor Charles Atkins asked if the digital radio system would last longer than analog and what was the expected life of the project. Mr. Utt said he understood that what the radio study is proposing is a system that can be updated with components along the way so that it doesn't have to come all at once. Royal Oak District Supervisor Courtney Widener noted that the quote of the new radio system does not include the upkeep and maintenance on the system. North Fork District Supervisor Phil Stevenson asked for the American Rescue Plan Act (ARPA) committee to remember the potential cost of the new County-wide radio system and added that some of the funds should be considered to go towards the new radio system. Mr. Utt said the next step would be for the development of an RFP for other options to be explored and added that it would likely be a 6-8-month process. Discussion ensued.

2/24/2022 5:49 PM Chair, Atkins District Supervisor Charles Atkins recessed the meeting until 7:00 p.m. when the Board will reconvene as a Joint Meeting with the Planning Commission.

Joint Meeting with the Smyth County Planning Commission:

2/24/2022 7:01 PM Charlie Atkins, Chair of the Board called the Board of Supervisors meeting back to order. Hazel Wagoner, Chair of the Planning Commission called the Planning Commission back to order for the joint public hearings.

Board of Supervisors (BOS) Members Present: Charlie Atkins, Chair, Atkins District; Lori Deel, Vice- Chair Rye Valley District (electronically); Michael Sturgill, Chilhowie District; Roscoe Call, Saltville District; Kris Ratliff, Park District; North Fork District Supervisor Phil Stevenson; Royal Oak District Supervisor Courtney Widener

Board of Supervisors (BOS) Members Absent: None.

Planning Commissioners (PC) Present: Joel Pugh, Vice-Chairman, Park District; Graham Davidson, Jr., Chilhowie District; Hazel Wagoner, Chair, Atkins District; Paul Shepherd, Rye Valley District; David Spence, Saltville District; Tony Dean, Rye Valley District

Planning Commissioners (PC) Absent: Robert Campbell, North Fork District

Staff Present: Shawn Utt, County Administrator; Lisa Richardson, Assistant County Administrator, Clegg Williams, Building & Zoning Administrator; Paula Harvey, Administrative Assistant; Kendra Hayden, Economic Development Project Manager. Approximately forty citizens were present.

2/24/2022 7:01 PM Mr. Williams read the advertisements as placed in the Smyth County News and Messenger.

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, February 24, 2022, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application to the Zoning Ordinance of Smyth County, Virginia:

An application from JWM Enterprises, LLC, which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at Marion, Virginia, to rezone approximately 14 acres from Commercial to Industrial. The Smyth County Comprehensive Plan does not identify a density range and the general usage of these properties have most recently been a single-family dwelling, vacant, and a log yard. The property is located at 2312 Lee Highway and 2340 Lee Highway Marion, Virginia, and is identified as Tax Map Nos. 56G-1-42, 56G-1-42A, 56G-1-42B, the Eastern Portion of 56G-A-3, and the Eastern Portion of 56G-1-41A and can be found within Grid No. 5486 of the State Plane Grid Index.

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

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

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

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

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

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct a joint public hearing on Thursday, February 24, 2022, at 7:00 P.M. or as soon after 7:00 P.M. as an application may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following applications to the Zoning Ordinance of Smyth County, Virginia:

An application from George Palmer for a Special Use Permit to establish a truck stop. The project is proposed to be located on the three tracts of land adjoining 416 Chestnut Ridge Road, Marion Virginia, the subject tracts as identified as Tax Map Numbers 55-5-2; 55-6-1; and 55A-A-1 and are all zoned Commercial.

An application from JWM Enterprise LLC for a Special Use Permit to establish a mining, quarrying, mineral extraction, and processing operation. The subject properties are addressed as 2312 Lee Highway and 2340 Lee Highway, Marion Virginia, and are further identified as Tax Map Nos. 56G-1-42, 56G-1-42A, 56G-1-41B, the Eastern Portion of 56G-A-3, and the Eastern Portion of 56G-1-41A

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

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

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

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

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

2/24/2022 7:06 PM Assistant County Administrator, Lisa Richardson, read the rules of Public Hearings.

2/24/2022 7:07 PM Mr. Williams presented an application for JWM Enterprises, LLC who is owned by Justin McClellan. Under that umbrella, Mr. McClellan operates as an excavation business and a trucking company. Mr. McClellan is wanting to consolidate the two businesses onto a single tract of land, approximately 14 acres in size. The subject tracts are addressed as 2312 and 2340 Lee Highway, Marion, Virginia, and they are identified as tax map number 56G-1-42, 56G-1-42A, 56G-1-41B, the Eastern portion of 56G-A-3 and the Eastern portion of 56G-1-41A and are all currently zoned Commercial. Mr. Williams discussed that the current County ordinance considers his two businesses a Contractor

Equipment Storage Yard and a Truck Terminal and neither of those are allowed in the Commercial district and said Mr. McClellan is applying to have the property rezoned to Industrial where both uses are allowed by right.

Mr. Williams also discussed Mr. McClellan's application for a Special Use Permit for a mining, quarrying, mineral extraction, and processing operation. Mr. Williams said this type of operation requires a Special Use Permit in the Industrial District.

2/24/2022 7:09 PM Justin McClellan, owner of JWM Enterprises, LLC provided a brief description of his request. Saltville District Supervisor Roscoe Call asked Mr. McClellan what he intended to mine. Mr. McClellan indicated that he intended to establish a shale pit.

2/24/2022 7:10 PM Mr. Atkins and Ms. Wagoner closed the public hearing regarding the JWM Enterprises, LLC application request.

2/24/2022 7:11 PM Mr. Williams presented an application for George Palmer to establish a Truck Stop on his property located near 416 Chestnut Ridge Road, Marion, Virginia and is identified by tax map numbers 55-5-2, 55-6-1, and 55A-A-1 and noted that all three tracts are zoned Commercial. Mr. Williams said that while considering this case, he would like to highlight Section 3-4.2 (g) which allows truck stops in the commercial district by issuance of a Special Use Permit and Section 6-2.3 which contains standards that must be met for any Special Use Permit being considered.

2/24/2022 7:12 PM Mr. Williams read two letters into the record, one from Ms. Rebecca Dolinger and one from Ms. Jennifer Greer regarding their opposition to the proposed Truck Stop.

2/24/2022 7:14 PM Mr. Williams reviewed code sections specific for Special Use Permit regarding Truck Stops and added that the County Comprehensive Plan identifies the three tracts as commercial/industrial.

2/24/2022 7:16 PM George Palmer spoke regarding his Special Use Permit request to establish a Truck Stop off exit 39 in Marion. Mr. Palmer said Smyth County needs growth and he explained the positive responses he had received. Mr. Palmer also said the property developers and real estate team are capable and ready to move forward with the project.

2/24/2022 7:18 PM Arpit Soni spoke regarding the reopening of the Adwolfe Food Mart and added that it had created jobs and tax revenue for the County. Mr. Soni said the Truck Stop project has potential for growth and noted that several large restaurant chains have expressed interest. Mr. Soni discussed that a company called Speed Data LLC projected about 5.5 million in tax revenue from this project, including the new cigarette tax. Mr. Pugh asked Mr. Soni what brand of Truck Stop and Mr. Soni responded that they have had discussions with BP, Shell, and Exxon. Mr. Call asked Mr. Soni if any big box/retail stores have expressed interest to which Mr. Soni said not at this time but did say that Subway/Wendy's were verbally committed.

2/24/2022 7:22 PM Tom Roberts, Civil Engineer with H2Engineering in Blacksburg Virginia spoke about the Special Use Permit for the Truck Stop and said they were asked to look at the water and sewer, storm water, VDOT, etc. with the intent to meet all zoning regulations. Mr. Stevenson asked Mr. Roberts if he had met with VDOT. Mr. Roberts stated that both he and Soni met with VDOT. Mr. Atkins asked if there was a specific plan for the home currently on the property and Mr. Roberts said they do not have a specific plan at this time. Mr. Roberts discussed the 100-year Floodplain and the area closest to the interchange and advised they were permitted to go ahead and fill that area. Mr. Roberts also said the parking lot to the Truck Stop could be in the 100-year Floodplain. Mr. Widener asked if the exit ramps leading to the property have been discussed with VDOT and if there were any concerns with congestion and Mr. Roberts indicated that VDOT did not imply that congestion would be an issue.

2/24/2022 7:28 PM Chairman Atkins asked for citizens who wished to speak regarding the proposal. The following citizens spoke:

- Derek Blevins 149 Lancaster Lane, Marion, VA stated that the people that own the land are family members of his and he doesn't think they are bad people he just doesn't want the truck stop at the location. Mr. Blevins expressed his concern with the fate of the Crockett House, saying it is historical and most importantly a big part of Smyth County and it would be a shame to have it torn down. Mr. Blevins also discussed the wetland regulations on the property.
- Ashley Toliver Chilhowie, VA stated that the property in question is included in the
 national wetland inventory. Ms. Toliver provided a handout to the Commissioners
 and the Supervisors showing that the property is a protected wetland. Ms. Toliver
 also discussed a possible archeology study that may be needed for the property
 because of it being on burial grounds along with other environmental concerns.
- Rebecca Wilkinson Smith 711 Chilhowie Street, Chilhowie, VA stated that if the Truck Stop came in that it would have detrimental effects to the environment. Ms. Smith discussed the issue with the property on wetlands and mentioned the 100-year Floodplain. Ms. Smith also expressed her concerns with drainage on the property.
- Kendall Johnson- 364 Greystone Road, Marion, VA stated she was here to oppose the
 proposed truck stop and addressed her concerns with the noise and the lights which
 can been seen from her home. Ms. Johnson was also concerned with the increased
 traffic at an already busy intersection. Ms. Johnson asked, "would you want this in
 your backyard"? and invited everyone to come sit on her back porch and see things
 from her point of view.
- Kenneth Harris Greystone Road, Marion, VA stated that he lives only about 500 yards from the proposed truck stop and asked for it to be denied due to air pollution,

noise concerns, and increased traffic. Mr. Harris said he's lived there for 10 years and has never had any issues and added that he is in his 70s and would rather not see a truck stop come in that area.

- Joe Copenhaver stated that he had no further comment at this time that his concerns had been covered.
- Lori Rouse Mann Whitetop Road, Chilhowie, VA stated that she has a personal attachment to the Crockett House. Ms. Mann also discussed the home being a landmark and the most distinctive one along I-81.
- Jeanne Clapp stated she lived just across the road from the proposed truck stop and said most of her issues have already been discussed but added she is a widow and lives alone and that she is concerned with all the increased traffic in the area.
- Mark Hash Fairfield Lane, Chilhowie VA stated he lives directly across the street and that he is concerned with the fate of the Crockett House along with the environmental impacts and fumes from all the trucks and traffic.
- Veda Odle stated she has had the same arguments and added that there must be more studies done. Ms. Odle encouraged everyone to come together as citizens and be heard and to show up to all meetings as she plans to. Ms. Odle also suggested the public be allowed to join these meeting virtually as an option.
- Katy Black Whitetop Road Chilhowie, VA spoke in favor of the proposed truck stop and said she is the Manager at the new Adwolfe Food Mart and that the truck stop would be good for the County as it needs growth.
- Julie Rymer Spring Valley Road Marion, VA echoed the environmental concerns others had as well. Ms. Rymer said she feels that the truck stop would have a large environmental impact on that piece of land. Ms. Rymer also showed pictures of the property that was currently flooded due to the rain.
- Dave Rymer Spring Valley Road Marion, VA said he is a resident of Smyth County and that he was not impressed by the presentations of the owner and investors of the proposed truck stop. Mr. Rymer also added that he echoed the concerns the other citizens have as well.
- John Clark 2654 Saltville Highway, Saltville VA stated he would like to emphasize that the water and sewer for the proposed truck stop would be served by the Town of Chilhowie. Mr. Clark discussed the history of the property and it also being part of the Civil War. Mr. Clark said he knows the Palmers and added that they are excellent people and good contributors. Mr. Clark said he hopes the Board can find some

middle ground to where the property can be preserved as well as be commercially developed.

- Loren Rhea 711 Chilhowie Street stated she felt both the environment and health would be concerns of hers. Ms. Rhea added that the Crockett House is a landmark and a very recognizable home, and that Lucy Crockett wanted the home to be preserved in the future for generations to come. Ms. Rhea said that the people of Smyth County want the land free of a truck stop.
- Dr. Paul Grinstead stated that about a year ago the proposed property had a sewer pump station put in and added that a special drain had to be put in to assist with drainage issues. Dr. Grinstead also voiced his concerns with health issues and the elderly people that live around the area with the fumes going up and into the neighborhood. Dr. Grinstead said he heard a lot of open-ended answers and as a former Planning Commission chair asked for the Board to look at the whole situation before making any decision.
- Gardner Umbarger stated a concern with an increased traffic flow in the area and recommended holding off on any decision until VDOT is consulted.
- Nancy Lagerhorn 230 Cheshire Lane, Marion VA stated that when traffic has to come off that exit and go through Chilhowie the big trucks have difficulty making the turn.
- June Harris 335 Greystone Road, Marion, VA suggested that everyone come visit at busy times and watch the traffic and the trucks when they are turning in that area.

2/24/2022 8:19 PM Chairman of the Board, Charles Atkins and Chair of Planning Commission, Hazel Wagoner closed the joint public hearing.

2/24/2022 8:20 PM Mr. Williams read a letter from Mr. Mike Pulice, Architectural Historian with the Virginia Department of Historic Resources for the record.

2/24/2022 8:22 PM Mr. Stevenson discussed and clarified what the County purpose on this decision. Mr. Stevenson said the Counties only concern with this would be to issue a Special Use Permit and added that the County has no control over the other issues discussed. Mr. Stevenson said I-81 is a commercial corridor and it will without a doubt grow.

2/24/2022 8:23 PM Chairman of the Board, Charles Atkins adjourned the Board of Supervisors portion of the meeting.

The Smyth County Board of Supervisors held its regular meeting on Thursday, March 10, 2022, at 5:00 p.m. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Atkins District Supervisor Charles Atkins; Rye Valley District

> Supervisor Lori Deel; Park District Supervisor Kris Ratliff; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Courtney Widener; Saltville District Supervisor

Roscoe Call; North Fork District Supervisor Phil Stevenson

ABSENT: None

STAFF: County Administrator Shawn Utt: Assistant County

> Administrator Lisa Richardson; Administrative Assistant Paula Harvey; Assistant County Attorney Don Martin; Building & Zoning Williams; Administrator Clegg Emergency Management

Coordinator Curtis Crawford

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

and citizens

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

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

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

After consideration, the motion PASSED by the following vote:

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

> Royal Oak District Supervisor Courtney Widener, North Fork District Supervisor Phil Stevenson,

Saltville District Supervisor Roscoe Call,

Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None. ABSTAINERS: None.

ABSENT: None.

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

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

NOTICE OF PUBLIC HEARING

In compliance with the Code of Virginia of 1950, and amendments thereto, the Smyth County Board of Supervisors will conduct a public hearing to consider an Amendment and Reenactment of the Ordinance that created the Pathway Park Regional Industrial Facilities Authority. The Board of Supervisors shall hear comments from citizens concerning the amendment and reenactment of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, March 10, 2022, beginning at 5:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion Virginia, to receive comments on the proposed amendment and proposed ordinance.

All interested persons may express their views by emailing pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to Shawn M. Utt, County Administrator, 121 Bagley Circle, Suite 100, Marion VA 24354, or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, March 10, 2022.

A copy of this proposed amendment and proposed reenacted ordinance is on file in the County Administrator's Office located at 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

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

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

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

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

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

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

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

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

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

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

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

4. Revisions:

Article VII

Sec. 2-200. Definitions.

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

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

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

Authority means the regional facility authority created hereby by cooperative action of Bland

County, Virginia; Smyth County, Virginia; and Washington County, Virginia, to be known as "Pathway

Regional Industrial Facility Authority".

Board of directors means the board of directors of the Pathway Regional Industrial Facility

Authority.

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

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

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

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

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

- the Commonwealth named the "Pathway Regional Industrial Facility Authority." The Smyth-Washington Regional Industrial Facility Authority may use the short name, "PRIFA."
- (b) The authority is vested with the powers of a body corporate, including the power to sue and be sued in its own name, plead and be impleaded, and adopt and use a common seal and alter the seal as may be deemed expedient. The authority shall have all rights, duties and powers provided by provision of the Act, and including such powers, rights, and duties as may hereafter be set forth from time to time in the Act.
- (c) The authority may be dissolved in compliance with provisions for dissolution stated in the Act.
- (d) A member locality may withdraw from the Authority in compliance with provisions for withdrawal stated in the Act.
- (d) The fiscal year for the authority shall be the same as that of the Commonwealth.

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

Sec. 2-202. Purpose.

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

Sec. 2-203. Membership.

The founding member localities of the authority are Bland County, Smyth County, and Washington

County, each of which is a political subdivision of the Commonwealth of Virginia, and each of which is

authorized by the Act to participate in the authority. The membership may, with the approval of the board

of directors, be expanded in compliance with provision for expansion as stated in the Act.

Sec. 2-204. Member locality agreement.

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

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

Sec. 2-205. Board of directors.

- (a) The powers, rights, and duties conferred by the Act upon the authority shall be exercised by a board of directors, which shall consist of six members, appointed as described in this section. The number of directors of the authority may be supplemented by decision of and appointment by the governing bodies as permitted by the Act.
- (b) Each member locality shall appoint to the board of directors one member from its governing body and one member from its industrial development authority or economic development authority (whichever the case may be). All appointees to the board of directors must be residents of the Commonwealth.
- (c) Each member of the board of directors shall serve for a term of four years, commencing on January

 1 of the first year and ending on December 31 of the fourth year, and may be reappointed for additional four-year terms. In the event of a vacancy during a term of office, the appropriate governing body shall in a timely manner appoint a new member whose term of office shall commence at the first meeting of the board of directors after appointment and shall end upon the end of term of the vacant position to which the member was appointed at which time such member may be reappointed for additional four-year terms.

- (d) Notwithstanding the foregoing, the following terms shall apply only to the initial board of directors

 to provide for staggered terms. One of the two members appointed from each member locality to the

 initial board of directors shall be appointed for a term of two years and may be reappointed for

 additional four-year terms. The term of office of the members of the initial board of directors shall

 begin on the date of the creation of the authority and end on December 31 of the second or fourth
- (e) Each member of the board of directors, before entering upon the discharge of the duties of the office,

 shall take and subscribe to the oath prescribed in Code of Virginia, § 49-1 and shall serve in

 compliance with the Act, this division, and the agreement.

year after creation of the authority, as designated by the appointment.

- (f) The board of directors shall adopt bylaws, rules and/or regulations to carry out the provisions of the

 Act. The bylaws, rules, or regulations shall, among other things, specify the principal office for the

 authority, identify the schedule and place for meetings of the board of directors, and provide for the

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

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

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

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

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

Sec. 2-207. Funding.

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

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

Sec. 2-208. Required reports.

- (a) Annual reports. The board of directors shall report to the governing body of each member locality annually, on or before the last March meeting of the governing body, on the activities of the authority. In addition to oral presentation at the meeting, a written annual report shall be provided prior to the meeting and shall contain, at a minimum, the following information:
 - (1) A financial update through December 31 of the current fiscal year:
 - (2) After completion of the first fiscal year, an audited financial report showing expenditures and revenues and a statement showing financial condition at the end of the preceding fiscal year;
 - (3) A written report, approved by the board of directors, of the activities and accomplishments of the authority and recommendations regarding future activities of the authority; and
 - (4) A list of tenants, purchasers or other persons occupying the Glade Highlands Industrial Park or any other regional industrial facilities developed by the authority.
- (b) Special reports. Upon written request of the governing body of any member locality, the board of directors shall report to the governing body within 30 days of receipt of the request or within a longer period if so provided in the written request. The special report shall describe the activities and financial status of the authority within the six-month period immediately preceding the request, or as otherwise specified in the written request and shall be furnished to each member locality. A written report shall be provided if requested.

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

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

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

NOTICE OF PUBLIC HEARING

In compliance with the Code of Virginia of 1950, and amendments thereto, the Smyth County Board of Supervisors will conduct a public hearing to consider an Amendment to the Smyth County Code of Ordinances Chapter 35 – Law Enforcement to include provisions for photo speed enforcement. The Board of Supervisors shall hear comments from citizens concerning the amendment and reenactment of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, March 10th, 2022, beginning at 5:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion Virginia, to receive comments on the proposed amendment and proposed ordinance.

All interested persons may express their views by emailing pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to Shawn M. Utt, County Administrator, 121 Bagley Circle, Suite 100, Marion VA 24354, or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, March 10, 2022.

A copy of this proposed amendment and proposed reenacted ordinance is on file in the County Administrator's Office located at 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

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

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

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

SMYTH COUNTY CODE OF ORDINANCES CHAPTER 44, ARTICLE VI

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

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

- (a) For purposes of this section, "highway work zone" has the same meaning ascribed to it in Code of Virginia, § 46.2-878.1. "Photo speed monitoring device" means equipment that uses radar or LIDAR-based speed detection and produces one or more photographs, microphotographs, videotapes, or other recorded images of vehicles. "School crossing zone" has the same meaning ascribed to it in Code of Virginia, § 46.2-873.
- (b) The Smyth County Sheriff's Office may install and operate photo speed monitoring devices, within the boundaries of Smyth County, in school crossing zones for the purposes of recording violations of Code of Virginia, § 46.2-873 and in highway work zones for the purposes of recording violations of Code of Virginia, § 46.2-878.1.

- (c) The operator of a vehicle shall be liable for a monetary civil penalty imposed pursuant to this section if such vehicle is found, as evidenced by information obtained from a photo speed monitoring device, to be traveling at speeds of at least 10 miles per hour above the posted school crossing zone or highway work zone speed limit within such school crossing zone or highway work zone, while such zone is active. Such civil penalties shall be \$100.00. Any prosecution under this section shall be instituted and conducted in the same manner as prosecution for traffic infractions. Civil penalties collected under this section resulting from a summons issued by the Smyth County Sheriff's Office shall be paid to Smyth County.(d) If a photo speed monitoring device is used, proof of a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 shall be evidenced by information obtained from such device. A certificate, or a facsimile thereof, sworn to or affirmed by a law enforcement officer employed by the County authorized to impose penalties pursuant to this section, based upon inspection of photographs, microphotographs, videotapes, or other recorded images produced by a photo speed monitoring device, shall be prima facie evidence of the facts contained therein. Any photographs, microphotographs, videotapes, or other recorded images evidencing such a violation shall be available for inspection in any proceeding to adjudicate the liability for such violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1.
- (e) In the prosecution for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 in which a summons was issued by mail, prima facie evidence that the vehicle described in the summons issued pursuant to this section was operated in violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1, together with proof that the defendant was at the time of such violation the owner, lessee, or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the vehicle was the person who committed the violation. Such presumption shall be rebutted if the owner, lessee, or renter of the vehicle (i) files an affidavit by regular mail with the clerk of the general district court for the County that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation or (ii) testifies in open court, under oath that he was not the operator of the vehicle at the time of the alleged violation and provides the name and address of the person who was operating the vehicle at the time of the alleged violation. Such presumption shall also be rebutted if a certified copy of a police report, showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1, is presented, prior to the return date established on the summons issued pursuant to this section, to the general district court for the County adjudicating the alleged violation.
- (f) Imposition of a civil penalty pursuant to this section by mailing a summons shall not be deemed a conviction as an operator and shall not be made a part of the operating record of the person upon whom such liability is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage. However, if a law enforcement officer employed by the County uses a photo speed monitoring device to

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

- (g) A summons for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 issued by mail pursuant to this section may be executed pursuant to Code of Virginia, § 19.2-76.2. Notwithstanding the provisions of Code of Virginia, § 19.2-76, a summons issued by mail pursuant to this section may be executed by mailing by first class mail a copy thereof to the address of the owner, lessee, or renter of the vehicle. In the case of a vehicle owner, the copy shall be mailed to the address contained in the records of or accessible to the department of motor vehicles. In the case of a vehicle lessee or renter, the copy shall be mailed to the address contained in the records of the lessee or renter. Every such mailing shall include, in addition to the summons, a notice of (i) the summoned person's ability to rebut the presumption that he was the operator of the vehicle at the time of the alleged violation through the filing of an affidavit as provided above and (ii) instructions for filing such affidavit, including the address to which the affidavit is to be sent. If the summoned person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons shall be executed in the manner set out in Code of Virginia, § 19.2-76.3. No proceedings for contempt or arrest of a person summoned by mailing shall be instituted for failure to appear on the return date of the summons. If the summons is issued to an owner, lessee, or renter of a vehicle with a registration outside the commonwealth and such person fails to appear on the date of return set out in the summons mailed pursuant to this section, the summons will be eligible for all legal collections activities. Any summons executed pursuant to and for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 issued pursuant to this section shall provide to the person summoned at least 30 days following the mailing of the summons to inspect information collected by a photo speed monitoring device in connection with the violation. If the Smyth County Sheriff's Office does not execute a summons for a violation of Code of Virginia, §§ 46.2-873 or 46.2-878.1 issued pursuant to this section within 30 days following the date of the violation, all information collected pertaining to the suspected violation shall be purged within 60 days following the date of the violation.
- (h) A private vendor may enter into an agreement with the Smyth County Sheriff's Office to be compensated for providing a photo speed monitoring device and all related support services, including consulting, operations and administration. However, only a law enforcement officer may swear to or affirm the certificate required by this section. Any such agreement for compensation shall be based on the value of the goods and services provided, not on the number of violations paid or monetary penalties imposed. Any private entity contracting with a law enforcement agency pursuant to this section may enter into an agreement with the department of motor vehicles, in accordance with the provisions of subdivision B 31 of Code of Virginia, § 46.2-208, to obtain vehicle owner information regarding the registered owners of vehicles that committed a violation of Code of Virginia,

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

- (i) Information collected by a photo speed monitoring device operated pursuant to this section shall be limited exclusively to that information that is necessary for the enforcement of school crossing zone and highway work zone speeding violations. Information provided to the operator of photo speed monitoring device shall be protected in a database and used only for enforcement against individuals who violate this section or Code of Virginia, §§ 46.2-873 or 46.2-878.1. Notwithstanding any other provision of law, all photographs, microphotographs, videotapes, or other personal information collected by a photo speed monitoring device shall be used exclusively for enforcing school crossing zone and highway work zone speed limits and shall not be (i) open to the public; (ii) sold or used for sales, solicitation, or marketing purposes; (iii) disclosed to any other entity except as may be necessary for the enforcement of school crossing zone and highway work zone speed limits or to a vehicle owner or operator as part of a challenge to the violation; or (iv) be used in a court in a pending action or proceeding unless the action or proceeding relates to a violation of this section or Code of Virginia, §§ 46.2-873 or 46.2-878.1, or such information is requested upon order from a court of competent jurisdiction. Information collected under this section pertaining to a specific violation shall be purged and not retained later than 60 days after the collection of any civil penalties. The Smyth County Sheriff's Office shall annually certify compliance with this section and make all records pertaining to such system available for inspection and audit by the commissioner of highways or the commissioner of the department of motor vehicles or his designee. Any person who discloses personal information in violation of the provisions of this subsection shall be subject to a civil penalty of \$1,000.00 per disclosure. Any unauthorized use or disclosure of such personal information shall be grounds for termination of the agreement between the department of motor vehicles and the private entity.
- (j) Conspicuous signs shall be placed within 1,000 feet of any school crossing zone or highway work zone at which a photo speed monitoring device is used, indicating the use of the device. There shall be a rebuttable presumption that such sign was in place at the time of the commission of the speed limit violation.

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

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

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

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

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

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

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

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

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

After consideration, the motion PASSED by the following vote:

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

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

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

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

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: Atkins District Supervisor Charles Atkins

ABSENT: None.

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

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

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

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

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

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None. ABSTAINERS: None. ABSENT: None

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

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

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

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

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

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

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

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

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

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

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

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

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

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

Rye Valley District Supervisor Lori Deel seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

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

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

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

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

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

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

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

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

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

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

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

3/10/2022 6:48 PM County Administrator, Shawn Utt read the minutes from the American Rescue Plan Act (ARPA) Committee meeting and presented the following recommendations:

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

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

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

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

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

NAYS: Atkins District Supervisor Charles Atkins

ABSTAINERS: None. ABSENT: None.

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

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

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

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

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

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

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

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

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

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

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

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



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION FOR EMERGENCY MANAGEMENT WEEK DECLARATION

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

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

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

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

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

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

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

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

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

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

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

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

ATTEST:	SMYTH COUNTY BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles Atkins, Chair
I certify that this is a true and correct copy Supervisors meeting of March 24^{th} , 2022.	taken from the minutes of the Smyth County Board of
	Shawn Utt, Clerk of the Board

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

Saltville District Supervisor Roscoe Call seconded the motion.

Adopted this the 10th day of March, 2022

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

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

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

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

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

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

3/10/2022 7:36 PM County Administrator Report - Mr. Utt had nothing to report at this time.

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

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

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

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

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

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

North Fork District Supervisor Phil Stevenson said he gives credit to Clegg Williams and that he was impressed with his knowledge, his diligence and how sincere he is about his job. Mr. Stevenson also said he was impressed with Mr. Utt and that he appreciated his concern. Mr. Stevenson said after a Board meeting, he is up all-night thinking and often will question himself on why he continues to do what he does. Mr. Stevenson said when someone compliments you and the support and welcome you have that it makes it all worth hanging around for. Mr. Stevenson added that the Board does have a tough job to do and that he has never been more excited than he is tonight for the Truck Stop and said he thinks it will be a spark for Smyth County.

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

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

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

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

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

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

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

The Smyth County Board of Supervisors held its regular meeting on Thursday, March 24, 2022, with a special work session beginning at 4:00 p.m. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Atkins District Supervisor Charles Atkins; Rye Valley District

> Supervisor Lori Deel; Park District Supervisor Kris Ratliff; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Courtney Widener; Saltville District Supervisor

Roscoe Call; North Fork District Supervisor Phil Stevenson

ABSENT: None

STAFF: County Administrator Shawn Utt: Assistant County

> Administrator Lisa Richardson; Administrative Assistant Paula Harvey; County Attorney Scot Farthing; Building & Zoning Administrator Clegg Williams; Assistant Director Smyth County

Information Systems Heather Street

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

and citizens, Evergreen Soil & Water Conservation District Jeana

Waddle, and other representatives

3/24/2022 4:05 PM County Administrator, Shawn Utt called the meeting to order and welcomed Evergreen Soil & Water Conservation District to the meeting and turned the work session over to them.

3/24/2022 4:05 PM Jeana Waddle with the Evergreen Soil & Water Conservation District gave a presentation of this past fiscal year's operations. A copy of the presentation was provided to each board member and will remain in the files of the board meeting.

3/24/2022 4:26 PM Chair, Atkins District Supervisor Charles Atkins recessed the meeting until 5:00 p.m. and thanked Evergreen Soil & Water Conservation District for their presentation.

3/24/2022 5:00 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order and welcomed everyone.

3/24/2022 5:01 PM Assistant County Administrator, Lisa Richardson led the Pledge of Allegiance and Assistant Director Smyth County Information Systems, Heather Street, gave the invocation.

3/24/2022 5:02 PM Chair, Atkins District Supervisor Charles Atkins changed the order of the agenda and moved to item #9(a) – National Public Safety Communicator Week Resolution. Mr. Atkins read the resolution as follows and welcomed the dispatchers to the meeting.



SMYTH COUNTY BOARD OF SUPERVISORS

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

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

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

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

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

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

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

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

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

Adopted this the 24th day of March 2022.

ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles E. Atkins, Chair

• Chilhowie District Supervisor Michael Sturgill made a motion to approve the Resolution in Recognition of the Second Week of April as National Public Safety Communicator Week as presented.

Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

Mr. Widener and Mr. Atkins presented the signed and framed Resolution to the County dispatchers and thanked them for all they do. Mr. Sturgill also added that he toured the dispatch center this past week and observed that he has great appreciation for all they do.

3/24/2022 5:06 PM Chair, Atkins District Supervisor Charles Atkins introduced Ms. Kathryn Roark, CAC Program Director for Highlands Community Services. Ms. Roark thanked the Board of Supervisors for allowing her to come. She spoke about the program and added that it is a collaborative effort by all working together to keep children safe and that she loves working with Smyth County. Ms. Roark said they remained open throughout the pandemic and that during the past two years up until the present they have assisted with 98 new child victims from Smyth County. She presented Mr. Utt with a Champion 4 Children sign and thanked the County for working on behalf of the children.

3/24/2022 5:17 PM Chair, Atkins District Supervisor Charles Atkins read the Resolution Proclaiming April to be Child Abuse Prevention Month as follows:



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION PROCLAIMING APRIL TO BE CHILD ABUSE PREVENTION MONTH

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

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

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

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

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

Adopted this the 24th day of March, 2022.

ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles E. Atkins, Chair

• Chilhowie District Supervisor Michael Sturgill made a motion to adopt the Resolution Proclaiming April to be Child Abuse Prevention Month as presented.

CMANTEL COLLABORA

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Atkins District Supervisor Charles Atkins,
Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Phil Stevenson,
Saltville District Supervisor Roscoe Call,

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

Mr. Atkins presented Ms. Roark with a signed and framed copy of the Resolution.

3/24/2022 5:20 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for the Proposed Repeal of the County's Noise Ordinance.

3/24/2022 5:21 PM Shawn Utt, County Administrator read the following Public Hearing notice for the record:

NOTICE OF PUBLIC HEARING

In compliance with the Code of Virginia of 1950, and amendments thereto, the Smyth County Board of Supervisors will conduct a public hearing to consider Repealing Chapter 20, Article V, entitled "Noise" of the Smyth County Code of Ordinances. The Board of Supervisors shall hear comments from citizens concerning the repeal of this section of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, March 24th, 2022, beginning at 5:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to receive comments on the proposed repeal of Article V.

All interested persons may express their views by emailing pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to County Administrator, 121 Bagley Circle, Suite 100, Marion VA 24354, or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, March 24th, 2022.

A copy of the Article being considered for repeal is on file in the County Administrator's Office located at 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

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

BY ORDER OF THE SMYTH COUNTY BOARD OF SUPERVISORS Shawn M. Utt, County Administrator

3/24/2022 5:22 PM A motion was made by North Fork District Supervisor Phil Stevenson to waive the reading of rules of public hearings for this specific public hearing. Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

3/24/2022 5:22 PM Charles Wassum, 321 Wassona Circle, Marion spoke about his concern with repealing the current County Noise Ordinance. Mr. Wassum said he wants to make sure we replace it with something better so that it is enforceable. Mr. Wassum requested for Mr. Utt to let him know when the Ordinance Committee meets on this issue so he can provide his input.

3/24/2022 5:27 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins, closed the public hearing.

3/24/2022 5:28 PM Ann Spence, Vice President, Nebo Community Center read a letter to the Board requesting assistance with funding for multiple repairs that are needed and provided the Board with a copy of the repair estimate. Ms. Spence gave a brief description of the activities that go on at the Community Center and thanked the Board for their time and consideration. Chair, Atkins District Supervisor Charles Atkins told Ms. Spence that there are several other Community Centers in the County that need assistance with repairs as well and will be considered in the upcoming budget. North Fork District Supervisor Phil Stevenson asked Ms. Spence what the main priority is at this time, and she said the first would be to replace all the flooring. Park District Supervisor Kris Ratliff advised to start with replacing the flooring and do the other repairs in stages. Discussion continued.

3/24/2022 5:40 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the March 10th, 2022, meeting as presented.

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

3/24/2022 5:41 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

3/24/2022 5:41 PM Anna Leigh DeBord, Smyth County Historical Society & Museum located at 123 East Main Street, Marion, VA provided the Board with an update on activities, hours of operation and passed out a flyer on upcoming 2022 events at the Museum. Ms. DeBord also discussed an issue with the need for a dehumidifier to help with mold issues in the building. She said she has received a quote from Custom Air for \$4,450 to install it within the HVAC system. Mr. Utt advised Ms. DeBord that the County has budgeted \$5,000 for the museum and can make it available to her quickly so she can move forward with the purchase of the dehumidifier.

Park District Supervisor Kris Ratliff asked Ms. DeBord about the grinding stone near the tennis court she had previously talked with him about to see if the County could possibly get it moved from its current location to the museum. Mr. Utt said he would be happy to talk with the town and see if he can coordinate that.

Royal Oak District Supervisor Courtney Widener said that his son had volunteered at the museum a few years ago and that he was impressed and added that more people should come to see it.

3/24/2022 5:56 PM With no one else wishing the speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

3/24/2022 5:57 PM Royal Oak District Supervisor Courtney Widener read the minutes from the Animal Control committee meeting and presented the following recommendation:

• Saltville District Supervisor Roscoe Call made a motion approving \$12.00 to be paid to Bobby Mullins for the claim of 2 Game Hens. Royal Oak District Supervisor Courtney Widener seconded the motion, and it was unanimously approved.

After consideration, the Animal Control Committee recommendation PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

3/24/2022 6:01 PM Saltville District Supervisor Roscoe Call read the minutes from the Appointment Committee meeting and presented the following recommendation:

• A motion was made by Atkins District Supervisor Charles Atkins to recommend appointing Larry Wyatt of Innovative Millwork Technologies to serve on the Workforce Board as the Smyth County business representative. Royal Oak District Supervisor Courtney Widener seconded the motion, and it was unanimously approved.

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None. 3/24/2022 6:05 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 the approval of the FY21/22 Budget Amendment #8 to include \$557,029 which includes \$432,637 of state funding and \$124,392 in local funding. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.



SMYTH COUNTY BOARD OF SUPERVISORS

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

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

WHEREAS, on August 26, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #1) for Fiscal Year 2021-2022 in the amount of \$100,246,861 to allow for FY21 budget rollovers; and,

WHEREAS, on September 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #2) for Fiscal Year 2021-2022 in the amount of \$99,996,861 to allow for the loss of revenues related to the County meals tax implementation delay; and,

WHEREAS, on October 12, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #3) for Fiscal Year 2021-2022 in the amount of \$100,126,223; and,

WHEREAS, on December 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #4) for Fiscal Year 2021-2022 in the amount of \$100,613,336; and,

WHEREAS, on December 14, 2021, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #5) for Fiscal Year 2021-2022 in the amount of \$100,786,202; and, WHEREAS, on January 27, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #6) for Fiscal Year 2021-2022 in the amount of \$100,792,202; and,

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

WHEREAS the aggregate amount of budget amendment #8 is \$557,029 which would increase the Fiscal Year 2021-2022 budget to a total of \$102,328,666 as shown in greater detail on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors sets forth and approves the amended Smyth County Budget for the Fiscal Year 2021-2022 in the amount of \$102,328,666.

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

Adopted this the 24th day of March 2022

ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles Atkins, Chair

Exhibit A

Budget Amendment #8 (3-24-22)

Part 1. REVENUES

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

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

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

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

AYES: Atkins District Supervisor Charles Atkins,

Rye Valley District Supervisor Lori Deel,

Royal Oak District Supervisor Courtney Widener,

North Fork District Supervisor Phil Stevenson,

Saltville District Supervisor Roscoe Call,

Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None. ABSENT: None.

3/24/2022 6:08 P.M. Mr. Utt reported that in recent discussions with VDOT staff, the County was informed that they are working on paving preparations for the upcoming paving season. Mr. Utt said that VDOT was planning to pave the access road at Sugar Grove Elementary School

but realized there was an issue with the mapping. VDOT is currently showing that only the front entrance is part of their system and the bus loop, which is in most need of paving, is not. Mr. Utt reviewed a map showing the area that needs to be corrected as well as a draft resolution for the Board's consideration.

After discussion, the following motion was made:

• A motion was made by North Fork District Supervisor Phil Stevenson to approve the Resolution for Highway System Changes on School Access Route 9814 as presented.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION FOR HIGHWAY SYSTEM CHANGES ON SCHOOL ACCESS ROUTE 9814

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

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

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

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

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

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

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

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

Adopted this the 24 th day of	and seconded by				
NAME	FOR	AGAINST	ABSENT	owing manner: ABSTAIN	
Charlie E. Atkins	TOR	паличэт	ADSLITE	ADSTAIN	
Roscoe D. Call					
Lori H. Deel					
Kristopher S. Ratliff, DPh					
Charles P. Stevenson					
Michael L. Sturgill					
S. Courtney Widener					
I certify that this is a true Supervisors meeting of Mar			from the m	inutes of the Sm	yth County Board of
		Shawi	n Utt, Clerk	of the Board	
Saltville District Superviso	or Roscoe (Call seconded	the motior	1.	
After consideration, the m	otion PAS	SED by the fo	llowing vot	te:	

AYES: Atkins District Supervisor Charles Atkins

Rye Valley District Supervisor Lori Deel,

Royal Oak District Supervisor Courtney Widener, North Fork District Supervisor Phil Stevenson, Saltville District Supervisor Roscoe Call, and

Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: None.

3/24/2022 6:11 PM County Attorney, Scot Farthing reported he sent an email this week with various updates and at this time he has nothing new to report.

3/24/2022 6:13 PM County Administrator Report -

Mr. Utt discussed a request from a property owner on Browns Subdivision Road for the County to install additional gravel and replace asphalt that was removed as part of the sewer line project when Oak Point Elementary School was first constructed. Mr. Utt referenced the pictures of the current situation and said that Wally Blevins was able to connect with the VDOT office in Chilhowie and they have agreed to install the asphalt if they County would make the purchase to be no more than \$2,000. Discussion ensued.

• A motion was made by North Fork District Supervisor Phil Stevenson allow the County Administrator to move forward with partnering with VDOT to make the necessary repairs at 257 Browns Subdivision Road, Marion, VA not to exceed \$2,000.00.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

3/24/2022 6:18 PM Supervisor Comment Time -

Saltville District Supervisor Roscoe Call made the following nomination for the Smyth County Library Board.

• Saltville District Supervisor Roscoe Call nominated Kaylan Bales to serve on the Smyth County Library Board as the Saltville representative to fill the unexpired term to expire of June 30, 2022.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None. Mr. Call said for everyone to stay safe and God Bless.

Park District Supervisor Kris Ratliff said he is happy with the Board and their ability to move forward on issues and thanked staff for all the hard work and for everyone to stay safe.

Chilhowie District Supervisor Michael Sturgill spoke about the recent loss of Chilhowie High School teacher Shane Keith. Mr. Sturgill asked for everyone to keep the family and those who knew him in their prayers.

Royal Oak District Supervisor Courtney Widener said he was glad to see the resolutions passed tonight and with all that goes on behind the scenes with the dispatchers and the people with the CAC. Mr. Widener also thanked the museum for preserving the history of Smyth County.

Atkins District Supervisor Charles Atkins said he wanted to make sure time did not run out on the Transfer Station lease. Mr. Atkins said they he feels the County needs to support the Nebo and Rich Valley funding requests to help with their community organizations. Mr. Atkins wished for everyone to have a safe trip home.

Rye Valley District Supervisor Lori Deel thanked for allowing her to join the meeting virtually. Mrs. Deel also echoed Mr. Sturgill's comments about Coach Keith and how it was a tremendous loss for the entire community and encouraged everyone to keep his family in their prayers. Mrs. Deel also said she would like to consider a joint resolution with the School Board in honor of Coach Keith's memory to be able to present to his family at the April Board meeting. She also recognized Lt. Mark Harrington on his recent retirement from the Smyth County Sheriff's Office and appreciates his service to the community. Mrs. Deel thanked everyone for all they do and wished for everyone to stay safe. Atkins District Supervisor Charles Atkins welcomed the intern from Emory & Henry representing the Smyth County News & Messenger, Alexa for filling in for Stephanie tonight and wished for everyone to drive safe on their way home.

3/24/2022 6:28 PM With no further business to discuss, the meeting was adjourned. The next meeting will be April 14, 2022, at 5:00 p.m.

The Smyth County Board of Supervisors held its regular meeting on Thursday, April 14, 2022, at 5:00 p.m. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Atkins District Supervisor Charles Atkins; Rye Valley District

Supervisor Lori Deel; Park District Supervisor Kris Ratliff; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Courtney Widener; Saltville District Supervisor Roscoe Call; North Fork District Supervisor Phil Stevenson

ABSENT: None

STAFF: County Administrator Shawn Utt; Assistant County

Administrator Lisa Richardson; Administrative Assistant Paula Harvey; County Attorney Don Scot Farthing; Building & Zoning Administrator Clegg Williams; Building Inspector Kenneth

Pennington

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

and citizens

4/14/2022 5:00 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

4/14/2022 5:03 PM Building Inspector, Kenneth Pennington led the Pledge of Allegiance and Pastor David Cross of Highlands Fellowship in Marion, gave the invocation.

4/14/2022 5:04 PM Chair, Atkins District Supervisor Charles Atkins introduced Kenneth Pennington as the new Building Inspector and welcomed him to the County.

4/14/2022 5:05 PM Chair, Atkins District Supervisor Charles Atkins changed the order of the agenda and moved to New Business Item 10 (a) regarding the Speed Study Request for Route 91 (Saltville Highway) in the Broadford community. Mr. Atkins invited John Clark to speak regarding the request.

John Clark, who is a resident of the Route 91 Broadford community spoke regarding complaints of the speed limit in that area to be evaluated to possibly be reduced from 55mph to 45mph. Mr. Clark discussed the issue with the deer population in the area and passed out a map for reference. Mr. Clark said he has spoken to VDOT about this issue but that before

they can act, the Board of Supervisors would need to make a formal request before they can do the speed study.

Mr. Utt referenced the Draft Resolution in the Board packet for consideration.

Park District Supervisor Kris Ratliff asked Mr. Clark if he feels that 45mpg is a more appropriate speed limit for that area and Mr. Clark said he thinks it would be a safer speed.

North Fork District Supervisor Phil Stevenson said he is in favor of the speed study but would like to see the study include the area all the way up to the school. Discussion ensued.

After further discussion, the following motion was made:

• A motion was made by North Fork District Supervisor Phil Stevenson to approve the Request of Speed Study Be Conducted by the Virginia Department of Transportation on Route 91 (Saltville Highway) in the Broadford Community resolution with an amendment to Long Hollow Road to the intersection of Valley Road.

RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS

REQUEST OF SPEED STUDY BE CONDUCTED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION ON ROUTE 91 (SALTVILLE HIGHWAY) IN THE BROADFORD COMMUNITY

WHEREAS, State Route 91 (Saltville Highway), split between the Saltville Magisterial District and the North Fork Magisterial District is traveled by motorists at a high rate of speed creating a hazard to the health, lives and property of citizens living in the area, and other motorists traveling through the said area.

THEREFORE, Be It Resolved by the Board of Supervisors of Smyth County, Virginia that the Board hereby requests that the Virginia Department of Transportation conduct a safety study concerning posting speed limits along Route 91 (Saltville Highway) and Long Hollow Road to the intersection of Valley Road.

Adopted this, the 14th day of April, 2022.

North Fork District Supervisor Phil Stevenson,

Saltville District Supervisor Roscoe Call

Royal Oak District Supervisor Courtney Widener, and

ATTEST:	SMYTH COUNTY BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles E. Atkins, Chair
Saltville District Supervisor Rosco	e Call seconded the motion.
After consideration, the motion PA	ASSED by the following vote:
AYES: Chair, Atkins District Super Vice Chair, Rye Valley Distr Chilhowie District Supervis Park District Supervisor Ki	rict Supervisor Lori Deel, sor Michael Sturgill,

NAYS: None.

ABSTAINERS: None. ABSENT: None.

4/14/2022 5:17 PM A motion was made by Rye Valley District Supervisor Lori Deel to approve the minutes from the March 24th, 2022, meeting as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

4/14/2022 5:18 PM Lisa Richardson, Assistant County Administrator, reviewed the County financial information.

4/14/2022 5:19 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing:

General County			
Accounts Payable Listing 3/1/2022-3/31/2022	\$1,312,066.36		
Total General County	\$1,312,066.36		
Fund Accounts			
CDBG Food Pantry Grant Fund 303	\$212.13		
Sheriff Fund 748	\$2,461.68		
Recovery Court Fund 749	\$388.44		
Comm Atty Federal Drug Asset Fund 760	\$329.00		
Total Fund Accounts	\$3,391.25		
TOTAL ACCOUNTS PAYABLE-MARCH 2022	\$1,315,457.61		

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

4/14/2022 5:20 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

4/14/2022 5:20 PM Charles Wassum, 321 Wassona Circle, Marion spoke regarding a grievance of landowners and residents along Water Mill Road in Marion. Mr. Wassum stated that there is excessively loud and frequent noise coming from a weapon shooting range which is located adjacent to 160 Water Mill Road. Mr. Wassum gave specific complaints from residents and asked the Board to take the lead in helping to relocate the shooting range to a more appropriate, remote location.

Mr. Atkins advised that the County would have a discussion with the Town of Marion regarding a sound barrier. Mr. Utt said he would discuss the sound barrier during the next Smyth 12 meeting.

4/14/2022 5:26 PM With no one else wishing the speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

4/14/2022 5:27 PM Mr. Utt discussed the proposed Ordinance to Repeal the County's Noise Ordinance and asked for the Board's consideration to remove the current noise ordinance from Smyth County Code. Mr. Utt reported that work is being done to create a draft ordinance for the Ordinance Committee's review and recommendation at a future Board meeting.

After discussion the following motion was made:

• A motion was made by Saltville District Supervisor Roscoe Call to repeal the County's current noise ordinance from Smyth County Code until other enforcement alternatives can be explored.

REPEAL OF THE SMYTH COUNTY CODE OF ORDINANCES CHAPTER 20, ARTICLE V—NOISE ORDINANCE

A public hearing was held on the 24th day of March 2022, at 5:00 p.m. in the Board Room of the Smyth County Administration Building, 121 Bagley Circle, Marion, Virginia to consider the REPEAL of the NOISE ORDINANCE of the Smyth County Virginia Code of Ordinances Chapter 20, Article V titled "Noise."

The repeal of the Smyt	th County Noise Or	dinance (Chapter 20,	Section V) was duly consid	dered
following the required public				
2022; m	ade a motion to re	epeal the Noise Ordin	ance in its entirety; the m	otion
was seconded by Supervisors of Smyth County,	, and the	e Noise Ordinance v	vas repealed by the Boa	10 01 12.01
a.m. on, 202				12:01
a.iii. 0ii, 202.	2. The board of Su	pervisors voted in th	e following manner:	
<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>	
Charlie E. Atkins				
Roscoe D. Call				
Lori H. Deel				
Kristopher S. Ratliff, D.Ph.				
Charles P. Stevenson				
Mike Sturgill				
Courtney Widener				
dourency Widener				
I certify that this is a true ar	nd correct conv.o.	f the recorded vote	takan from the minutes (of
the Smyth County Board of				JI
the Shiyth County Board of	super visors inee	ung or	, 2022.	il 14 th , motion ard of 12:01
		Shawn Utt, Cl	erk of the Board	

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

4/14/2022 5:28 PM County Administrator, Shawn Utt read the minutes from the Budget Committee meeting held on March 31, 2022, and presented the following recommendations:

 A motion was made by Rye Valley District Supervisor Lori Deel to recommend approving Budget Amendment #9 to include \$90,000 for the purchase of equipment related to Saltville EMS. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #9

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 the aggregate amount of budget amendment #9 is \$90,000 which would increase the Fiscal Year 2021-2022 budget to a total of \$102,418,666 as shown in greater detail on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors sets forth and approves the amended Smyth County Budget for the Fiscal Year 2021-2022 in the amount of \$102,418,666.

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

SMYTH COUNTY

Adopted this the 14th day of April 2022

ATTEST:	BOARD OF SUPERVISORS
	_
Shawn M. Utt, Clerk	Charles Atkins, Chair

Exhibit A								
FY 2021-22								
Budget Ame	endment #9 (4-14-22)							
Part 1. REV	FNIIFS							
ruit 21 NEV	LHOLS							
Fund	Department	Line Item	Account Title		Adopted	Amount of	Budget with	Notes
		Number			Budget	Amendment	Amendment	
FUND 001	Local Funds Transfer	001-040000-0005	Local Funds Transfer-Use of Fu	Ś	(260,678) \$	(90,000) \$	(350.678) Loan approved June 2021 - rolled over from FY21
					(222)2227	(,, -	()	,
Total Reven	nues With Amendment			\$	(102,328,666) \$	(90,000) \$	(102,418,666)
Part 2. EXPE	NDITURES Department	Line Item	Account Title		Adopted	Amount of	Amended Budget	Notes
		Number			Budget	Amendment	Amount	
FUND 001	Ambulance & Rescue Services	001-032030-5604-6	Town of Saltville EMS	\$	120,000 \$	90,000 \$	210,000	Loan approved June 2021 - rolled over from FY21
Total Expen	ditures With Amendment			\$	102,328,666 \$	90,000 \$	102,418,666	
			Revenues	\$	(102,328,666) \$	(90,000) \$	(102,418,666)
			Expenditures	4	102.328.666 \$	90.000 \$	102,418,666	

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving the transfer of \$2,500 from Cornerstone Building lines 001-043050-5101 and \$1,200 from 001-043050-5102 for a total of \$3,700 to the Health Department line 001-043030-5405. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

Mr. Atkins asked if there was a specific need at the Health Department and Mr. Utt said there are a few minor things including gutter issues that need to be addressed.

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend the approval of the required pre-audit services with Hicok, Brown & Company providing the County with pre-audit services for the fiscal year ending June 30, 2022, and to authorize the County Administrator to execute the necessary documents. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

Dr. Ratliff asked what the purpose of the pre-audit pertains to, and Mr. Atkins said it was to get the books ready for the auditor. Mr. Atkins stated that Hicok, Brown & Company's cost has stayed reasonable but said the auditor's cost continues to rise.

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

Mr. Utt briefly discussed the FY22/23 Budget development. No action was taken.

- Chilhowie District Supervisor Michael Sturgill made a motion to recommend providing the following funding amounts out of current reserves or budget surplus:
 - a) Konnarock Community Center's well replacement at \$25,000;
 - b) Nebo Community Center flooring repairs/replacement at \$61,116;
 - c) Adwolfe Fire Department roof replacement at \$27,000; and,

d) Rich Valley Fair's commercial kitchen request would be an upfront grant of \$50,000 as seed funding with an additional dollar for dollar match up to an additional \$62,500 with a cutoff date of April 30, 2024, for the fundraising match.

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

Mr. Stevenson stated that he likes helping all the Counties community centers but added that the Rich Valley Fair serves the whole County, and he would like to see more of the funding to towards their request to get the commercial kitchen ready in time for the fair this Fall. Mr. Sturgill asked if the Rich Valley Fair breaks even or if they turn a profit and Mr. Stevenson said he has not look at the Fair Association's book and isn't even sure if they are kept. Mr. Atkins stated that as part of the funding the requirement would be part of keeping good financial records. Mr. Atkins also said he was recently in a meeting with the Tobacco Commission and feels that they could assist with funding some of the community center requests. Mr. Utt said that the Tobacco Commission would be a great spot to look for funding for Konnarock and Nebo but not a good use for the Rich Valley Fair request since they are currently in a time crunch. Discussion ensued.

After discussion the following decision was rendered on the motion:

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

AYES: None.

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

ABSTAINERS: None. ABSENT: None.

After further discussion the following motions were made:

• A motion was made by Rye Valley District Supervisor Lori Deel to approve \$112,000 to the Rich Valley Fair Association as a grant and \$63,000 as a low interest loan with the EDA serving as fiscal agent and requiring three years of financials be provided.

North Fork District Supervisor Phil Stevenson seconded the motion.

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

• A motion was made by Rye Valley District Supervisor Lori Deel to approve funding in the amount of \$27,000 for the Adwolfe Fire Department roof replacement out of current reserves or budget surplus.

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

• A motion was made by Rye Valley District Supervisor Lori Deel to approve funding in the amount of \$25,000 for the Konnarock Community Center's well replacement out of current reserves or budget surplus.

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

4/14/2022 6:06 PM County Administrator, Shawn Utt read the minutes from the Budget Committee meeting held on April 7, 2022, and presented the following recommendations:

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving the fourth quarter appropriations as presented in the amount of \$20,029,880. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

\rightarrow	General County	6,373,012
	Schools - Operating (Fund 009)	
\rightarrow	Social Services (Fund 013)	1,374,530
\rightarrow	Recovery Court (Fund 749)	42,421

TOTAL APPROPRIATION AMOUNT - \$20,029,880

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend partnering with the EDA to consider serving as the fiscal agent to help facilitate local support for the community centers renovation/construction needs. 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,
North Fork District Supervisor Phil Stevenson,
Saltville District Supervisor Roscoe Call,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend the approval of the budget transfer request of \$8,550 from Building & Zoning fund 001-034010-5804 to Solid Waste Collection & Disposal 001-042030-1001 to allow for the increase of CDL driver positions. 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: Atkins District Supervisor Charles Atkins,
Rye Valley District Supervisor Lori Deel,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Phil Stevenson,
Saltville District Supervisor Roscoe Call,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend authorizing the County Administrator to negotiate with Robinson, Farmer, Cox and

execute the agreement contract. 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,
North Fork District Supervisor Phil Stevenson,
Saltville District Supervisor Roscoe Call,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None. ABSENT: None.

4/14/2022 6:13 PM County Administrator, Shawn Utt read the minutes from the Building & Grounds Committee and presented the following recommendation:

• A motion was made by Rye Valley District Supervisor Lori Deel to recommend approving the fee of \$99,915.00 with AECOM to conduct the Building Needs Assessment Study. Park District Supervisor Kris Ratliff seconded the motion, and it was unanimously approved.



AECOM 10 South Jefferson Street Roanoke, VA 24011 aecom.com

April 5, 2022

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

Architectural & Engineering Services – Feasibility Study and Space Needs Assessment Proposal

Dear Shawn,

We are pleased to be selected as the preferred consultant design team and provide you a proposal to assess the County's space needs, assess the existing buildings used and provide a feasibility study to demonstrate the most viable approach to meet the needs of the County for decades to come.

General Information and Objective

Since 1996, the Morison Building, located at 121 Bagley Circle, Marion, has been the location of the Smyth County Administrative offices as well as the Smyth County School Board Administration, Smyth County Department of Social Services, and a variety of other governmental offices. Located adjacent to the campus of the Southwest Virginia Mental Health Institute, the building was originally built in 1953 as a part of the mental health institute's operations. Since occupying the building in 1996, the County has made modest improvements over the years but in general, the original layout remains intact. The County is in the process of negotiating the acquisition of the property from the Commonwealth of Virginia.

The County also owns a stand-alone building that provides office space for the Smyth County Health Department as well as the Mount Rogers Regional Health Department (located at 201 Francis Marion Lane, Marion). In addition, the recent renovations at the Smyth County Courthouse resulted in the availability of space for operational expansions if necessary.

In this context it has become necessary to review the space needs for County offices both now and in the future, the condition and best use of existing buildings and to make decisions that will best serve Smyth County for decades to come.

Scope of Services - Assessment and Feasibility Study

The purpose of the work described herein is to perform a feasibility study with a space needs analysis that evaluates current and future needs of the County's overall operations, to include the general administration, Smyth County School Board, Smyth County Department of Social Services and Smyth County Health Department. The analysis will include the County functions located within the Morison building as well as other County functions. The feasibility study is intended to provide the Board of Supervisors with the resources necessary to make an informed

decision regarding the feasibility of each building's use, both present and future. The study should help to define the current conditions and future needs of each building or if additional building space is required.

Space Needs Analysis

AECOM will determine the space needs for County offices both and the projected future. This will require an interactive process and engagement between the design team and selected representatives from the County. The County will identify representatives to collaborate with AECOM in the following areas.

- 1. Surveys:
- 2. Site Visit, Walk-through, and Shadowing
- 3. Space Needs review workshops

The gathered and curated information will be organized into a detailed list of space needs. This will include both empirical data (quantity and size of space), qualitative, adjacency relationships and narrative regarding operational objectives.

Building Assessments

AECOM will prepare an assessment report which will provide the following information for the Morison Building, Health Department Building, Wells Fargo Downtown Building and Old Dewberry Davis Office Building:

- 1. Current condition of the building finishes and structure including any external areas under the control of the county.
- 2. Current condition of the existing HVAC, plumbing, electrical and communications systems.
- 3. Review of maintenance records of the property/systems.
- 4. Review of current utilities capacities.
- 5. Potential challenges for the renovation of the property to meet the County's office space needs.

Historic Tax Credit Evaluation

Hill Studio will provide an initial evaluation to determine whether the Morison Building could be eligible for both state and federal historic rehabilitation tax credits. To be eligible for the tax credit programs, a building must be nominated to the Virginia Landmarks Register (VLR) and National Register of Historic Places (NRHP) individually or as a contributing resource to a historic district.

Hill Studio will evaluate the potential of the Morison Building to be listed on the VLR and NRHP as an individual property or as a contributing resource to a potential Southwestern State Hospital Historic District. Work would include a site visit to Southwestern State Hospital, a walkthrough of the Morison Building, photography, and preliminary research on the history of the Morison Building and state hospitals within the statewide context.

Hill Studio will also provide a brief analysis of the process for obtaining historic rehabilitation tax credits, if applicable, as well as an assessment of the feasibility option for reuse of the building to determine applicability and viability with the tax credit programs.

Feasibility Options to be Considered

Five feasibility options will be preliminarily considered. Up to three options will evaluated in more detail to determine a preferred option.

- 1. Reuse of the Morison Building:
- 2. Develop a new building on a greenfield space: This study will identify the potential geographic area within which this should be developed. It will also identify any potential lots in this area.
- Well Fargo downtown location: The Well Fargo downtown branch is scheduled to close in October 2022.
 Consideration will be given to determine the viability of using this building to serve the needs of Smyth County.
- 4. Old Dewberry Davis office building:

After initial appraisal, up to three options will be developed in more detail. This will include space fit analysis, additions (if any), technical upgrades required and feasibility capital and operational costs.

Deliverables

AECOM will provide a summary .pdf document for each of the following at stages of work

- 1. Space needs Analysis
- 2. Building Assessments
- 3. Feasibility Options

A final report will compile these documents and provide an executive summary stating the preferred option and recommended path forward. This report will include drawings, tables, narrative and cost estimate. (5) in-person meetings are planned in addition to the site visits required for the building assessments. Other discussions or reviews will be held via Microsoft Teams, WebEx or Zoom. AECOM will study for compliance with all regulations applicable at the time of the study. The final report will be submitted as a .pdf sent via email.

Schedule

See Attachment 1. Specific dates will be developed and reviewed with Smyth County upon completion and receipt of a fully executed contract.

Assumptions

The County will provide AECOM with drawings of the existing buildings to be studied in .dwg, .dxf or .pdf format. This includes the Morison Building, Health Department Building, Old Dewberry Davis Office Building. AECOM will prepare high level single line floor plans of the Wells Fargo Downtown Marion location sufficient for analyzing its feasibility to serve the County's space needs.

Additional Services

- 1. Building surveys and preparation of base .dwg files above any indicated elsewhere in this proposal
- 2. Schematic, Full Design, and Construction Phase services.
- 3. Hazardous materials analysis and abatement are not included.

<u>Fee</u>

AECOM will provide the above described services for the lump sum fee of \$99,915.00 (Ninety-nine thousand nine hundred fifteen dollars and zero cents).

Additional site visits, above the six included, may be requested at the cost of travel time times the billable rate plus \$130 for expenses.

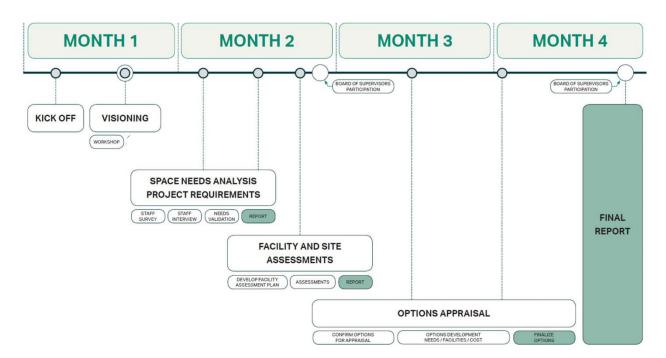
We are eager to begin serving you on this project.

Yours sincerely,

Allen Crocker Vice President AECOM M: +1-540-581-2918

E: allen.crocker@aecom.com

Attachment 1 - Schedule (Key Tasks)



Attachment 2 - Fee Chart

Work Hour Estimate Smyth County Space Needs Analysis and Feasibility Report 4/5/2022

Phase Design	Task	Rate	Principal \$235	Project Manager \$215	Senior Architect \$175	Architecture Assistant \$95	Interior Designer \$125	Interior Designer Assistant \$90	Structural Engineer \$160	Structural Engineering Assistant \$95	Building Engineer \$155	Building Engineer Assistant \$95	Cost Estimator \$120	Admin \$70	Total	
Design	Kick-Off Meeting and Preparation (Virtual)		1	4	1		1							8	15	2.22%
	Visioning Workshop Preparation and Report		4	4	2	12	4	12							38	5.61%
	Visioning Workshop (1)		6	2	2		6								16	2.36%
	Space Needs Analysis and Report		8	4	12		32	48	4	2	10	4			124	18.32%
	Space Needs Analysis Workshops (2)		10	4	4		10								28	4.14%
	Facility and Site Assessments and Report		1	2	26	34			16	10	40	22	4		155	22.90%
	Facility and Site Assessments Site Visits (1)			1	12	12			10		20				55	8.12%
	Feasibility Options Appraisal and Report		12	4	28	56		10					24		134	19.79%
	Feasibility Options Review Workshops (2)		10	4	10		4								28	4.14%
	Compile Final Report		1	4	16	30		4	2		2				59	8.71%
	Participate in Board of Supervisors Presentations (2) (Virtual)		4												4	0.59%
	Final Revisions to Final Report (Based on County's Comments)		1	2	4	6								8	21	3.10%
	Total Hours Total Fee		58 \$13,630	35 \$7,525	117 \$20,475	150 \$14,250	57 \$7,125	74 \$6,660	32 \$5,120	12 \$1,140	72 \$11,160	26 \$2,470	28 \$3,360	16 \$1,120	677 \$94,035	
Subconsultants	Hill Studio (Historic Tax Credit Appraisal)		Site Visit \$1,500	Research \$1,000	Analysis \$1,000	Assess Option \$1,000		Subtotal \$4,500	Markup (10%) \$600	Total \$5,100						
	Total Subconsultant Fee							\$4,500	\$600	\$5,100						
Expenses Total Fee	Travel (local) Reproduction Total Expenses		Number 6 0	Rate \$130.00 \$0.00	excluded (all o	digital deliverables)		v	Total \$780.00 \$0.00 \$780.00 \$99,915.00			,			

Shane Powers, PLP Senior Associate, Project Management AECOM M: +1-540-529.1356

E: shane.powers@aecom.com

cc: John Wissinger

After consideration, the Building & Grounds committee recommendation PASSED by the following vote:

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

NAYS: North Fork District Supervisor Phil Stevenson

ABSTAINERS: None. ABSENT: None.

4/14/2022 6:13 PM Vice Chair, Rye Valley District Supervisor Lori Deel, read the minutes from the Public Safety/Broadband Joint committee meeting and presented the following recommendation:

• A motion was made by Royal Oak District Supervisor Courtney Widener to recommend the approval of the Smyth County/Town of Chilhowie MOU for the training building pending County Attorney's review. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

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

AYES: None.

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

ABSTAINERS: None.

ABSENT: None.

Mr. Atkins stated that he has an issue with Section 1 1.1.2, Ownership and Property Interest of the Parties only stating ownership of the building to the Town of Chilhowie. Mr. Atkins said with the County assisting with the funding the County needs to have half ownership of the building.

After further discussion, the following motion was made.

• A motion was made by Royal Oak District Supervisor Courtney Widener to approve the Smyth County/Town of Chilhowie MOU as amended to include joint ownership with the Town of Chilhowie and the County for the training building with the change of ownership pending County Attorney's review.

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

4/14/2022 6:23 PM Saltville District Supervisor Roscoe Call, read the minutes from the Water & Sewer committee meeting and presented the following recommendation:

A motion was made by Rye Valley District Supervisor Lori Deel to recommend authorizing
the County Administrator to apply for funding with the Virginia Department of Health's
Water Improvements grant/loan for phase one of the Rural Retreat Interconnect Project.
Saltville District Supervisor Roscoe Call seconded the motion, and it was unanimously
approved.

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

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

Vice Chair, Rye Valley District Supervisor Lori Deel discussed fire hydrants and the importance of them and added that when hydrants get cut it causes customers to pay higher insurance premiums. North Fork District Supervisor Phil Stevenson said he hopes the water study will look at replacing old systems as well and Mr. Utt said that the water loss is a big part of the study. Mr. Stevenson also said that the Atkins water system needs to be replaced and that the County could apply for grant money to assist with that. Mrs. Deel also reminded of the importance of Fire auto-aid in the County.

4/14/2022 6:32 PM County Administrator, Shawn Utt discussed the student government day flyer and said the County will be hosting some students on Thursday, April 28, 2022. Mr. Utt also said he would like to possibly put together a mock Board meeting and encouraged Board members to attend and participate to help those students engage what they want to do in the future.

Chilhowie District Supervisor Michael Sturgill reminded everyone about the opportunity fair day in Chilhowie also being held on April 28, 2022.

4/14/2022 6:33 PM County Attorney Report –

Mr. Farthing reported he is currently working on several zoning issues and added he is still trying to locate the owner of Churchland Drive to able to get them served. Mr. Farthing also reported that the Adwolfe Road property will be having a tax sale on April 29, 2022.

Mr. Farthing also said he is currently working on several requests from the Treasurers office to release some liens, specifically two from today. Mr. Farthing asked the Boards consideration to authorize the County Administrator to release those liens as the Treasurer's office reports they have been paid.

• A motion was made by Saltville District Supervisor Roscoe Call to authorize the County Administrator to sign the releases for Deed Book/Page Number 658/572 and 1023/672 as the Treasurers office reports they have been paid.

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

4/14/2022 6:38 PM County Administrator Report -

Mr. Utt discussed the following:

<u>Supplemental Appropriation request</u> – With the County needing to close the CARES Act Fund checking account to help clean up the books for the fiscal year, the fund still has a remaining \$294.59 that was left over interest accruals. Mr. Utt requested the amount be appropriated from the CARES Act Fund (775) and in return write a check for that amount to the County's general fund, as allowed by the CARES Act provisions.

• A motion was made by Rye Valley District Supervisor Lori Deel to approve the supplemental appropriation request for the CARES Act Fund (775) in the amount of \$294.59 to be moved to the General Fund.

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

Streetlight request at Intersection of Rt. 11 and Railroad Drive – VDOT has forwarded a request from a citizen to install streetlights at the intersection of Rt. 11 and Railroad Drive. Mr. Utt said he spoke with APCo and there are some costs associated with the request as they would need to splice some fiber and replace a pole with a taller one to give the necessary clearance. Mr. Utt said APCo has a safety concern with only installing one light in the area with no other general light sources at night and that the suggestion would be to reassess the location once the VDOT road widening work project is complete. No action needed at this time, informational only.

<u>Electronic Board Packets</u> – Mr. Utt discussed the option of looking to move away from paper board packets and gear towards electronic packets. He said many localities accomplish this by providing an iPad or Chromebook that is personalized for each Board member. Mr. Utt noted that other various applications such as, Dropbox or Google Drive could also be used to transfer the file. Mr. Utt said one benefit of moving to electronic packets would be almost instantaneously rather than waiting for a deputy to deliver. Discussion ensued.

4/14/2022 6:43 PM Supervisor Comment Time -

Chair, Atkins District Supervisor Charles Atkins said for everyone to have a safe trip home and to remember that tomorrow is Good Friday and for everyone to remember the true meaning of Easter. Mr. Atkins reminded that this is still a Christian nation.

Park District Supervisor Kris Ratliff said there was a tree on the courthouse lawn that looked like it was leaning and that it needed to be looked at for safety concerns. Dr. Ratliff also added to take a moment of internal reflection on Easter Sunday.

Royal Oak District Supervisor Courtney Widener said he was happy to see everything continuing to move forward and for all to have a Good Friday and Easter Sunday.

Vice Chair, Rye Valley District Supervisor Lori Deel asked for the Board to consider a motion to create a task force for the radio and cell tower coverage that includes her, Royal Oak District Supervisor Courtney Widener and a member of staff appointed by Mr. Utt. Mrs. Deel also

touched on the importance of Easter and why it is celebrated and thanked the Board and staff for all they do.

 A motion was made by Rye Valley District Supervisor Lori Deel to create a task force for radio project broadband expansion and cell service expansion to include herself, Royal Oak District Supervisor Courtney Widener, and a member of staff appointment by County Administrator.

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

Saltville District Supervisor Roscoe Call wished everyone the best and God Bless. Mr. Call also asked everyone to keep the Ukraine in their prayers for all that is going on over in that Country.

North Fork District Supervisor Phil Stevenson had no comment.

Chilhowie District Supervisor Michael Sturgill said he was looking forward to youth and student government day and is hoping for good participation. Mr. Sturgill said they are also doing an opportunity fair and that every senior present will be going through. Mr. Sturgill spoke about the true meaning of Easter and for everyone to spend quality time with their family and asked everyone to keep the families of the recent loss of two educators in their prayers.

4/14/2022 6:47 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to enter into closed session under Code of Virginia Section 2.2-3711(a)3 – Discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property, regarding Solid Waste property update, Section 2.2-3711(a)5 –

Business/Industrial Prospects, discussion concerning a business or industry considering expansion for which no previous announcements have been made, regarding Project Cardinal and Section 2.2-3711(a)7 – Consultation with legal counsel and briefings by staff members or consultants pertaining to the actual or probable litigation, regarding the Appeals to Land Use Decisions (2 items).

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

4/14/2022 7:19 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.

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

4/14/2022 7:20 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to adopt the Resolution of Local Support of the Utilization of Industrial Access Railroad Track Funds as presented.

Chair, Atkins District Supervisor Charles Atkins read the resolution for the record.

RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION OF LOCAL SUPPORT OF THE UTILIZATION OF INDUSTRIAL ACCESS RAILROAD TRACK FUNDS

WHEREAS, THE Smyth County EDA has expressed its intent and desire to the Smyth County Board of Supervisors to help Project Cardinal locate its commercial, business, or industrial operations in Smyth County; and,

WHEREAS, Project Cardinal and its operation will require rail access; and,

WHEREAS, the Smyth County EDA has reported to Smyth County their intent to apply for Industrial Access Railroad Track Funds from the Commonwealth of Virginia's Department of Rail and Public Transportation in the amount of \$450,000; and,

WHEREAS, the Smyth County EDA has requested that the Smyth County Board of Supervisors provide a Resolution supporting its application for said funds which are administered by the Virginia Department of Rail and Public Transportation.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Smyth County, Virginia that the Board hereby endorses and supports the application of the Smyth County EDA for \$450,000 in Industrial Access Railroad Track Funds; and,

BE IT FURTHER RESOVED, that the Smyth County Board of Supervisors hereby makes known its desire and intent to support the Commonwealth Transportation Board in providing the maximum financial assistance to the Smyth County EDA, for the purpose of assisting Project Cardinal in locating its facility in Smyth County.

Adopted this, the 14th day of April, 2022.

ATTEST:	SMYTH COUNTY BOARD OF SUPERVISORS				
Shawn M. Utt, Clerk	Charles E. Atkins, Chair				
Saltville District Supervisor Roscoe Call se	conded the motion.				
After consideration, the motion PASSED b	y the following vote:				

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

A motion was made by Royal Oak District Supervisor Courtney Widener to schedule a
Public Hearing for May 12, 2022, at 5:00 p.m. or soon thereafter related to the general
obligation bond to restructure existing debt and to make additional funds available for
the Transfer Station project.

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

NAYS: None.

ABSTAINERS: None. ABSENT: None.

4/14/2022 7:22 PM With no further business to discuss, the meeting was adjourned. The next meeting will be April 28, 2022, at 5:00 p.m.

The Smyth County Board of Supervisors held its regular meeting on Thursday, April 28, 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

ABSENT: North Fork District Supervisor Phil Stevenson

STAFF: County Administrator Shawn Utt; Assistant County

Administrator - Operations Lisa Richardson; Administrative Assistant/Deputy Clerk Paula Harvey; County Attorney Don Martin; Assistant County Administrator - Development Clegg Williams; Economic Development Project Manager Kendra

Hayden

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

and citizens

4/28/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

4/28/2022 5:02 PM Deputy Clerk, Paula Harvey led the Pledge of Allegiance and Economic Development Project Manager, Kendra Hayden gave the invocation.

4/28/2022 5:03 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to amend the agenda to include Closed Session, under Code of Virginia, 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.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

4/28/2022 5:03 PM Derek Orr with the Octagon House Foundation presented a budget request asking the Board to consider funding \$50,000 towards a roof replacement. Mr. Orr discussed future planned renovations services and added the House is year-round sustainable and brings in visitors from all over the Country. Mr. Orr said the foundation has \$15,000 set aside to put towards the roof replacement and asked the County to consider funding the remaining \$50,000 as it is the most critical need before the remaining phases of renovations can begin. Mr. Orr thanked the Board for their consideration.

Vice Chair, Rye Valley District Supervisor Lori Deel, thanked Mr. Orr for his presentation and added she knows the things the Octagon House can bring to the County. Mrs. Deel stated she realizes the projects to be done on the inside can't be done until the roof is replaced and said she appreciated Mr. Orr bringing a detailed plan before the Board and the efforts the foundation has done to raise money on their own.

Royal Oak District Supervisor Courtney Widener thanked Mr. Orr for coming and asked how the structural integrity of the home and Mr. Orr responded that the architect working on the project stated the roof is self-supporting so there are no concerns with weight loads. Mr. Widener said it was exciting to see the foundation working to develop and bring the home back to its original state.

Chair, Atkins District Supervisor Charles Atkins thanked Mr. Orr for the informative handout and said the project is much further along that he thought and that it makes looking at the project a whole lot different overall.

County Administrator, Shawn Utt, asked Mr. Orr if he received funds for the roof could he get it completed by this summer and he said all architecture work is complete and ready to go.

4/28/2022 5:18 PM David Rose with Davenport & Associates gave a presentation and discussed financing options for the transfer station project. Mr. Rose discussed interest rate and asked the Board to consider a motion allowing them to proceed with Key Government

Finance and stated that interest rates are set and will not change. Mr. Rose thanked the Board for their time and working together.

After further discussion, the following motion was made:

• A motion was made by Saltville District Supervisor Roscoe Call to authorize County Administration and Davenport on behalf of the County to continue to negotiate revised financing options for the Smyth County Transfer station project.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

4/28/2022 5:33 PM Dennis Carter, Superintendent, Smyth County Public Schools gave a presentation regarding the school budget for FY/2022-2023. Dr. Carter stated that the budget was approved by the Smyth County School Board, contingent upon revenue projections from the general assembly.

Chair, Atkins District Supervisor Charles Atkins, asked Dr. Carter if the schools have discussed the students in the east end of the County regarding VA Highlands and Wytheville Community College also getting free tuition and Dr. Carter said it is currently being discussed.

Vice Chair, Rye Valley District Supervisor Lori Deel, commented regarding the efforts with United Way. Mrs. Deel said during the morning she spent time with the students for Youth Government Day and was pleased to hear that not one of the students participating said they would be leaving Smyth County and added that it was refreshing. Mrs. Deel also thanked Dr. Carter and the School Board for working on insurance costs for employees.

Saltville District Supervisor Roscoe Call thanked Dr. Carter and staff for all they do.

Park District Supervisor Kris Ratliff, asked regarding stem opportunities and if there are any plans to install solar panels. Dr. Carter stated there is a current RFP out and that he will release who they will partner with on using alternate sources.

4/28/2022 5:56 PM County Administrator, Shawn Utt presented a draft copy of the proposed FY/2022-2023 County budget. After discussion, he noted he is working to finalize information and is requesting the Board to schedule three public hearings for the May 12, 2022 meeting. The hearings will be for (1) Water & Sewer utility rate increase of up to 5% (2) the FY22-23 Smyth County School Board Budget (3) the FY22/23 County Operational and CIP budget.

Chair, Atkins District Supervisor Charles Atkins, asked Mr. Utt to discuss funds regarding the regional jail. Mr. Utt reported that for the last few years there has been a decreasing inmate population and now that Bristol has joined the regional jail authority it will save the County just shy of \$300,000 in the upcoming budget and added the County is set to get a larger refund than budgeted for surplus and said that it was not incorporated into the budget.

Chilhowie District Supervisor Michael Sturgill asked Mr. Utt about the Opioid settlement funds which were not incorporated into the draft budget. Mr. Utt noted he is not sure what restrictions will be placed on those funds nor is there any information about the level of funding that will be made available, but he will check into that.

Vice Chair, Rye Valley District Supervisor Lori Deel asked regarding funding for the County Fire and EMS Departments being provided to each department equally listed the same as the previous year. Mr. Utt said there is around \$505,000 proposed for Fire Department's and those funds can be dispersed however the Board wishes, but currently they receive a flat monthly allocation. Mrs. Deel told Mr. Utt she would like to have a funding matrix that includes each department's call volume and other relevant metrics. She also noted it was her personal opinion that in order to keep receiving County funding for fire service, she felt the agency should be required to participate in the Auto-Aid Program.

Park District Supervisor Kris Ratliff discussed the recent fire tragedy in the Hall Addition and ideas on getting a water source more easily accessible in that area. Mr. Utt added that the County-Wide Water Study is looking at all the water systems in the County and will look at hydrants and where the lines are that can support additional ones. Discussion continued.

After further discussion, the following motion was made:

• A motion was made by Saltville District Supervisor Roscoe Call to schedule public hearings for (1) Water & Sewer utility rate increase of up to 5% (2) the FY22-23 Smyth County

School Board Budget (3) the FY22/23 County Operational and CIP budget on May 12, 2022, beginning at 5:00 p.m. or soon thereafter.

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: None.

ABSENT: North Fork District Supervisor Phil Stevenson

4/28/2022 6:40 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the April 14, 2022, meeting as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

4/28/2022 6:41 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

4/28/2022 6:41 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

4/28/2022 6:40 PM County Administrator, Shawn Utt, reported that after talking with VDOT regarding the speed study requests discussed in the April 14, 2022 meeting, it was recommended that those study's been broken up into four (4) segments as follows:

- 1. Route 91 2.8 miles (From: Route 633 Upper Poore Valley Road to Route 42 Blue Grass Trail)
- 2. Route 42 2.9 miles (From: Route 91 Veterans Hwy to Route 630 Long Hollow Road)
- 3. Route 630 2.7 miles (Along Long Hollow Road)
- 4. Route 610 6.6 miles (From Route 107 to Route 630 Long Hollow Road)

Mr. Utt asked the Board to consider adopting the following four separate resolutions as requested by VDOT:

RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS

REQUEST OF SPEED STUDY BE CONDUCTED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION ON ROUTE 42 (BLUE GRASS TRAIL)

WHEREAS, State Route 42 (Blue Grass Trail), located in the North Fork Magisterial District, is traveled by motorists at a high rate of speed creating a hazard to the health, lives and property of citizens living in the area, and other motorists traveling through the said area.

THEREFORE, Be It Resolved by the Board of Supervisors of Smyth County, Virginia that the Board hereby requests that the Virginia Department of Transportation conduct a safety study concerning posting speed limits along Route 42 (Blue Grass Trail) from its intersection with Route 91 (Veteran's Highway) to the intersection of Route 630 (Long Hollow Road).

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Adopted this, the 28th day of April, 2022.

	SMY I H COUNTY
ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles E. Atkins, Chair

RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS

REQUEST OF SPEED STUDY BE CONDUCTED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION ON ROUTE 91 (SALTVILLE HIGHWAY)

WHEREAS, State Route 91 (Saltville Highway), split between the Saltville Magisterial District and the North Fork Magisterial District is traveled by motorists at a high rate of speed creating a hazard to the health, lives and property of citizens living in the area, and other motorists traveling through the said area.

THEREFORE, Be It Resolved by the Board of Supervisors of Smyth County, Virginia that the Board hereby requests that the Virginia Department of Transportation conduct a safety study concerning posting speed limits along Route 91 (Saltville Highway) from its intersection with Route 633 (Upper Poore Valley Road) to the intersection of Route 42 (Blue Grass Trail).

Adopted this, the 28th day of April, 2022.

SMYTH COUNTY
BOARD OF SUPERVISORS
Charles E. Atkins, Chair

RESOLUTION OF THE SMYTH COUNTY BOARD OF SUPERVISORS

REQUEST OF SPEED STUDY BE CONDUCTED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION ON ROUTE 610 (VALLEY ROAD)

WHEREAS, State Route 610 (Valley Road), located in the North Fork Magisterial District, is traveled by motorists at a high rate of speed creating a hazard to the health, lives and property of citizens living in the area, and other motorists traveling through the said area.

THEREFORE, Be It Resolved by the Board of Supervisors of Smyth County, Virginia that the Board hereby requests that the Virginia Department of Transportation conduct a safety study

concerning posting speed limits along Route 610 (Valley Road) from its intersection with Route 630 (Long Hollow Road) to its intersection with Route 107.

Adopted this, the 28th day of April, 2022.

ATTEST:	SMYTH COUNTY BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles E. Atkins, Chair
RESOLUTION OF	THE SMYTH COUNTY BOARD OF SUPERVISORS
VIRGINIA	OF SPEED STUDY BE CONDUCTED BY THE A DEPARTMENT OF TRANSPORTATION OUTE 630 (LONG HOLLOW ROAD)
is traveled by motorists at a high	0 (Long Hollow Road), located in the North Fork Magisterial District, rate of speed creating a hazard to the health, lives and property of er motorists traveling through the said area.
Board hereby requests that the	ved by the Board of Supervisors of Smyth County, Virginia that the Virginia Department of Transportation conduct a safety study long Route 630 (Long Hollow Road).
Adopted this, the 28 th day	of April, 2022.
ATTEST:	SMYTH COUNTY BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles E. Atkins, Chair

• A motion was made my Vice Chair Rye Valley District Supervisor Lori Deel to approve the four separate resolutions for VDOT to complete the Speed Study requests as noted above.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

4/27/2022 6:41 PM County Administrator, Shawn Utt discussed a recent request from Joshua Lewis with VDOT requesting the Board to consider scheduling the annual public hearing for the Six-Year Plan for Thursday, May 26, 2022, at 5:00 p.m. or shortly thereafter. In addition, Mr. Lewis asked the Board to consider appointing a Transportation Committee to meet with VDOT staff to review the eligible projects as well as others. Saltville District Supervisor Roscoe Call, Rye Valley District Supervisor Lori Deel and Royal Oak District Supervisor Courtney Widener all volunteered to serve on the Transportation Committee. Mr. Utt noted the first meeting would be held on May 5, 2022, which will allow enough time to review the projects and make any necessary recommendations.

• A motion was made by Saltville District Supervisor Roscoe Call to schedule the VDOT Six-Year Plan Public Hearing on May 26, 2022, at 5:00 p.m. or soon thereafter.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

4/28/2022 6:44 PM County Administrator, Shawn Utt requested the approval of the following Virginia Enterprise Zone – Local Incentives Payment:

- ➤ \$272.16 Appalachian Agency for Senior Citizens for 50% of their building permit fees as allowed in the Smyth County code.
- A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the Virginia Enterprise Zone Local Incentive Payment to the Appalachian Agency for Seniors Citizen's in the amount of \$272.16.

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: None.

ABSENT: North Fork District Supervisor Phil Stevenson

4/28/2022 6:45 PM County Administrator, Shawn Utt, gave information regarding the "Caring for our Community" event, which is a celebration to express appreciation of those who serve our community and invited the Board members to attend on May 3, 2022 at the Marion EMS station beginning at 4:30 p.m.

4/28/2022 6:46 PM – County Attorney Report -

Don Martin reported that a complaint was filed today on Riverside Road and regarding Churchland Drive and added that they are still trying to locate the owners. Mr. Martin also reported that the draft complaint on Quail Run will hopefully be filed next week. Mr. Martin also noted they are working on several other VACO matters.

4/28/2022 6:46 PM – County Administrator Report -

Mr. Utt had nothing new to report.

4/28/2022 6:47 PM – Supervisor Comment Time -

Vice Chair, Rye Valley District Supervisor Lori Deel said she agreed with Dr. Ratliff on looking at different options for fire suppression in the County and to be mindful of the citizens and their safety and insurance costs. Mrs. Deel said she would like to see the County enforce an ordinance to require hydrants in new housing developments. Mrs. Deel said she appreciates all the hard work of staff on the budget and everyone working together to use taxpayer dollars for the citizens. Mrs. Deel noted that she also appreciates the school board and was excited to see the enthusiasm of the participants of Youth Government Day and said she was excited to finish the year strong.

Royal Oak District Supervisor Courtney Widener reiterated options for fire suppression and added it should be a top priority. Mr. Widener asked everyone to keep the staff and children of the school in their thoughts and prayers as they have been hit hard over the last few months and said he appreciates the community pulling together and all the support. Mr. Widener added that he enjoys working with everyone and that he feels good decisions are being made.

Saltville District Supervisor Roscoe Call said he agrees with needing to find a water source in the Hall Addition area of the County and wished for everyone to be safe going home.

Chilhowie District Supervisor Michael Sturgill thanked Sarah Gillespie with the Smyth County Chamber of Commerce for putting together the Opportunity Fair and said it was amazing to walk around to see all the businesses there and those who need help. Mr. Sturgill also reported great participation in Youth Government Day and said those students are the future of the County. Mr. Sturgill thanked the Board members for working together on all the different issues.

Park District Supervisor Kris Ratliff said he wants to apologize to anyone he may have offended with the status of quality for fire suppression and added that was not his intention. Dr. Ratliff added he feels the Octagon House can help promote tourism for the County and although financially the last several decades have been tight but has seen a recent upswing and looking forward on infrastructure. Dr. Ratliff thanked the School Board and the County for all the hard work on the budget and that he enjoys working with the Board and hopes to leave the County a better place than when he came in.

Chair, Atkins District Supervisor Charles Atkins said he was pleased to have been working with the Board over the last six years. Mr. Atkins said the County is moving forward and handling issues and added he is thankful to work with everyone.

4/28/2022 6:59 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.

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

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

4/28/2022 7:25 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,
Chilhowie District Supervisor Michael Sturgill, and
Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

4/28/2022 7:22 PM With no further business to discuss, the meeting was adjourned. The next meeting will be May 12, 2022, at 5:00 p.m.

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.

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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 15th through May 21st, 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 15th through 21st, 2022, shall be observed throughout the County as Emergency Medical Services Appreciation Week.

SMYTH COUNTY ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	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 15th through May 21st, 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 34th 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 12th day of May 2022.

ATTEST:	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

Date: May 12, 2022

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. <u>Issuance of Bonds</u>. 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 <u>ad valorem</u> 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. <u>Details and Sale of the Bonds</u>. 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, makewhole, 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. <u>Appointment of Bond Registrar and Paying Agent</u>. (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. <u>Charges for Exchange or Transfer</u>. 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. <u>Tax Covenants</u>. 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. <u>Effective Date</u>. 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	DATED DATE	INTEREST RATE	
January 15, 2037	May [], 2022	3.204%	
REGISTERED OWNER:	KEY GOVERNMENT FINANCE, IN	NC.	
PRINCIPAL AMOUNT:	MILLION (\$)	THOUSAND DOLLAR	RS

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 <u>Schedule I</u> 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	ed sells, assigns and transfers unto
(PLEASE PRINT OR TYPEWRITE NAME ANI ASSIGNEE)	O ADDRESS, INCLUDING ZIP CODE. OF
PLEASE INSERT SOCIAL SECURITY OR OTH IDENTIFYING NUMBER OF ASSIGNEE:	
the within Bond and does hereby irrevocably cons	stitute and appoint
the books kept for registration of said Bond, with	, attorney, to transfer said Bond on full power of substitution in the premises.
Dated	
Signature Guaranteed:	Registered Owner
	(NOTICE: The signature above must correspond with the name of the Registered
(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	Owner as it appears on the books kept for registration of this Bond in every particular, without alteration or change.)
Association which is a member of a medallion program approved by the Securities Association, Inc.)	

SCHEDULE I

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

CERTIFICATE OF AUTHENTICATION

The undersigned Bond Registrar he Smyth County, Virginia described in the wit	reby certifies that this is one of a series of Bonds of hin-mentioned Resolution.
Authentication Date:, 2022	
	By:
_	of Supervisors of Smyth County, Virginia certifies that ad correct copy of the Resolution adopted at a meeting y, 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.

Current Rates

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

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 Ra	tes – 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

	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

Current Rates

Current Rate Proposed Rate - 5% increase

\$49.80 per month Residential Flat Rate Residential Flat Rate \$52.29 per month

Sewer Rates - Commercial

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 Ea. add'l 1,000 gallons \$12.00 per 1,000 gallons \$12.60 per 1,000 gallons

Sewer Rates -Industrial and Industrial Enterprise Zone

Proposed Rates - 5% increase **Current Rates**

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.

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

Smyth County School Board Operations Budget For the Year Ending June 30, 2023

Revenue Summary for Operations Budget					
	2021-2022 2022-2023 Difference				
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		
TOTAL OPERATIONS	\$ 52,283,681	\$ 57,769,854	\$ 5,486,173		

Expenditure Summary for Operations Budget						
	2021-2022 2022-2023 Difference					
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			
TOTAL OPERATIONS	\$ 52,283,681	\$ 57,769,854	\$ 5,486,173			

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		Diff	erence		
Local Funds - Capital Outlay	\$	-0-	\$	-0-	\$	-0-
Local Funds - Debt Service	\$ 2,1	72,106	\$ 2,1	70,267	\$	(1,839)
Other Funds – Interest Rebate	\$	-0-	\$	-0-	\$	-0-
TOTAL CAPITAL OUTLAY	\$ 2,1	72,106	\$ 2,1	70,267	\$	(1,839)

Expenditure Summary for Capital Outlay and Debt Service Budget						
	2021	-2022	202	2-2023	Diff	erence
Capital Outlay – Facilities	\$	-0-	\$	-0-	\$	-0-
Capital Outlay - Debt Service	\$ 2,1	72,106	\$ 2,1	70,267	\$	(1,839)
TOTAL CAPITAL OUTLAY	\$ 2,1	72,106	\$ 2,1	70,267	\$	(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.

Figh 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.

	FY2022	Proposed	
REVENUES	Budget	FY2023	Inc. / (Dec.)
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	1,210,421	(700,000)
911 Wireless Grants	143,285	199,646	56,361
		<u>133,0</u> 40	
Interest/Tranf Courthouse Sav	187,106	-	(187,106)
CDBG Grant	130,776	0.500.000	(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
Sub-total	96,718,666	105,904,584	9,185,918
Debt Service			
Proceeds From Short term Perrousing	5 000 000		(F 000 000\
Proceeds From Short-term Borrowing Proceeds From Previous Financing	5,000,000 700,000	700,000	(5,000,000)
Sub-total	5,700,000	700,000	(5,000,000)
	0,100,000	7.00,000	(3,000,000)

EXPENDITURES	FY2022 Budget	F	Proposed	Inc	. / (Dec.)
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		,502/
County School Operations & Capital Outlay (Non-Local)	45,718,081		48,414,123		2,696,042

Total County Budget Expenditures	102,418,666	106,604,584	4,185,918
Sub-total	6,534,788	1,902,913	(4,631,875)
Payment on Line of Credit Debt Service Payments Capital Projects (Debt Financed)	5,000,000 1,534,788 -	1,902,913 -	(5,000,000) 368,125
DEBT SERVICE			
Sub-total	95,883,878	104,701,671	8,817,793
ARPA Funding	-	5,847,350	(0,000,011)
Expenses Circuit Court CARES ACT Funding	5,000 3,096,541	5,000 -	(3,096,541)
CWA Fed Funds	20,000	20,000	=
Recovery Court	171,125	177,590	6,465
Purchase Equipment	60,000	60,000	-
Sheriff Asset Forfeiture	90,000	90,000	-
Police Activity Fund Expense	786,168	753,012	(33,156)
Asset Forfeiture	125,000	125,000	-
Courthouse Security	303,234	303,234	-
Sheriff DMV Safety Grant	25,000	25,000	-
Sheriff DARE Program	10,000	10,000	=
Sheriff Restitution Fund	10,000	10,000	-
Drug Asset Expense	50,000	50,000	-
Social Security Funds	73,110	73,110	-
Capital Improvement Projects	1,765,835	4,645,141	2,879,306
Water-Sewer Capital Outlay	47,160	69,000	21,840
Water-Sewer Department Operations Water-Sewer Department Debt Service	1,412,881 945,359	1,488,381 945,628	75,500 269
CDBG Grant	130,776	-	(130,776)
Courthouse Project	187,106	-	(187,106)
Dispatch (Fund 38)	143,285	199,646	56,361
School Textbook Fund Expense	700,000	-	(700,000)
Department of Social Services	5,994,118	6,651,721	657,603
County School Debt Service Local Funds	2,172,106	2,170,267	(1,839)
County School Operations & Capital Outlay (Local)	8,700,189	9,239,797	539,608

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 26th, 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:

General County	
Accounts Payable Listing 4/1/2022 - 4/30/2022	\$2,276,548.38
Total General County	\$2,276,548.38

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

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 23rd-August 6th, 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 good 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.

The Smyth County Board of Supervisors held its regular meeting on Thursday, May 26, 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; Administrative Assistant/Deputy Clerk Paula Harvey; County Attorney Scot Farthing; Assistant County Administrator - Development Clegg Williams; Economic Development Project Manager Kendra

Hayden

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

and citizens

5/26/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

5/26/2022 5:02 PM Joanna Bryant, Utilities Clerk led the Pledge of Allegiance and Economic Development Project Manager, Kendra Hayden gave the invocation.

5/26/2022 5:03 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to amend the agenda to include the VDOT Quarterly Report under Section IV (a).

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.

5/26/2022 5:04 PM Mr. Alan Sumpter presented the VDOT Secondary Six-Year Road Plan. Mr. Sumpter reported that moving forward, all future projects instead of the usual tar and gravel will now be a paved surface, which will last longer. Mr. Sumpter discussed current projects as well as two new future paving projects that will take place on Carriage Road and Rt. 601 on Pugh Mountain Road, both in the Rye Valley District. Mr. Sumpter also touched base on projects going on this Summer.

5/26/2022 5:14 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing regarding the VDOT Secondary Six-Year Road Plan.

Public Hearing Notice

The Virginia Department of Transportation and the Board of Supervisors of Smyth County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the Board Meeting Room of the Smyth County Government Center Building, 121 Bagley Circle, Marion, Virginia 24354 at **5:00 p.m. or as soon thereafter as possible on Thursday, May 26th, 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.

5/26/2022 5:15 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

5/26/2022 5:16 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to waive the Rules for Public Hearings for this specific public hearing.

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.

5/26/2022 5:16 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to adopt the VDOT Secondary Six-Year Road Plan for the FY2022/2023 and FY2027/2028 Construction Priority List.



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

County Administrator Asst. County Administrator – Operations Asst. County Administrator – Development Shawn M. Utt Lisa Richardson 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^{th} 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 Chilhowie District Supervisor Michael Sturgill, seconded by Rye Valley District Supervisor Lori Deel 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 (2028) on May 26^{th} , 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 (2028) 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 (2028) are hereby approved as presented at the public hearing.

CANADA COMPANY
SMYTH COUNTY BOARD OF SUPERVISORS
Charles E. Atkins. Chair

cos ⁻	T FIGURES UF	PDATED - M	ay 16, 20	22								
Route#	Road Name	Magisterial Dist.	Cost Estimate	Prevous Funding	Add'l Funding Required	2022-23	2023-24	2024-25	2025-2026	2026-27	2027-28	TOTAL Allocated
Rt 622	Nick's Creek Road	Atkins	2,290,864.00	2,609,275.00	(318,411.00)	-	-	-	-	-	-	2,609,275.00
Rt 765	Cornett Road	Royal Oak	175,000.00	175,000.00	-	-	-	-	-	-	-	175,000.00
Rt 760	Old Slash Road	Rye Valley	195,500.00	195,500.00	-	-	-	-	-	-	-	195,500.00
Rt. 729	Kegley Lane	Atkins	83,850.00	44,585.00	39,265.00	39,265.00	-	-	-	-	-	83,850.00
Rt. 652	Rosenbaum Hollow Road	Rye Valley	136,850.00	-	136,850.00	136,850.00	-	-	-	-	-	136,850.00
Rt. 653	Tilson Hollow Road	Rye Valley	279,500.00	-	279,500.00	4,696.00	192,774.00	82,030.00	-	-	-	279,500.00
Rt. 798	Hale Lake Road	Rye Valley	39,100.00	-	39,100.00	-	-	39,100.00	-	-	-	39,100.00
Rt 624	Milldam Road	North Fork	402,480.00	-	402,480.00	-	-	71,644.00	175,927.00	154,909.00	-	402,480.00
Rt 651	Carriage Road	Rye Valley/Chilhowie	45,400.00	-	45,400.00	-	-	-	-	21,018.00	24,382.00	45,400.00
Rt. 601	Pugh Mountain Road	Rye Valley	151,545.00	-	151,545.00	-	-	-	-	-	151,545.00	151,545.00
			Anticiapted VDO	SYP Allocation		180,811.00	192,774.00	192,774.00	175,927.00	175,927.00	175,927.00	

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

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, 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.

5/26/2022 5:17 PM County Administrator, Shawn Utt, discussed the details of the FY 21/22 Budget Amendment #10 for the Board's consideration regarding ESSER Funds related to the School Board and American Rescue Plan Act (ARPA) funds establishing those approved by the Board so checks can be written.

5/26/2022 5:18 PM Chair, Atkins District Supervisor Charles Atkins, opened the Public Hearing for the FY21/22 Budget Amendment #10.

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 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

5/26/2022 5:18 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins, closed the public hearing.

5/26/2022 5:19 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to waive the reading of the rules for public hearings for this specific hearing. 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.

5/26/2022 5:19 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the FY2021/2022 Budget Amendment #10 as presented:



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.

	SMYTH COUNTY
ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt. Clerk	Charles Atkins, Chair

Adopted this the 26th day of May, 2022

Exhibit A FY 2021-22 Budget Amendment #10 [____-22]

De la	Department	Line Item	Account Title		Adopted	Amount of	Budget with Notes	Notes
		Number			Budget	Amendment	Amendment	
600 QN	ND 009 State School Funds	009-021010-0230	009-021010-0230 VA DOE ESSER Funds	s	\$ (81.19,948.19) \$	\$ (000'010'2)	(5,129,94	5,129,948) Additional ESSER Reimbursements
ND 004	Economic Development Authority 010000-0008		Smyth Strong Fund	s		\$ (000'00E)	(300,00	(300,000) ARPA Funding for Small Business Programming
ND 502	Grant Funded Projects	502-012010-	SSES DEQ Grant	s		\$ (000'54)	00'52)	(75,000) Grant for sewer study on Route 16
ND 502	Grant Funded Projects	502-012010-	MRPDC-Rt 16 Sewer	s		\$ (000'52)	(25,00	(25,000) Matching Grant for sewer study on Route 16
777 QN	ARPA Fund	777-010001-0001	77-010001-0001 Rev. from Federal-ARPA	v,		(942,887) \$	(942,88	942,887) Establishing ARPA Fund (Fund 777)
tal Boston	1-1 Descenter With Amondment			۰	1407 370 5551 ¢	12 3E3 8071 ¢	[532 503 304] ¢ /405 504 553	le le

Fund	Department	Line Item	Account Title	Ad	Adopted	Amount of	Amended Budget Notes	Notes
		Number		ã	Budget	Amendment	Amount	
FUND 009	Smyth County School Operations	009-099990-5801	Instruction	s	37,809,472 \$	\$ 000'001'1	38,909,472	38,909,472 ESSER Grant Project
FUND 009	Smyth County School Operations	009-09990-5802	Administration/Attendance	s	1,599,805 \$	\$ 000'88	1,687,805	1,687,805 ESSER Grant Project
FUND 009	Smyth County School Operations	009-099990-5804	Facilities	s	6,573,216 \$	\$12,000 \$	7,085,216	7,085,216 ESSER Grant Project
FUND 009	Smyth County School Operations	009-066660-600	Food Service	v,	3,948,438 \$	310,000 \$	4,258,438	4,258,438 ESSER Grant Project
FUND 004	Economic Development Authority	004-012010-5404	Smyth Strong APRA Fund	v,		300'000	300,000	300,000 ARPA Funding for Small Business Programming
FUND 502	Capital Improvements Fund	502-012010-0285	Route 16 Sewer Study	S	•	100,000 \$	100,000	100,000 Grant funded project
FUND 777	ARPA Fund	777-010000-0001	County Wide Water Study	s	•	\$ 000'58	85,000	85,000 APRA Project
FUND 777	ARPA Fund	777-010000-0002	Blue Ridge Discovery Center	s	•	\$ 000'052	250,000	250,000 APRA Project
FUND 777	ARPA Fund	777-010000-0003	MRRP - Talent Solutions	v,		110,000 \$	110,000	110,000 APRA Project
FUND 777	ARPA Fund	777-010000-0004	chilhowie Fire/EMS Acad'y	v,		364,500 \$	364,500	364,500 APRA Project
FUND 777	ARPA Fund	777-010000-0005	Smyth County Tourism	v,		\$ 000'05	20,000	50,000 APRA Project
FUND 777	ARPA Fund	777-010000-0006	Smyth Co. 911-Radio Study	v	\$	\$ 785,587 \$	83,387	83,387 APRA Project

evenues	s	(102,328,666)	s	\$ (2,352,887)	(105,681,553)
xpenditures	S	102,328,666	۰,	3,352,887 \$	105,681,553
ifference	s		s	\$.	•

5/26/2022 5:20 PM Mr. Allan Sumpter, Residency District Engineer for VDOT thanked the Board for allowing them to come speak. Mr. Sumpter advised the Board he would be back in August, 2022 to provide the Quarterly update.

Matthew Lewis, VDOT, Abingdon Residency presented updates on various projects throughout the County. Mr. Lewis discussed the motor grader patching project on Harris Lane and advised that W&L will be coming back with a more permanent patch to address concerns the citizens have. Mr. Lewis said he was proud to report that 100% of the primary route mowing was completed at this time.

North Fork District Supervisor Phil Stevenson advised that even though the motor grader work does look rough, it does a good job.

Park District Supervisor Kris Ratliff asked for clarification on the repair on the Harris Lane motor grading project and advised he had spoken with a few upset constituents from his District and would pass the information along with what Mr. Lewis discussed.

Chilhowie District Supervisor Michael Sturgill thanked Mr. Lewis and VDOT for the fantastic work they did at Chilhowie Elementary School.

Chair, Atkins District Supervisor Charles Atkins thanked VDOT for their work on Crowe Hollow Road and said the water is now going in the drains and the paving was a lot better.

5/26/2022 5:35 PM Debbie Thomas spoke regarding Harris Lane and expressed her concerns with the recent patching job. Ms. Thomas said she and her neighbors are upset at the patching job and asked VDOT to take care of correcting the issue. Ms. Thomas said it was a safety hazard for motorists and inquired about adding an additional speed limit sign on Harris Lane.

5/26/2022 5:42 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the May 12, 2022, meeting as presented.

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.

5/26/2022 5:43 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

5/26/2022 5:43 PM Charles Wassum, 321 Wassona Circle, Marion, spoke regarding the recent tragedy in Texas and said he was happy that each of the Smyth County Schools has a School Resource Officer. Mr. Wassum read an article and passed out booklets about Disarming America.

5/26/2022 5:45 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

5/26/2022 5:46 PM County Administrator Shawn Utt, read the minutes from the Budget Committee meeting and presented the following recommendations:

Chair, Atkins District Supervisor discussed the recommendation for the 3.5% utility rate increase and said he is against the 3.5% increase and thinks it needs to be a 5% increase. Mr. Atkins said he doesn't want to pay more either but added that he feels it is necessary in order to make the water department more self-sufficient. Saltville District Supervisor Roscoe Call agreed and said with the potential for additional revenue next fiscal year that it may not be necessary to raise the utility rates. North Fork District Supervisor Phil Stevenson said he doesn't disagree with the tax hike, but after seeing the predictions for gas prices that he would not be the one to add it this fiscal year. Chilhowie District Supervisor Michael Sturgill said he agrees with Mr. Stevenson. Royal Oak District Supervisor Courtney Widener said if the utility rate increase is considered, he would like to take the lower end due to the potential additional revenue to help offset the increase but added that it is still unknown at this time. Mr. Widener said he feels citizens are already taxed to death and that everything is already expensive and continuing to go up. Vice Chair, Rye Valley District Supervisor Lori Deel said while looking at 5% this year she thinks with the 3.5% this fiscal year and 3.5% the following fiscal year still reaches the same goal but thinks it's fair to spread out evenly. Park District Supervisor Kris

Ratliff said he would go ahead with the 5% increase because people still choose what they want to spend their money on and such but if the County doesn't raise the rates that in the long run it will have effects. Discussion continued.

• 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.

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

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

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: Chair, Atkins District Supervisor Charles Atkins,

North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

ABSTAINERS: None.
ABSENT: None.

The following motion was made regarding the following Water & Sewer Ordinance setting the increase at 3.5%, effective July 1, 2022.

• A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the Ordinance setting fixed charges and volume charges for Water & Sewer Service, to be effective July 1, 2022.



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

County Administrator Asst. County Administrator – Operations Asst. County Administrator – Development 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 3.5% 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^{th} day of May, 2022, that the utility service charges for both water and sewer services are hereby amended as set forth in <u>Appendix A</u> 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 $26^{\rm h}$ 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

Vote

Adopted this the 26th day of May, 2022.

Adopted this the 26th day of May, 2022.

Attest:

Attest:

Clerk of the Smyth County Board of Supervisors

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

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

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: Chair, Atkins District Supervisor Charles Atkins,

North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

ABSTAINERS: None. ABSENT: None.

• 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.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None

Mr. Utt read information regarding the County's Land Use Tax Program that was discussed during the Budget Committee meeting. Mr. Utt noted he has 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 County Land Use Program policies and expectations. Vice Chair, Rye Valley District Supervisor Lori Deel said she wanted to clarify that she is in support of farmers and agriculture, but her only concern is with the forestry side. Mrs. Deel stated that her issue is that if you own property in Smyth County but only use it a few times a year to hunt, that it is not fair for other citizens to have to pay the Land Use Tax. She stated that if you don't live here then you don't need a tax break. North Fork District

Supervisor Phil Stevenson thanked Mrs. Deel for clarifying her support for farmers and agriculture because he doesn't want to hurt the farmers. Discussion continued.

5/26/2022 6:14 PM Assistant County Administrator -Development, Clegg Williams read the minutes from the Comprehensive Plan Committee meeting and reported that Hill Studio has requested committee members to review an electronic survey and to offer any comments or suggestions by May 26, 2022. Mr. Williams reported that once the survey is finalized that it will be distributed electronically to the public through the website and local events. No action was taken.

5/26/2022 6:17 PM County Administrator Shawn Utt, read the minutes from the Solid Waste Committee meeting and presented the following recommendation:

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

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, 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

5/26/2022 6:19 PM Mr. Utt discussed the School Board Budget Resolution for consideration. Mr. Utt stated that it will be likely the County will have to reconsider their Budget depending on the actions of the General Assembly.

Atkins District Supervisor Charles Atkins commended Dr. Carter, School Resource Officers, and staff as a collective effort in keeping our schools safe.

5/26/2022 6:22 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the Smyth County School Board Budget for Fiscal Year 2022/2023 from the May 12, 2022 Public Hearing.



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

EVDENDITUDES /EDUCACTION CATECODY

Shawn M. Utt, Clerk

Atkins District Chilhowie District North Fork District Park District Royal Oak District Rye Valley District Saltville District Charles E. Atkins Michael L. Sturgill Charles P. Stevenson Kristopher S. Ratliff, Dph S. Courtney Widener Lori H. Deel Roscoe D. Call

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

 $\label{prop:whereas} \textbf{WHEREAS}, \S 22.1\text{-}1\text{-}115 \text{ of the Code of Virginia establishes expenditure classifications or categories; and.}$

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^{th} day of May, 2022 the Smyth County School Board FY2022-23 budget is hereby approved as follows:

2022 22

Charles E. Atkins, Chair

EXPENDITURES/EDUCACTION CATEGORY	2022-23
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
TOTAL FUNDS BUDGETED	\$59,940,121
THIS RESOLUTION is hereby adopted this 26 th day by the Smyth County Board of Supervisors. ATTEST:	of May, 2022, in the County of Smyth, Virginia, SMYTH COUNTY BOARD OF SUPERVISORS

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Saltville District Supervisor Roscoe Call,

North Fork District Supervisor Phil Stevenson, and

Park District Supervisor Kris Ratliff

NAYS: None.

ABSTAINERS: Chilhowie District Supervisor Michael Sturgill

ABSENT: None.

5/26/2022 6:23 PM Vice Chair, Rye Valley District Supervisor Lori Deel asked regarding the Personal Property tax relief percentage and Mr. Utt noted that it will be on the June meeting agenda once the rate is set. Assistant County Administrator -Operations, Lisa Richardson, said that Richmond County is looking at increasing the relief rate instead of changing the actual tax rate. Discussion continued.

5/26/2022 6:26 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the Resolution setting 2022 Property Tax Rates for the period of July 1, 2022 – June 30, 2023.



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

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

\$0.74 per hundred dollars of assessed valuation

\$2.30 per hundred dollars of assessed valuation

Airplanes Machinery and Tools Merchants Capital	\$1.40 per hundred dollars of assessed valuation \$1.55 per hundred dollars of assessed valuation \$0.40 per hundred dollars of assessed valuation
Adopted this the day of _	
ATTEST:	SMYTH COUNTY BOARD OF SUPERVISORS
Shawn M. Utt. Clerk	Charles E. Atkins. Chair

Saltville District Supervisor Roscoe Call seconded the motion.

Real Estate

Tangible Personal Property

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. 5/26/2022 6:26 PM A motion was made by Saltville District Supervisor Roscoe Call to adopt the Resolution approving the Smyth County Budget for the Fiscal Year July 1, 2022 – June 30, 2023.



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 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 26th day of May, 2022, in the County of Smyth, Virginia, by the Smyth County Board of Supervisors and shall be effective July 1, 2022.

CMVTH COUNTY

ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles E. Atkins, Chair

Budget

FY22/23 REVENUE SUMMARY

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
TOTAL - COUNTY OPERATING REVENUES	106,723,018

Budget

FY22/23 EXPENDITURE SUMMARY

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

Library Administration Planning Commission 3,750 Community Development County Engineer Economic Development Authority Soil & Water Conservation Cooperative Extension Program Comprehensive Services Act County Engineer Comprehensive Services Act 2,017,33: Animal Control (Fund 003) General EDA Expenses (Fund 004) Court Reimbursements to Towns (Fund 006) County School Op's & Capital - Non-Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 007) Emergency Dispatch Supp. (Fund 037) Emergency Dispatch Supp. (Fund 037) Emergency Dispatch Supp. (Fund 038) Water/Sewer Operational Expense (Fund 501) County Funded Projects (Fund 501) Capital Projects (Fund 501) Capital Projects (Fund 501) Social Security Funds (Fund 734) Social Security Funds (Fund 735) Torug Asset Expense (Fund 737) Sheriff Dake Program (Fund 738) Sheriff DAKE Program (Fund 739) Sheriff DMW Safety Grant (Fund 740) Sheriff DMW Safety Grant (Fund 743) Police Activity Expenses (Fund 744) Sheriff Drug Asset Expenses (Fund 747) Purchase of Equipment (Fund 748) Recovery Court (Fund 749) Commonwealth Atty Federal Funds (Fund 760) Expenses Circuit Court (Fund 770) 5,000	122,23 LA LIVE TONE SOUTH AND	
Library Administration Planning Commission 3,756 Community Development Quity Engineer Economic Development Authority Soil & Water Conservation Cooperative Extension Program 110,244 Comprehensive Services Act 2,017,333 Animal Control (Fund 003) General EDA Expenses (Fund 004) Court Reimbursements to Towns (Fund 006) County School Op's & Capital - Non-Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 007) Emergency Dispatch Supp. (Fund 037) Emergency Dispatch Supp. (Fund 037) Emergency Dispatch Supp. (Fund 038) Water/Sewer Operational Expense (Fund 501) County Funded Projects (Fund 501) Capital Projects (Fund 501) Goial Security Funds (Fund 734) Social Security Funds (Fund 734) Social Security Funds (Fund 735) Torug Asset Expense (Fund 737) Sheriff Dake Program (Fund 739) Sheriff DMW Safety Grant (Fund 740) Sheriff DMW Safety Grant (Fund 742) Asset Forfeiture (Fund 743) Police Activity Expenses (Fund 744) Sheriff Drug Asset Expenses (Fund 747) Purchase of Equipment (Fund 748) Recovery Court (Fund 749) Commonwealth Atty Federal Funds (Fund 760) Expenses Circuit Court (Fund 770) 5,000		
Planning Commission	Explorer's After-School Program	54,325
Community Development	Library Administration	752,500
County Engineer Economic Development Authority Soil & Water Conservation Cooperative Extension Program 110,24: Comprehensive Services Act 2,017,33: Animal Control (Fund 003) General EDA Expenses (Fund 004) Court Reimbursements to Towns (Fund 006) County School Op's & Capital - Non-Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 009) Dept. of Social Services (Fund 013) School Textbook Fund (Fund 037) Emergency Dispatch Supp. (Fund 038) Water/Sewer Operational Expense (Fund 501) County Funded Projects (Fund 501) Capital Projects (Fund 501) Gapital Projects (Fund 501) Capital Projects (Fund 734) Social Security Funds (Fund 734) Social Security Funds (Fund 735) They Asset Expense (Fund 737) Sheriff DARE Program (Fund 739) Sheriff DMW Safety Grant (Fund 740) Courthouse Security (Fund 742) Asset Forfeiture (Fund 743) Police Activity Expenses (Fund 744) Sheriff Drug Asset Expenses (Fund 747) Purchase of Equipment (Fund 748) Recovery Court (Fund 749) Commonwealth Atty Federal Funds (Fund 760) Expenses Circuit (Fund 770) 5,000	Planning Commission	3,750
Soil & Water Conservation	Community Development	93,851
Soil & Water Conservation	County Engineer	-
Cooperative Extension Program Comprehensive Services Act	Economic Development Authority	563,442
Animal Control (Fund 003) General EDA Expenses (Fund 004) Court Reimbursements to Towns (Fund 006) County School Op's & Capital - Non-Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 009) Dept. of Social Services (Fund 013) School Textbook Fund (Fund 037) Emergency Dispatch Supp. (Fund 038) Water/Sewer Operational Expense (Fund 501) County Funded Projects (Fund 501) Capital Projects (Fund 501) Capital Projects (Fund 501) Capital Projects (Fund 502) Social Security Funds (Fund 734) Social Security Funds (Fund 735) Drug Asset Expense (Fund 737) Sheriff DARE Program (Fund 739) Sheriff DARE Program (Fund 740) Sheriff DARE Program (Fund 740) Courthouse Security (Fund 742) Asset Forfeiture (Fund 743) Police Activity Expenses (Fund 744) Sheriff Drug Asset Expenses (Fund 747) Purchase of Equipment (Fund 748) Recovery Court (Fund 749) Commonwealth Atty Federal Funds (Fund 760) Expenses Circuit Court (Fund 770) 5,000	Soil & Water Conservation	30,000
Animal Control (Fund 003) General EDA Expenses (Fund 004) Court Reimbursements to Towns (Fund 006) County School Op's & Capital - Non-Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 009) Dept. of Social Services (Fund 013) School Textbook Fund (Fund 037) Emergency Dispatch Supp. (Fund 038) Water/Sewer Operational Expense (Fund 501) County Funded Projects (Fund 501) Capital Projects (Fund 501) Capital Projects (Fund 502) Social Security Funds (Fund 734) Social Security Funds (Fund 735) Drug Asset Expense (Fund 737) Sheriff DARE Program (Fund 738) Sheriff DAW Safety Grant (Fund 740) Courthouse Security (Fund 742) Asset Forfeiture (Fund 743) Sheriff Drug Asset Expenses (Fund 744) Sheriff Drug Asset Expenses (Fund 747) Purchase of Equipment (Fund 748) Recovery Court (Fund 749) Commonwealth Atty Federal Funds (Fund 760) Expenses Circuit Court (Fund 770) 5,000	Cooperative Extension Program	110,243
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) 48,530,05 County School Op's & Capital - Local Funds (Fund 009) 9,239,79 County School Debt Service - Local Funds (Fund 009) 2,170,26 Dept. of Social Services (Fund 013) 6,651,72 School Textbook Fund (Fund 037) -	Comprehensive Services Act	2,017,339
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) 48,530,05 County School Op's & Capital - Local Funds (Fund 009) 9,239,79 County School Debt Service - Local Funds (Fund 009) 2,170,26 Dept. of Social Services (Fund 013) 6,651,72 School Textbook Fund (Fund 037) -		
County School Op's & Capital - Non-Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Op's & Capital - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 009) County School Debt Service - Local Funds (Fund 007) Dept. of Social Services (Fund 013) School Textbook Fund (Fund 037) Emergency Dispatch Supp. (Fund 038) Water/Sewer Operational Expense (Fund 501) Water/Sewer Debt Retirement (Fund 501) County Funded Projects (Fund 501) Capital Projects (Fund 501) Capital Projects (Fund 502) Social Security Funds (Fund 734) Social Security Funds (Fund 734) Social Security Funds (Fund 735) Toug Asset Expense (Fund 737) Sheriff Restitution (Fund 738) Sheriff DARE Program (Fund 739) Sheriff DMW Safety Grant (Fund 740) Courthouse Security (Fund 742) Asset Forfeiture (Fund 743) Police Activity Expenses (Fund 744) Sheriff Drug Asset Expenses (Fund 744) Sheriff Drug Asset Expenses (Fund 746) Sheriff Drug Asset Expenses (Fund 747) Purchase of Equipment (Fund 748) Recovery Court (Fund 749) Commonwealth Atty Federal Funds (Fund 760) Expenses Circuit Court (Fund 770) 5,000	Animal Control (Fund 003)	11,900
County School Op's & Capital - Non-Local Funds (Fund 009) 48,530,05 County School Op's & Capital - Local Funds (Fund 009) 9,239,79 County School Debt Service - Local Funds (Fund 009) 2,170,26 Dept. of Social Services (Fund 013) 6,651,72 School Textbook Fund (Fund 037) - Emergency Dispatch Supp. (Fund 038) 199,64 Water/Sewer Operational Expense (Fund 501) 1,488,38 Water/Sewer Debt Retirement (Fund 501) 69,000 County Funded Projects (Fund 501) 69,000 County Funded Projects (Fund 502) 4,645,14 Social Security Funds (Fund 734) 2,500 Social Security Funds (Fund 735) 70,610 Drug Asset Expense (Fund 737) 50,000 Sheriff DARE Program (Fund 738) 10,000 Sheriff DARE Program (Fund 739) 10,000 Sheriff DMW Safety Grant (Fund 740) 25,000 Courthouse Security (Fund 742) 303,23 Asset Forfeiture (Fund 743) 125,000 Police Activity Expenses (Fund 744) 753,01 Sheriff Drug Asset Expenses (Fund 744) 753,01 Sheriff Drug Asset Expenses (Fund 747) 30,000	General EDA Expenses (Fund 004)	810,000
County School Op's & Capital - Local Funds (Fund 009) 9,239,79 County School Debt Service - Local Funds (Fund 009) 2,170,26 Dept. of Social Services (Fund 013) 6,651,72 School Textbook Fund (Fund 037) 1 Emergency Dispatch Supp. (Fund 038) 199,64 Water/Sewer Operational Expense (Fund 501) 1,488,38 Water/Sewer Debt Retirement (Fund 501) 69,00 County Funded Projects (Fund 501) 69,00 Capital Projects (Fund 502) 4,645,14 Social Security Funds (Fund 734) 2,500 Social Security Funds (Fund 735) 70,610 Drug Asset Expense (Fund 737) 50,000 Sheriff DARE Program (Fund 738) 10,000 Sheriff DMW Safety Grant (Fund 740) 25,000 Courthouse Security (Fund 742) 303,23 Asset Forfeiture (Fund 743) 125,000 Police Activity Expenses (Fund 744) 753,01 Sheriff Drug Asset Expenses (Fund 744) 753,01 Sheriff Drug Asset Expenses (Fund 747) 30,000 Sheriff Drug Asset Expenses (Fund 747) 30,000 Purchase of Equipment (Fund 748) 60,000 <	Court Reimbursements to Towns (Fund 006)	5,600
County School Debt Service - Local Funds (Fund 009) 2,170,26 Dept. of Social Services (Fund 013) 6,651,72 School Textbook Fund (Fund 037) - Emergency Dispatch Supp. (Fund 038) 199,648 Water/Sewer Operational Expense (Fund 501) 1,488,388 Water/Sewer Debt Retirement (Fund 501) 945,628 County Funded Projects (Fund 501) 69,000 Capital Projects (Fund 502) 4,645,14 Social Security Funds (Fund 734) 2,500 Social Security Funds (Fund 737) 50,000 Drug Asset Expense (Fund 737) 50,000 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) 753,013 Sheriff Drug Asset Expenses (Fund 746) 60,000 Sheriff Drug Asset Expenses (Fund 747) 30,000 Commonwealth Atty Federal Funds (Fund 749) 177,590 Commonwealth Atty Federal Funds (Fund 760) 20,000 Expenses Circuit Court (Fund 770) 5,000	County School Op's & Capital - Non-Local Funds (Fund 009)	48,530,057
Dept. of Social Services (Fund 013) 6,651,72 School Textbook Fund (Fund 037) 199,640 Emergency Dispatch Supp. (Fund 038) 199,640 Water/Sewer Operational Expense (Fund 501) 1,488,388 Water/Sewer Debt Retirement (Fund 501) 945,620 County Funded Projects (Fund 501) 69,000 Capital Projects (Fund 502) 4,645,140 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) 303,230 Asset Forfeiture (Fund 743) 125,000 Sheriff Drug Asset Expenses (Fund 744) 753,010 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	County School Op's & Capital - Local Funds (Fund 009)	9,239,797
School Textbook Fund (Fund 037) Emergency Dispatch Supp. (Fund 038) 199,64 199,64 1,488,38 199,64 1,488,388	County School Debt Service - Local Funds (Fund 009)	2,170,267
Emergency Dispatch Supp. (Fund 038) 199,644	Dept. of Social Services (Fund 013)	6,651,721
Water/Sewer Operational Expense (Fund 501) 1,488,38 Water/Sewer Debt Retirement (Fund 501) 945,623 County Funded Projects (Fund 501) 69,000 Capital Projects (Fund 502) 4,645,143 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) 753,013 Sheriff Drug Asset Expenses (Fund 744) 753,013 Sheriff Drug Asset Expenses (Fund 747) 30,000 Sheriff Drug Asset Expenses (Fund 747) 30,000 Recovery Court (Fund 749) 177,590 Commonwealth Atty Federal Funds (Fund 760) 20,000 Expenses Circuit Court (Fund 770) 5,000	School Textbook Fund (Fund 037)	-
Water/Sewer Debt Retirement (Fund 501) 945,623 County Funded Projects (Fund 501) 69,000 Capital Projects (Fund 502) 4,645,14 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) 303,233 Asset Forfeiture (Fund 743) 125,000 Police Activity Expenses (Fund 744) 753,013 Sheriff Drug Asset Expenses (Fund 744) 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	Emergency Dispatch Supp. (Fund 038)	199,646
County Funded Projects (Fund 501) 69,000 Capital Projects (Fund 502) 4,645,14 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	Water/Sewer Operational Expense (Fund 501)	1,488,381
Capital Projects (Fund 502) 4,645,144 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	Water/Sewer Debt Retirement (Fund 501)	945,628
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) 753,011 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 Social Security Fund 735 70,610 Commonwealth Court (Fund 760) 5,000 Expenses Circuit Court (Fund 770) 5,000 Social Security Funds (Fund 770) 5,000 So	County Funded Projects (Fund 501)	69,000
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	Capital Projects (Fund 502)	4,645,141
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) 753,013 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	Social Security Funds (Fund 734)	2,500
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) 753,013 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	Social Security Funds (Fund 735)	70,610
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	Drug Asset Expense (Fund 737)	50,000
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) 753,013 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	Sheriff Restitution (Fund 738)	10,000
Courthouse Security (Fund 742) 303,234 Asset Forfeiture (Fund 743) 125,000 Police Activity Expenses (Fund 744) 753,013 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	Sheriff DARE Program (Fund 739)	10,000
Asset Forfeiture (Fund 743) 125,000 Police Activity Expenses (Fund 744) 753,013 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	Sheriff DMW Safety Grant (Fund 740)	25,000
Police Activity Expenses (Fund 744) 753,013 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	Courthouse Security (Fund 742)	303,234
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	Asset Forfeiture (Fund 743)	125,000
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	Police Activity Expenses (Fund 744)	753,012
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	Sheriff Drug Asset Expenses (Fund 746)	60,000
Recovery Court (Fund 749) 177,590 Commonwealth Atty Federal Funds (Fund 760) 20,000 Expenses Circuit Court (Fund 770) 5,000	Sheriff Drug Asset Expenses (Fund 747)	30,000
Commonwealth Atty Federal Funds (Fund 760) 20,000 Expenses Circuit Court (Fund 770) 5,000	Purchase of Equipment (Fund 748)	60,000
Expenses Circuit Court (Fund 770) 5,000	Recovery Court (Fund 749)	177,590
	Commonwealth Atty Federal Funds (Fund 760)	20,000
CARES Act/COVID Funding (Fund 775)	Expenses Circuit Court (Fund 770)	5,000
CARLS ACTICOVID Fullding (Fulld 775)	CARES Act/COVID Funding (Fund 775)	-
ARPA Funding (Fund 777) 5,847,356	ARPA Funding (Fund 777)	5,847,350
TOTAL - COUNTY OPERATING EXPENDITURES 106,723,013	TOTAL - COUNTY OPERATING EXPENDITURES	106,723,018

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,

Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: North Fork District Supervisor Phil Stevenson

ABSTAINERS: None.
ABSENT: None.

5/26/2022 6:27 PM County Attorney Report -

Scot Farthing reported he is working on several thing and noted that he got the lawsuit filed today for Quail Run. Mr. Farthing also briefly discussed Riverside Drive and said they still have to get the owners served. Mr. Farthing noted that he has several other issues he is working on.

5/26/2022 6:28 PM County Administrator Report -

Mr. Utt had nothing new to report.

5/26/2022 6:28 PM Supervisor Comment Time -

Saltville District Supervisor Roscoe Call said he was glad to be here and work with everyone and hopes everyone stays healthy. Mr. Call expressed his concerns with the upcoming Meal's Tax and said he doesn't like it and would like to postpone it for another year. Mr. Call said God Bless everyone and for all to be careful on their way home.

• Saltville District Supervisor Roscoe Call made a motion to postpone the Meal's Tax implementation until July 1, 2023.

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion FAILED by the following vote:

AYES: North Fork District Supervisor Phil Stevenson

Saltville District Supervisor Roscoe Call

NAYS: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

ABSTAINERS: None. ABSENT: None.

Chilhowie District Supervisor Michael Sturgill thanked the Sheriff for interacting with the kids and keeping them safe. Mr. Sturgill said that Summer School starts next Tuesday and added that the schools will have a School Resource Officer there while in session and thanked them for all they do to keep a safe environment. Mr. Sturgill thanked the Board for supporting the SRO's and thanked the teachers and staff for a great, yet challenging school year.

North Fork District Supervisor Phil Stevenson said some of the things really bothered him, but said he was glad he only had a year of his term left. Mr. Stevenson expressed his concern with the County fire hydrants being not being maintained as they should be.

Vice Chair, Rye Valley District Supervisor Lori Deel said it has been a solemn week with the tragedy that occurred in Texas and asked for everyone to keep those in your thoughts and prayers. Mrs. Deel commended the School Resources Officers for keeping our schools safe and said she personally thinks the teachers should be armed. Mrs. Deel noted that she appreciated staff and the Board for continuing to move the County forward and congratulated all County high school graduates.

Park District Supervisor Kris Ratliff had no comment.

Chair, Atkins District Supervisor Charles Atkins said he was glad the Budget was in place and was happy of the fact that people can speak their mind and thanked the Board for working together.

Royal Oak District Supervisor Courtney Widener mentioned to remember the families and residents in Texas. Mr. Widener congratulated all high school graduates. Mr. Widener noted that he had received an email from the Fire Marshall regarding the smoke alarm blitz that was held in the Hall Addition this past Saturday and said there were 70 smoke alarms installed by

the Red Cross and that 44 homes were made safer with 111 residents being served. Mr. Widener thanked the 60 plus volunteers that came to help.

5/26/2022 6:42 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to enter into closed session under Section 2.2-3711 a(3) Discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property regarding the Solid Waste property update.

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.

5/26/2022 7:03 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.

5/26/2022 7:04 PM Chilhowie District Supervisor Michael Sturgill made a motion to appoint Patty Warren to the Department of Social Services Board to represent the Chilhowie District for a four (4) year term set to expire on 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. 5/26/2022 7:05 PM With no further business to discuss, the meeting was adjourned. The next meeting will be June 9, 2022, at 5:00 p.m.

The Smyth County Board of Supervisors held its regular meeting on Thursday, June 9, 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; Royal Oak District Supervisor Courtney Widener; Saltville District Supervisor Roscoe Call; North Fork

District Supervisor Phil Stevenson

ABSENT: Park District Supervisor Kris Ratliff; Chilhowie District

Supervisor Michael Sturgill

STAFF: Administrative Assistant/Deputy Clerk Paula Harvey; County

Attorney Scot Farthing; Assistant County Administrator - Development Clegg Williams; Economic Development Project

Manager Kendra Hayden, Accounts Payable Christy Bise

OTHERS: Smyth County Sheriff's Deputy and citizens

6/9/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

6/9/2022 5:02 PM Christy Bise, Accounts Payable led the Pledge of Allegiance and Alan Gray, Pastor Royal Oak Presbyterian in Marion gave the invocation.

6/9/2022 5:04 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to amend the agenda to include Kendra Hayden for a letter of support under Presentations item 3 (a) and Amanda Livingston, Smyth County Tourism update under Presentations item 3 (b).

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,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

6/9/2022 5:04 PM Economic Development Project Manager, Kendra Hayden presented a request from Woodgrain Mill for their new Marion facility for a letter of support regarding the New Market tax credit.

• A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to authorize a letter of support for Woodgrain Millwork regarding the New Market tax credit.

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,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

6/9/2022 5:05 PM Director of Tourism, Amanda Livingston thanked the Board for their continued support and provided a brief presentation with Smyth County Tourism statistics. Mrs. Livingston added she is very thankful that in Smyth County, the Towns and the County come together as well as both financially support Tourism. She noted that in October this year Smyth County will be hosting four(4) travel writers and as a result of that would be spreading stories about Smyth County. Mrs. Livingston said that next time she attends, she will be presenting a new Smyth County video.

6/9/2022 5:15 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for the 2022 Rich Valley Fair Festival Permit.

6/9/2022 5:16 PM Assistant County Administrator for Development, Clegg Williams read the Public Hearing notice as follows:

PUBLIC HEARING NOTICE

The Smyth County Board of Supervisors will conduct a public hearing on Thursday, June 9, 2022, at 5:00 p.m., or soon thereafter, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following application for an Annual Musical or Entertainment Festival permit under the Code of Smyth County, Virginia:

The Rich Valley Agricultural and Fair Association has submitted a festival application for an elevenday event to be held at the Rich Valley Fairgrounds, 325 Long Hollow Road, Saltville, Virginia, 24370 during the following dates/times:

<u>Saturday, July 23, 2022</u> – 3:00 p.m. to 11:00 p.m., except music events which will end by midnight per the Smyth County Code Section 5-98

<u>Sunday, July 24, 2022</u> – 3:00 p.m. to 9:00 p.m., except music events which will end by midnight per the Smyth County Code Section 5-98

<u>Friday, July 29, 2022</u> – 4:00 p.m. to midnight, except music events which will end by midnight per the Smyth County Code Section 5-98

 $\underline{\text{Saturday, July 30, 2022}} - 10:00 \text{ a.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98}$

 $\underline{Sunday, July\ 31,\ 2022}-9:00\ a.m.\ to\ 10:00\ p.m.,\ except\ music\ events\ which\ will\ end\ by\ midnight\ per\ the\ Smyth\ County\ Code\ Section\ 5-98$

 $\underline{\text{Monday}}$, $\underline{\text{August 1, 2022}}$ – 10:00 a.m. to 11:00 p.m., except music events which will end by midnight per the Smyth County Code Section 5-98

 $\underline{\text{Tuesday}}$, $\underline{\text{August 2, 2022}}$ – 10:00 a.m. to 11:00 p.m., except music events which will end by midnight per the Smyth County Code Section 5-98

 $\frac{Wednesday, August\ 3,\ 2022}{midnight\ per\ the\ Smyth\ County\ Code\ Section\ 5-98}$

<u>Thursday, August 4, 2022</u> – 7:00 a.m. to 11:00 p.m., except music events which will end by midnight per the Smyth County Code Section 5-98

<u>Friday, August 5, 2022</u> - 8:00 a.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

<u>Saturday, August 6, 2022</u> – 9:00 a.m. to completion, except music events which will end by midnight per the Smyth County Code Section 5-98

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

A copy of this application along with their maps and plans are on file in the Office of the County Administrator of Smyth County at the address given above, and may be viewed Monday through Friday, 8:00 a.m. to 5:00 p.m.

In compliance with the Americans with Disabilities Act, persons requiring special assistance to attend and participate in the public hearing should contact Clegg Williams, Smyth County ADA Coordinator, at (276) 783-3298 x8315 at least (48) hours prior to the public hearing.

Done by the order of the Board of Supervisors Shawn Utt, County Administrator Shawn Utt

6/9/2022 5:19 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the Public Hearing.

6/9/2022 5:20 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the May 26, 2022, meeting as presented.

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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

6/9/2022 5:21 PM Assistant County Administrator for Development, Clegg Williams, reviewed the County financial information.

6/9/2022 5:23m PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing.

General County	
Accounts Payable Listing 5/1/2022 - 5/31/2022	\$1,526,452.39
Total General County	\$1,526,452.39

Fund Accounts	
EDA Fund 4	\$3,500.00
CDBG Food Pantry Grant Fund 303	\$0.00
Sheriff Fund 748	\$2,010.30
Recovery Court Fund 749	\$23,857.30
Comm Atty Federal Drug Asset Fund 760	\$688.89
Total Fund Accounts	\$30,056.49
TOTAL ACCOUNTS PAYABLE - MAY 2022	\$1,556,508.88

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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

6/9/2022 5:22 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

6/9/2022 5:22 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

6/9/2022 5:46 PM Saltville District Supervisor Roscoe Call, read the minutes from the Appointment Committee meeting and presented the following recommendations:

• A motion was made by Saltville District Supervisor Roscoe Call to recommend reappointing County Administrator Shawn Utt as the Smyth County representative and Rye Valley District Supervisor Lori Deel as the Smyth County Board of Supervisors representative to the Southwest Virginia Community Corrections Criminal Justice Board

for an additional two (2) year term to expire on June 30, 2024. 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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

• A motion was made by Saltville District Supervisor Roscoe Call to recommend reappointing Clegg Williams to the Mount Rogers Transportation Rural Technical Committee for an additional two (2) year term to expire on June 30, 2024. 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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

• A motion was made by Saltville District Supervisor Roscoe Call to recommend appointing Royal Oak District Supervisor Courtney Widener to fill the vacant Smyth County Board of Supervisors seat on the Mount Rogers ASAP Board for a four (4) year term effective to expire June 30, 2026. 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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

• A motion was made by Saltville District Supervisor Roscoe Call to recommend reappointing Donald Bonham to the Rye Valley Water Authority for an additional four (4) year term to expire on June 30, 2026. 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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

6/9/2022 5:25 PM Chair, Atkins District Supervisor Charles Atkins, read the minutes from the Budget Committee meeting and presented the following recommendation:

• A motion was made by Rye Valley District Supervisor Lori Deel to recommend scheduling a Public Hearing for Budget Amendment #11 in the amount of \$1,632,194 on June 23, 2022 at 5:00 p.m. or soon thereafter. Chilhowie District Supervisor Michael Sturgill 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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

6/9/2022 5:29 PM Vice Chair, Rye Valley District Supervisor Lori Deel, read the minutes from the Public Safety Committee meeting and presented the following recommendation:

 A motion was made by Chilhowie District Supervisor Michael Sturgill to fund \$1,000 for public education related events for the Saltville Fireman Bash to be held on July 2, 2022.
 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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

Chair, Atkins District Supervisor Charles Atkins asked for an update on the air packs for the Atkins Fire Department. Mr. Atkins asked Mr. Williams to check and report back on that issue.

6/9/2022 5:35 PM Chair, Atkins District Supervisor Charles Atkins, read the minutes from the Solid Waste Committee meeting and presented the following recommendation:

• A motion was made by North Fork District Supervisor Phil Stevenson to recommend authorizing the construction of the monitoring well replacement and transferring funds in the amount of \$30,000 from Supplemental Appropriations Line 001-011010-8888 to

Solid Waste Line 001-042030-3025 to cover the cost of the well replacement. Saltville District Supervisor Roscoe Call seconded the motion, and it was unanimously approved.

After consideration, the Solid Waste 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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

6/9/2022 5:37 PM Saltville District Supervisor Roscoe Call, read the minutes from the Water & Sewer Committee meeting and presented the following recommendations:

• A motion was made by North Fork District Supervisor Phil Stevenson to recommend authorizing the County Administrator to move forward with the Preliminary Engineering Report (PER) and to seek grant funding support for sewer service in the Middle Fork Road community. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Saltville District Supervisor Roscoe Call, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

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, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

• A motion was made by North Fork District Supervisor Phil Stevenson to authorize the County Attorney to review County mandatory connection fees related to public utilities to determine enforceability throughout the County. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Saltville District Supervisor Roscoe Call, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

6/9/2022 5:49 PM County Attorney Report -

Scot Farthing reported he is working on several things and noted that service has been issued on the Riverside Drive case.

North Fork District Supervisor Phil Stevenson asked Mr. Farthing if he had an update regarding the lawsuit that was filed on the Special Use Permit of the Truck Stop. Mr. Farthing reported that the County has filed a response but that a hearing has not yet been set.

Mr. Farthing also reported that the Special Use Permit on the Airport issue is still ongoing, and he doesn't have any new updates at this time.

6/9/2022 5:50 PM County Administrator Report -

Assistant County Administrator for Development, Clegg Williams reported that he reached out to Emergency Services Coordinator, Curtis Crawford regarding the air packs and that Mr. Crawford said all have been delivered. Mr. Crawford also reported that he will be ordering replacement masks for the Adwolfe Fire Department.

6/9/2022 5:53 PM Supervisor Comment Time -

Royal Oak District Supervisor Courtney Widener had no comment.

Vice Chair, Rye Valley District Supervisor Lori Deel told everyone to have a good night.

North Fork District Supervisor Phil Stevenson had no comment.

Saltville District Supervisor Roscoe Call said he appreciated everyone coming and apologized for missing the County cookout. Mr. Call advised for everyone to be safe on their way home.

Chair, Atkins District Supervisor Charles Atkins thanked the Board for working together and getting things accomplished. Mr. Atkins also thanked the County Attorney and County staff for working well together.

6/9/2022 5:58 PM With no further business to discuss, the meeting was adjourned. The next meeting will be June 23, 2022, at 5:00 p.m.

The Smyth County Board of Supervisors held its regular meeting on Thursday, June 23, 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 (electronically); Park District Supervisor Kris Ratliff; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Courtney Widener; North Fork District

Supervisor Phil Stevenson

ABSENT: Saltville District Supervisor Roscoe Call

STAFF: County Administrator Shawn Utt; Assistant County

Administrator - Operations Lisa Richardson; Administrative Assistant/Deputy Clerk Paula Harvey; County Attorney Scot Farthing; Assistant IT Director Heather Street; Administrative

Assistant Kelsey Marchant

OTHERS: Dr. Dennis Carter, Smyth County School Superintendent; Smyth

County News & Messenger; Smyth County Sheriff's Deputy and

citizens

6/23/2022 5:00 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

6/23/2022 5:01 PM Administrative Assistant, Kelsey Marchant led the Pledge of Allegiance and Assistant Director of IT, Heather Street gave the invocation.

6/23/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins introduced a new employee to the Building & Zoning Department, Kelsey Marchant, and welcome her.

6/23/2022 5:02 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing in relation to the Community Development Block Grant funding for a project in the County.

Mr. Utt read the following public hearing notice:

NOTICE OF PUBLIC HEARING

Smyth County Board of Supervisors will conduct a public hearing on Thursday, June 23, 2022 at 5:00 p.m. or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia to solicit public input on local community development in relation to the Community Development Block Grant (CDBG) funding for a project in our County. Information on the amount of funding available, the requirements on benefit to low- and moderate-income persons, eligible activities, and plans to minimize displacement and provide displacement assistance as necessary funds will be available. Citizens will also be given the opportunity to comment on the County's past use of CDBG funds. All interested citizens are urged to attend. For additional information, contact Clegg Williams, Assistant County Administrator Shawn Utt of Development at 276-783-3298.

Comments and grievances can be submitted in writing to Smyth County at 121 Bagley Circle, Suite 100, Marion VA 24354, by email at pharvey@smythcounty.org or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, June 23, 2022.

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.

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

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

Mr. Utt provided a summary of the Community Development Block Grant (CDBG) program and discussed example projects. He noted the goals of the funding included assistance to low-to-moderate income families for housing, water/wastewater projects, economic development and emergency needs. Chair, Atkins District Supervisor Charles Atkins noted that he would like the Ruritan and County Community Centers to be considered for possible funds from the grant and said he didn't want to forget their needs.

6/23/2022 5:06 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

6/23/2022 5:06 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing in relation to the FY21/22 Budget Amendment #11.

Mr. Utt read the following public hearing notice:

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, June 23, 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 \$1,632,194 for additional School Board funds and additional Comprehensive Services Act (CSA) State funding match. The new total budget amount will be \$107,403,747.

All interested persons may express their views by emailing 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, June 23, 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

6/23/2022 5:09 PM With no one wishing to speak, Chair, Atkins District Supervisor Charlies Atkins closed the public hearing.

6/23/2022 5:10 PM A motion was made by North Fork District Supervisor Phil Stevenson to waive the Rules for Public Hearings for this specific public hearing.

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

NAYS: None. ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe Call

6/23/2022 5:10 PM A motion was made by North Fork District Supervisor Phil Stevenson to approve the FY2021/2022 Budget Amendment # 11 to include additional School Board funds and CSA funds in the amount of \$1,632,194 as presented:

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2021-2022 – AMENDMENT #11

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, on April 14, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #10) for Fiscal Year 2021-2022 in the amount of \$105,771,553; and

WHEREAS, the aggregate amount of budget amendment #11 is \$1,632,194 which would increase the Fiscal Year 2021-2022 budget to a total of \$107,403,747 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 \$107,403,747.

BE IT FURTHER RESOLVED, the approval of this budget amendment #11 shall indeed constitute an appropriation of the same funds.

Adopted this the 23rd day of June, 2022.

ATTEST:	SMYTH COUNTY BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles Atkins, Chair

Exhibit A FY 2021-22 Budget Amendment #11 (6-23-22)

Part 1. REVENUES

Fund	Department	Line Item	Account Title		Adopted	Amount of	Budget with Notes	
		Number			Budget	Amendment	Amendment	
FUND 001	Comprehensive Services Act	001-022500-0002	CSA - Pool Funds (State)	os.	(1,789,804) \$	(101,313) \$	(1,891,117) CSA budget close-out	
FUND 001	Local Funds Transfer	001-040000-0005	Local Funds Transfer	45	(475,070) \$	\$ (188'06)	(505,951) CSA budget close-out	
FUND 009	State School Funds	009-021010-0230	VA DOE ESSER Funds	45	(3,933,911.00) \$	\$ (000'000'1)	(5,433,911) Additional ESSER Ibein	bursements
Total Reven	ues With Amendment			s	(105,771,553) \$	(1,632,194) \$	(107,403,747)	

	Amended Budget Notes	Amount	2,489,223 CSA budget close-out	39,159,472 ESSER Grant Project	1,727,805 ESSER Grant Project	2,821,989 ESSER Grant Project	7,844,770 ESSER Grant Project	4,458,438 ESSER Grant Project	1,916,396 ESSER Grant Project	107,403,747
	Amount of Am	Amendment	132,194 \$	230,000 \$	40,000 \$	205,446 \$	759,554 \$	200,000 \$	45,000 \$	1,632,194 \$
	Adopted	Budget	2,357,029 \$	38,909,472 \$	1,687,805 \$	2,615,943 \$	7,085,216 \$	4,258,438 \$	1,871,396 \$	105,771,553 \$
	Account Title		CSA - Pool Funds \$	Instruction \$	Administration/Attendance 5	Transportation \$	Facilities \$	Food Service 5	Technology \$	\$
	Line Item	Number	001-083040-5701	009-03990-5801	009-09990-5802	009-09990-5803	009-03990-5804	009-056660-600	9085-066660-600	
DITURES	Department		Comprehensive Services Act	Smyth County School Operations	itures With Amendment					
Part 2. EXPEN	Fund		FUND 001	FUND 009	Total Expend					

Revenues	w	\$ (655,177,801)	(1,632,194) \$	(107,403,747)
Expenditures	1/3	105,771,553 \$	1,632,194 \$	107,403,747
Difference	40	٠,	*	

Royal Oak District Supervisor Courtney Widener 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, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None. ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe Call

6/23/2022 5:10 PM County Administrator Shawn Utt presented a request from the School Board requesting a Budget transfer from Facilities to Food Services in the amount of \$60,000. Mr. Utt recommended the transfer to help finalize the school board's budget for the current fiscal year.

Chair, Atkins District Supervisor Charles Atkins asked Dr. Carter the reason for the request. Dr. Carter responded that the funding is reimbursement based and would clear up the July and August payroll related to finalizing the summer school expenses.

• A motion was made by North Fork District Supervisor Phil Stevenson to approve the School Board Budget Transfer request from Facilities (009-099990-5804) to Food Services (009-099990-5805) in the amount of \$60,000.

Royal Oak District Supervisor Courtney Widener 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, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None. ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe Call

6/23/2022 5:12 PM Paige Wright, After-School Program Director provided an end-of-year report on the first year of operation. Ms. Wright reported that 4 of the 7 elementary schools participated in the program last year. She noted that she has received a lot of positive feedback from the families and gratitude for the staff. Ms. Wright discussed enrollment numbers and reported that with the parent survey that went home at the end of the school year she received feedback requesting a Social Media way to communicate and since has setup a Facebook page to help. She said that overall, it was a great year, and she is looking forward to the next.

Chilhowie District Supervisor Michael Sturgill added that he has received two phone calls from Principals and that the parents really appreciated the program. Mr. Sturgill also noted that the grant program for the Saltville Elementary School has expired so they will be joining the County after-school program next school year.

Chair, Atkins District Supervisor Charles Atkins said that the people in the Atkins community were happy and grateful for the program.

Royal Oak District Supervisor Courtney Widener said from his experience working in the school, a lot of children enjoyed the program and he added that he hopes the word is getting out to everyone so the enrollment numbers will increase next year.

6/23/2022 5:22 PM A motion was made by North Fork District Supervisor Phil Stevenson to approve the minutes from the June 9, 2022, meeting as presented.

Royal Oak District Supervisor Courtney Widener 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, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None. ABSTAINERS: None. ABSENT: Saltville District Supervisor Roscoe Call

6/23/2022 5:23 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

6/23/2022 5:23 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

6/23/2022 5:24 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 approving the FY23 Budget 1st Quarter Appropriations for the County in the amount of \$29,131,488. Chair, Atkins District Supervisor Charles Atkins, seconded the motion and it was unanimously approved.

\rightarrow	General Fund:	\$9,740,746	Fund 001
\rightarrow	EDA:	\$202,500	Fund 004
\rightarrow	Schools - Operating Fund	\$15,213,148	Fund 009
\rightarrow	Schools - School Debt and Capital Fund	\$2,170,267	Fund 009
\rightarrow	Schools - School Textbook Fund	\$135,000	Fund 009
\rightarrow	Social Services	\$1,662,930	Fund 013
\rightarrow	Water & Sewer Refunds	\$2,500	Fund 501
\rightarrow	Recovery Court	\$44,397	Fund 749
	7	TOTAL: \$29	,131,488

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None. ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe Call

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend transferring \$45,000 from Supplemental Appropriations (001-011010-8888) to the Solid Waste Fuel Line (001-042030-5406) and transferring \$3,500 from Supplemental Appropriations Line (001-011010-8888) to Water/Sewer Fuel Line (501-085010-3006). Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None. ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe Call

 A motion was made by Atkins District Supervisor Charles Atkins to recommend paying off the BB&T Bond related to Solid Waste and to the School Board and John Deere Financial lease related to the Transfer Station loader. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None. ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe Call

Mr. Utt reported that the General Assembly recently passed a law this year to allow vehicles to be taxed differently than other personal property. Mr. Utt said he is working with Commissioner of Revenue, Jeff Richardson on this issue and will provide an update at a future Budget Committee meeting.

6/23/2022 5:32 PM County Administrator Shawn Utt, read the minutes from the Solid Waste Committee meeting and presented the following recommendation:

• A motion was made by North Fork District Supervisor Phil Stevenson to recommend approving the emergency contract with Eco Safe Landfill located in Blountville, Tennessee for the agreed upon price of \$35/ton. Saltville District Supervisor Roscoe Call seconded the motion, and it was unanimously approved.

After consideration, the Solid Waste committee recommendation PASSED by the following rollcall vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None. ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe Call

Mr. Utt noted that due to the sense of urgency that this will only be a short-term solution and added the County will have to work through a Request for Proposal (RFP) for a better long-term solution. Mr. Utt did add that if the County doesn't use the Eco Safe Landfill, then nothing will be charged.

North Fork District Supervisor Phil Stevenson suggested the County look into possibly having an incinerator as an option to dispose of solid waste. Mr. Utt advised he has been in contact with a few companies and said Clegg Williams is already looking into the permitting process. Discussion continued.

6/23/2022 5:44 PM County Attorney Report -

Scot Farthing reported he is currently working on several zoning issues and provided updates on other various projects. Mr. Farthing said he is working with Blueline Solutions and the Sheriff on the photo speed enforcement. Mr. Farthing also provided brief updates on the Truck Stop on-going litigation and the Gollehon case.

6/23/2022 5:50 PM County Administrator Report -

Mr. Utt had nothing new to report.

6/23/2022 5:51 PM Supervisor Comment Time -

Vice Chair, Rye Valley District Supervisor Lori Deel said she appreciated everyone in letting her join virtually. Mrs. Deel discussed the outstanding final expenses burial bill for Adwolfe Volunteer Firefighter, Charles "Dog" Woods adding that it still has not been paid and she feels the County should step-up and pay that off for the family. Mrs. Deel said she appreciates the Board members and the staff for all they do and for everyone to stay safe.

After further discussion, the following motion was made:

• A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the final burial expense payment to Bradley Funeral Home on behalf of Charles "Dog" Woods in the amount of \$4,397.95.

North Fork District Supervisor Phil Stevenson seconded the motion.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

> Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Park District Supervisor Kris Ratliff

NAYS: None. ABSTAINERS: None.

ABSENT: Saltville District Supervisor Roscoe Call North Fork District Supervisor Phil Stevenson had no comment.

Chilhowie District Supervisor Michael Sturgill had no comment.

Chair, Atkins District Supervisor Charles Atkins said he recently added the regional jail meeting with Bristol and reported that the County can expect a refund from the Regional Jail of approximately \$731,000 but added that number could change as it is still not finalized. Mr. Atkins added that he and Mrs. Deel attended the Rye Valley Water Authority meeting on Tuesday night but that due to no quorum being represented that the meeting was cancelled.

Park District Supervisor Kris Ratliff had no comment.

Royal Oak District Supervisor Courtney Widener said he has had interest from the Highway 16 Apple Valley community in getting water and sewer. Mr. Widener explained that the County is currently undergoing a County-Wide Water Study and said he hopes the state will look at providing service to those further out in places in the County. Mr. Widener said he agrees with the possibility of looking at the County purchasing an incinerator and said there is also a hope that it could end up being a business and generating revenue for the County. He thanked the Board and staff for all they do and for everyone to be safe going home.

6/23/2022 5:57 PM With no further business to discuss, the meeting was adjourned. The next meeting will be July 14, 2022, at 5:00 p.m.

The Smyth County Board of Supervisors held its regular meeting on Thursday, July 28, 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 (electronically); Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor

Courtney Widener; Saltville District Supervisor Roscoe Call

ABSENT: North Fork District Supervisor Phil Stevenson; Park District

Supervisor Kris Ratliff

STAFF: County Administrator Shawn Utt; Assistant County

Administrator - Operations Lisa Richardson; Administrative Assistant/Deputy Clerk Paula Harvey; County Attorney Scot

Farthing

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

and citizens

7/28/2022 5:11 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

7/28/2022 5:13 PM Deputy Clerk, Paula Harvey led the Pledge of Allegiance and Pastor David Fugatt of Mt. Caramel United Methodist Church in Marion and Davis Memorial United Methodist Church in Atkins, gave the invocation.

7/28/2022 5:13 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to allow Vice Chair, Rye Valley District Supervisor Lori Deel to electronically participate in the meeting.

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,

Royal Oak District Supervisor Courtney Widener,

Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

**** NOTE**** Vice Chair, Rye Valley District Supervisor did not vote on this motion as she was being voted in to participate electronically.

7/28/2022 5:13 PM Chilhowie District Supervisor Michael Sturgill made a motion to amend the agenda to include an item to Closed Session, under Code of Virginia, Section 2.2-3711 A (7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation regarding the Jericho lawsuit.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

7/23/2022 5:14 PM Chair, Atkins District Supervisor Charles Atkins read the following Resolution of Appreciation for Sandra Elswick for consideration:

A RESOLUTION OF APPRECIATION FOR SANDRA ELSWICK, SMYTH COUNTY REGISTRAR

WHEREAS, Sandra "Sandy" Elswick began her distinguished career of service to Smyth County in August 1996 as Deputy Registrar and transitioned to General Registrar in 1997; and

WHEREAS, as General Registrar, Sandy has worked tirelessly to ensure the constitutional right to vote for the citizens of Smyth County throughout six Presidential elections (including party primaries), seven statewide elections, thirteen General Assembly elections, thirteen County-wide elections and thirty-six municipal elections; and

WHEREAS, as General Registrar, it is more than clear that Sandy's heart and soul has been invested in the election process throughout her career judged by the respect afforded her by her peers, both local and statewide.

NOW, THEREFORE, BE IT RESOLVED, that the Smyth County Board of Supervisors hereby express our most sincere appreciation for Sandy's dedication, commitment, and hard work throughout her career as General Registrar of Smyth County; and,

BE IT FURTHER RESOLVED that the Board, County Administration, and staff as a whole wish Sandy a long, restful and well-deserved (and hard-earned) retirement.

Adopted this the 28th day of July, 2022.

	SMYTH COUNTY
ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt. Clerk	Charles E. Atkins, Chair

• Chilhowie District Supervisor Michael Sturgill made a motion to approve the Resolution of Appreciation honoring Sandra "Sandy" Elswick, Smyth County Registrar.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

Chair, Atkins District Supervisor Charles Atkins thanked Mrs. Elswick for her many years of service and dedication as Smyth County Registrar of Voters.

7/28/2022 5:17 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the June 23, 2022, meeting as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

7/28/2022 5:18 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

7/28/2022 5:20 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the General County – Accounts Payable listing for 06-01-2022-06-30-2022 in the amount of \$1,634,462.87.

General County	
Accounts Payable Listing 6/1/2022 - 6/30/2022	\$1,625,417.79
Total General County	\$1,625,417.79
Fund Accounts	
EDA Fund 4	\$5,590.10
CDBG Food Pantry Grant Fund 303	\$0.00

Sheriff Fund 748	\$2,382.04
Recovery Court Fund 749	\$282.94
Comm Atty Federal Drug Asset Fund 760	\$790.00
Total Fund Accounts	\$9,045.08
TOTAL ACCOUNTS PAYABLE - JUNE 2022	\$1,634,462.87

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,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

7/28/2022 5:21 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

7/28/2022 5:21 PM Derek Orr with the Octagon House Foundation thanked the Board for taking their financial request into consideration. Mr. Orr noted that he gave Chair, Atkins District Supervisor Charles Atkins a chart showing where the Octagon House receives their donations from. Mr. Atkins thanked Mr. Orr for the chart and said it was very helpful and added that he would get a copy to each of the Supervisors. Mr. Orr said the project is continuing to move forward and thanked the volunteers, Board Members and the public for their support.

7/28/2022 5:22 PM Chair, Atkins District Supervisor Charles Atkins said in regard to the Octagon House that it is easier to designate a project when he knows the County and citizens are behind it.

7/28/2022 5:23 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

7/28/2022 5:24 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 scheduling a public hearing for the Budget Amendment #1 for Fiscal Year 2022/2023 for additional revenues and expenditures in the amount of \$4,235,366 for July 28, 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 FAILED by the following vote:

AYES: None.

NAYS: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

After further discussion, the following motion was made:

• A motion was made by Chilhowie District Supervisor Michael Sturgill to schedule a public hearing for the Budget Amendment for the Fiscal Year 2022/2023 for additional revenues and expenditures in the amount of \$4,235,366 for August 11, 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,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

 A motion was made by Rye Valley District Supervisor Lori Deel to recommend authorizing the County Administrator to draft an RFP for the General Reassessment. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

• A motion was made by Rye Valley District Supervisor Lori Deel to recommend scheduling a public hearing to consider lowering the FY22 personal property tax rate for vehicles to \$2.20 per \$100 to be set for July 28, 2022 at 5:00 p.m. or soon thereafter. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

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

AYES: None.

NAYS: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson Park District Supervisor Kris Ratliff

• A motion was made by Saltville District Supervisor Roscoe Call to schedule a public hearing to consider lowering the FY22 personal property tax rate for vehicles to \$2.20 per \$100 to be set for August 11, 2022 at 5:00 p.m. or soon thereafter.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

Mr. Utt reported that he spoke with the Commissioner of Revenue's office and added that the Ordinance establishing and segregating certain types of personal property as a separate classification for tax purposes pursuant to Virginia Code § 58.1-3506 would need to be amended to allow for those different rates for vehicles. Mr. Utt noted that a copy of the draft ordinance was in the packet for review. Mr. Atkins suggested the Commissioner of Revenue's office go back and look at the PPRTA rate and Mr. Utt reported that it has already been calculated.

After further discussion, the following motion was made:

• A motion was made by Chilhowie District Supervisor Michael Sturgill to schedule a public hearing regarding the draft ordinance allowing the County to segregate certain classifications of Tangible Personal Property for August 11, 2022 at 5:00 p.m. or shortly thereafter.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend appropriating the full checking account balance of \$51,824.59 of the Sheriff's Fund 746 – Asset Forfeiture account. 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,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend \$6,100.00 from Supplemental Appropriations to the Atkins Ruritan Club to go towards the installation of potable water. 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,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

7/28/2022 5:36 PM County Administrator Shawn Utt, read the minutes from the Ordinance Committee meeting and presented the following recommendations:

• A motion was made by Atkins District Supervisor Charles Atkins to recommend directing staff to develop a draft ordinance amendment to the Nuisance Ordinance to add an additional step for property owner notification before requiring a Public Hearing for the committee's review. Park District Supervisor Kris Ratliff seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

 A motion was made by Atkins District Supervisor Charles Atkins to recommend amending the Festival Ordinance to mirror the current requirements found in the Zoning Ordinance for Family Day Homes. Park District Supervisor Kris Ratliff seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

Royal Oak District Supervisor Courtney Widener asked for clarification regarding the Festival Ordinance regarding the "said application" having to hold a public hearing only if someone opposes. Mr. Utt said that if there were any issues it would be brought before the Board for consideration but if no objections were made it could be approved administratively.

• A motion was made by Atkins District Supervisor Charles Atkins to recommend the current policy related to implementing the Subdivision Ordinance be amended to remove the requirement that the County Attorney review deeds of vacation "as to form". Park District Supervisor Kris Ratliff seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Park District Supervisor Kris Ratliff

7/28/2022 5:42 PM County Administrator Shawn Utt, read the minutes from the Personnel Committee meeting and presented the following recommendation:

 A motion was made by Atkins District Supervisor Charles Atkins to recommend extending the current personnel policy requirement to use holiday leave within 45-days to a 12month period. Park District Supervisor Kris Ratliff seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Park District Supervisor Kris Ratliff

Royal Oak District Supervisor Courtney Widener said he thinks that this is a good personnel policy modification.

Mr. Utt also reported that the committee discussed the recent changes to marijuana laws in Virginia that potentially affect the employment policies. Mr. Utt noted that the County will continue to be a drug and alcohol-free workplace.

7/28/2022 5:46 PM County Administrator Shawn Utt, read the minutes from the Public Safety Committee meeting and presented the following recommendation:

• A motion was made by Royal Oak District Supervisor Courtney Widener to recommend the approval of the contract for Blue Line Solutions and authorize the County Administrator to execute the necessary documents. Chilhowie District Supervisor Michael Sturgill 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,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Park District Supervisor Kris Ratliff

Chilhowie District Supervisor Michael Sturgill said he recently attended the Smyth County Active Threat Workshop and said it was very productive. Mr. Utt also attended and said it was good to know that the schools and the Sheriff's office are working together on a plan.

Mr. Utt reported that he is working with Bill Rush on a plan to move forward with Auto-Fire Aid in the County.

7/28/2022 5:55 PM County Attorney Report -

Scot Farthing reported he is currently working on several zoning issues and provided an update on the Quail Run lawsuit and added that he is currently still trying to contact and obtain service on the Churchland Drive issue. Mr. Farthing also provided a brief update on the Opioid settlement.

7/28/2022 5:58 PM North Fork District Supervisor Phil Stevenson entered the meeting.

7/28/2022 5:59 PM County Administrator Report -

Mr. Utt referenced hand-outs regarding the VACo's Regions 12 & 13 meeting that will be held on August, 13, 2022 from 1:00 p.m. – 3:00 p.m. at the Russell County Conference Center in Lebanon, VA. Mr. Utt also discussed the VACo Annual Conference coming up in Richmond on November 13-15th and added if anyone was interested in attending to let him know and we will get them registered. Mr. Utt encouraged attendance.

7/28/2022 6:01 PM Royal Oak District Supervisor Courtney Widener made a motion to enter into Closed Session under Code of Virginia Section 2.2-3711(a)(5) Business/Industrial Prospects, discussion concerning a business or industry considering expansion for which no previous announcements have been made regarding Project Learn and Section 2.2-3711(a)(7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation regarding the Jericho lawsuit.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and Saltville District Supervisor Roscoe Call NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

7/28/2022 6:36 PM Royal Oak District Supervisor Courtney Widener made a motion to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

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

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

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

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

7/28/2022 6:36 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to authorize \$250,000 to the EDA for a workforce development incentive grant for Project Learn. Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Vice Chair, Rye Valley District Supervisor Lori Deel, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff

7/28/2022 6:38 PM Supervisor Comment Time -

Chilhowie District Supervisor Michael Sturgill encouraged everyone to attend the National Night out on August 2, 2022. Mr. Sturgill said he is looking forward to the start of a great school year.

North Fork District Supervisor Phil Stevenson had no comment.

Chair, Atkins District Supervisor Charles Atkins noted that he recently had attended the Regional Jail Authority meeting and said the City of Bristol was there for their first time. Mr. Atkins said he is excited that good things are happening in the County and encouraged everyone to be safe going home.

Royal Oak District Supervisor Courtney Widener said he appreciated seeing all the support show up for the Octagon House Foundation and for their efforts to bring awareness and fundraising. Mr. Widener wished for everyone to have a good evening and thanked the staff for all they do.

Saltville District Supervisor Roscoe Call said for everyone to stay safe and added it was good to see things in the County turning around for the better. Mr. Call thanked the Board and staff for their hard work.

Vice Chair, Rye Valley District Supervisor Lori Deel encouraged everyone to attend the National Night out and thanked the Octagon House representatives for attending. Mrs. Deel also thanked the Board for allowing her to join electronically.

7/28/2022 6:41 PM With no further business to discuss, the meeting was recessed until the 7:00 P.M. joint public hearing with the Planning Commission.

7/28/2022 7:00 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order to consider joint public hearings with the Smyth County Planning Commission.

The Smyth County Board of Supervisors and the Smyth County Planning Commission held a joint meeting on Thursday, July 28, 2022, at 7:00 p.m. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

Board Members Present: Atkins District Supervisor Charles Atkins; Rve Valley

District Supervisor Lori Deel (electronically); Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Courtney Widener; Saltville District Supervisor Roscoe Call, North Fork District Supervisor

Phil Stevenson

Board Members Absent: Park District Supervisor Kris Ratliff

Commissioners Present: Hazel Wagoner, Chairperson Atkins District, Graham

Davidson, Jr., Vice-Chairman Chilhowie District, Robert Campbell, North Fork District, Tony Dean, Royal Oak

District, and Paul Shepherd, Rye Valley District

Commissioners Absent: David Spence, Saltville District

Staff:

County Administrator Shawn Utt; Assistant County Administrator - Operations Lisa Richardson; Administrative Assistant Paula Harvey; Administrative Assistant Becca Creasy

Approximately 15 citizens were present.

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

The Smyth County Board of Supervisors and the Smyth County Planning Commission will conduct joint public hearings on Thursday, July 28, 2022, at 7:00 P.M. or as soon after 7:00 P.M. as each application described below may be heard, in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, for the Planning Commission to consider whether to recommend the approval and adoption of the following applications, and the Board of Supervisors to consider whether to accept the Planning Commission recommendations on the following applications to the Zoning Ordinance of Smyth County, Virginia:

- 1) An application from Tommy and Phyllis Gross for a Special Use Permit to place a prefabricated Accessory Building in excess of 150 square feet. The property is located on Bear Lick Lane, Sugar Grove, Virginia, and is further identified as Tax Map No. 74A-3-73.
- 2) An application from Community Connection Support Services LLC for a Special Use Permit to establish a Group Care Facility. The property is located at 2510 Highway 16, Marion. It is identified as Tax Map Nos. 58G-3-1 through 58G-3-16 and is zoned Agricultural/Rural.
- 3) An application from Ernest Junior Trent which has been forwarded to the Board of Supervisors of Smyth County, Virginia, requesting an amendment to the official Zoning Map at Atkins, Virginia, to rezone approximately 0.85 acres from Commercial to Agricultural/Rural. The Smyth County Comprehensive Plan does not identify a density range and the general usage of the property was a retail stores and more recently has been vacant. The property is located behind 5276 Lee Hwy in Atkins, Virginia, and is identified as Tax Map Nos. 48C-1-4 and 48C-1-5.

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

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

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

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

Shawn Utt, County Administrator Shawn Utt Hazel Wagoner, Chairperson of the Planning Commission

Tommy and Phyllis Gross – Application for Special Use Permit – Accessory Building above 150 ft², without a main building: At approximately 7:03 p.m. Ms. Creasy presented a Special Use Permit application for Tommy and Phyllis Gross to place an accessory building in excess of 150 square feet on a vacant lot identified as Tax Map No. 74A-3-73 which is not allowed by right in the A/R district. She explained they intended to use this building for the storage of yard tools used to maintain the property. Ms. Creasy made reference to the applicable state and county code sections. She stated the office had not received any comments regarding the application.

At approximately 7:05 P.M. Chairman Atkins and Chair Wagoner jointly opened the public hearing for Tommy and Phyllis Gross's request for a Special Use Permit.

Tommy Gross was present and provided a brief description of his request stating they wanted to store their tools they use to maintain the property in the building. No one else spoke on the application.

At approximately 7:05 P.M. Mr. Atkins and Mrs. Wagoner jointly closed the public hearing regarding the Tommy and Phyllis Gross Special Use Permit application request.

Community Connection Support Services, LLC - Application for Special Use Permit - Group Care Facility: At approximately 7:06 p.m. Ms. Creasey presented a Special Use Permit application for Community Connection Support Services, LLC to establish a Group Care Facility at 2510 Highway 16 in Marion, Virginia. She made reference to the applicable state and county code sections. She state that notice of the public hearing was advertised in the Smyth County News & Messenger on July 16th and 23rd. Additionally, a first-class mailing was sent to each of the applicant's adjoining property owners. She stated the office had not received any comments regarding the application.

At approximately 7:07 p.m. Chairman Atkins and Chair Wagoner jointly opened the public hearing for Community Connect Support Services' request for a Special Use Permit.

Mrs. Grimm addressed questions from the Supervisors and Commissioners stating they could have up to 20 individuals per day, depending on the size of the building, and typically have one employee to three individuals. She state the health department has approved the existing septic system. Transportation is not provided by Community Connection so individuals either have private transportation or they will utilize public transportation. She explained the state has a tier system to determine the level of disability for which their staff receives specialized training and none of the individuals they work with have criminal records. She stated they will be ready to pave the parking lot and fence the back portion of the property for outdoor activities as soon as the Board gives them final approval and they will likely be open to offer their services by the middle of September.

One neighbor, Brian Stiefel, attended the hearing to voice concerns regard traffic on Highway 16 and to ensure safety for his family was met but was ultimately in support of the application.

At approximately 7:28 p.m. Mr. Atkins and Mrs. Wagoner jointly closed the public hearing regarding Community Connection Support Services' Special Use Permit application request.

<u>Ernest Junior Trent - Application for Map Amendment - Commercial to</u>

Agriculture/Rural: At approximately 7:28 p.m. Ms. Creasy presented Ernest Trent's Map Amendment request for 0.85 acres at 5276 Lee Highway in Atkins. She explained Mr. Trent intends to install a manufactured home behind the existing store building (Anderson Furniture) and use the building for personal storage but considering manufactured homes are not permitted by right or by Special Use Permit in the Commercial District Mr. Trent requested the property be zoned Agricultural/Rural. She made reference to the applicable state and county code sections. She stated that notice of the public hearing was advertised in the Smyth County News & Messenger on July 16th and 23rd. Additionally, a first-class mailing

was sent to each of the applicant's adjoining property owners. She stated the office had not received any questions or comments regarding the application.

Mr. Stevenson asked Ms. Creasy about the current zoning classifications for the surrounding properties which she clarified. Mr. Atkins asked if they rezoned the property and decided to use it for some other reason what they would need to do. Ms. Creasy explained that the Zoning Ordinance would have to be revisited at that time to review the uses allowed by right or by special use permit to ensure they meet the Ordinance and proceed accordingly. Mr. Atkins said he spoke to the neighbors, and they do not have any issues with the request.

At approximately 7:34 p.m. Chairman Atkins and Chair Wagoner jointly opened the public hearing for Ernest Junior Trent's request for a Map Amendment.

Michael Smith, Mr. Trent's stepson, was present to represent Mr. Trent and provided a brief description of Mr. Trent's request. He explained that Mr. Trent intends to use the current building for storage but may demolish it in the future. He stated that the property was approved by the Health Department and the last step needed is rezoning.

At approximately 7:36 p.m. Mr. Atkins and Mrs. Wagoner jointly closed the public hearing regarding Mr. Trent's request for a Map Amendment.

At approximately 7:36 p.m. With no further business to discuss, the meeting of the Board of Supervisors was adjourned. The next Board of Supervisors meeting will be held on Thursday, August 11, 2022.

The Smyth County Board of Supervisors held its regular meeting on Thursday, August 11, 2022, at 5:00 p.m. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chair Atkins District Supervisor Charles Atkins; Royal Oak District

Supervisor Courtney Widener; Chilhowie District Supervisor Michael Sturgill; Saltville District Supervisor Roscoe Call; North

Fork District Supervisor Phil Stevenson

ABSENT: Park District Supervisor Kris Ratliff; Vice Chair Rye Valley District

Supervisor Lori Deel

STAFF: Administrative Assistant/Deputy Clerk Paula Harvey; County

Attorney Scot Farthing; County Administrator Shawn Utt; Assistant County Administrator – Operations Lisa Richardson; Assistant County Administrator – Development Clegg Williams

OTHERS: Smyth County Sheriff's Deputy and citizens

8/11/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

8/11/2022 5:02 PM Lisa Richardson, Assistant County Administrator - Operations led the Pledge of Allegiance and Kayla Keilholtz, Pastor Ebenezer Lutheran Church in Marion gave the invocation.

8/11/2022 5:04 PM John Graham representing the Appalachian Center for Hope presented an update on their progress. Mr. Graham said with the help and support of the County that exciting things were happening. Mr. Graham advised recent Virginia General Assembly legislation had passed and the future home of the Appalachian Center for Hope was slated to be deeded to the County and said construction was hoping to begin somewhere around April of 2023. Mr. Graham invited the Board to come and participate in their upcoming work group next week. Mr. Graham thanked the Board and Mr. Utt for continued the continued support and said this has been a community effort.

Royal Oak District Supervisor Courtney Widener said he is really looking forward to the program taking off and thanked Mr. Graham for all he's done.

8/11/2022 5:15 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for Budget Amendment #1 for the Fiscal Year 2022-2023.

8/11/2022 5:16 PM County Administrator Shawn Utt read the Public Hearing notice as follows:

NOTICE OF PUBLIC HEARING

Pursuant to Section 15.2-2507 of the Code of Virginia, notice is hereby given that the Board of Supervisors of Smyth County, Virginia, will hold a public hearing in the Boardroom of the Smyth County Administration Building at 121 Bagley Circle, Marion, Virginia, on Thursday, August 11, 2022, at 5:00 p.m. or soon thereafter, to receive comments on the proposed amendments of the budget for fiscal year 2022-2023.

This amendment will increase the Fiscal Year 2022-2023 adopted budget by \$4,235,366 for additional expenditures and funding. The new total budget amount will be \$110,958,384.

All interested persons may express their views by emailing 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, August 11, 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 a.m. – 5:00 p.m.

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

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

8/11/2022 5:20 North Fork District Supervisor Phil Stevenson made a motion to waive the reading of the rules of public hearings for this specific hearing.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, Saltville District Supervisor Roscoe Call, and North Fork District Supervisor Phil Stevenson,

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 5:21 PM Mr. Utt gave a brief summary of Budget Amendment #1 advising that funds were tied to the schools and other County operations.

8/11/2022 5:25 PM Derek Orr, 163 Redhill Road, Marion representing the Octagon House spoke expressing his thanks to the Board for the support. Mr. Orr said the plan for the Octagon House is to make it economically viable for Smyth County and discussed the reasons why.

Chilhowie District Supervisor Michael Sturgill thanked the Octagon House for their support with teacher involvement and said he received only great comments from the in-service.

Royal Oak District Supervisor Courtney Widener commended the representatives of the Octagon House and said he was impressed to see them coming together and everyone working towards the same great cause.

8/11/2022 5:31 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the Public Hearing.

After further discussion, the following motion was made:

• A motion was made by North Fork District Supervisor Phil Stevenson to approve Budget Amendment #1 as presented for a total amendment of \$4,235,366. In addition, the motion is to include a request to the EDA to pause action related to the \$175,000 loan for the Rich Valley Fair until further considerations can be met.

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2022/23 – AMENDMENT #1

WHEREAS, the Smyth County Board of Supervisors, on May 26, 2022 adopted the Fiscal Year 2022/23 Budget in the original amount of \$106,723,018; and

WHEREAS, the aggregate amount of budget amendment #1 is \$4,235,366 which would increase the Fiscal Year 2022/23 budget to a total of \$110,958,384 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 2022/23 in the amount of \$110,958,384.

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

ATTEST: SMYTH COUNTY BOARD OF SUPERVISORS

Shawn M. Utt, Clerk Charles Atkins, Chair

Adopted this the 11th day of August, 2022

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Part 1. REVENUES

Fund	Department	Line Item	Account Title		Adopted	Amount of	Budget with Notes	tes
		Number			Budget	Amendment	Amendment	
FUND 001	State Grant Money	001-021100-0015	VDEM Active Threat Response Grant	\$		\$ (27,973) \$	(27,973) Roll-	(27,973) Roll-over of unspent grant funding for Emergency Management
FUND 001	State Grant Money	001-021100-0016	VDEM LEMPG-S Grant	\$,	\$ (11,630) \$	(11,630) Roll-	11,630) Roll-over of unspent grant funding for Emergency Management
FUND 001	Local Funds Transfer	001-040000-0005	Local Funds Transfer	\$,	\$ (210,678) \$	(210,678) Roll-	210,678) Roll-over of unspent funding from FY21 for SCSB
FUND 001	Local Funds Transfer	001-040000-0005	Local Funds Transfer	s	,	\$ (20,000) \$	(50,000) Roll-	(50,000) Roll-over of proceeds from CARES Act Funding for Emer. Mgt.
FUND 001	Expenditure Refunds	001-018030-0063	Broadband Grant	\$,	\$ (40,000) \$	(40,000) Roll-	(40,000) Roll-over of Grant Funding
FUND 001	Expenditure Refunds	001-018030-0051	Smyth County Explorer's Fee	\$,	\$ (100,000) \$	(100,000) New	(100,000) New After-School Program partnership with School Board
FUND 004	EDA Fund Revenue	004-010000-0012	Proceeds from Land Sales	\$,	\$ (450,000) \$	(450,000) Mulk	(450,000) Mulberry Lane & Cornerstone Building land sales
FUND 303	CDBG Grant - Food Pantry	303-012010-0001	Revenues from Commonwealth	\$,	\$ (130,776) \$	(130,776) Rem	(130,776) Remaining unspent balance of CDBG grant funding
FUND 502	Grant Revenues for Projects	502-012010-0143	MRPDC-Atkins Source TA	\$,	\$ (45,000) \$	(45,000) Roll-	(45,000) Roll-over of Grant Funding
FUND 502	Grant Revenues for Projects	502-012010-0144	MRPDC-Ebenezer Well	\$,	\$ (25,000) \$	(25,000) Roll-	(25,000) Roll-over of Grant Funding
FUND 502	Grant Revenues for Projects	502-012010-0146	Back of the Dragon Proj-Tobacco	\$,	\$ (160,000) \$	(160,000) Roll-	(160,000) Roll-over of Grant Funding
FUND 502	Grant Revenues for Projects	502-012010-0147	Back of the Dragon Proj-VDOT	\$,	\$ (165,000) \$	(165,000) Roll-	(165,000) Roll-over of Grant Funding
FUND 749	Recovery Court	010000-0001	Recovery Court Grant Funding	s	(169,685)	\$ (1,440) \$	(171,125) Budg	(171,125) Budget correction/oversight
FUND 775	ARPA - Round 1 Funding	775-010001-0004	Public Infrastructure and Support	\$		\$ (2,923,675) \$	(2,923,675) Roll-	(2,923,675) Roll-over from May 2021 Disbursement
Total Reven	otal Revenues With Amendment			Ş	(94,916,778)	\$ (4.341.172) \$	(99.257.950)	

Fund	Department	Line Item	Account Title	Adopted	Amount of	Amended Budget Notes	
		Number		Budget	Amendment	Amount	
UND 001	Emergency Management	001-035050-7001	Machinery & Equipment	\$ \$,000	000'05 \$ 0	\$ 55,000 Use proceeds o	55,000 Use proceeds of CARES Act for Emer. Response Vehicle
:UND 001	Emergency Management	001-035050-7012	VDEM Active Threat Response Grant	\$	\$ 27,973	\$ 27,973 Roll-over of Grant Funding	srant Funding
:UND 001	Emergency Management	001-035050-7013	VDEM LEMPG-S Grant	•	\$ 11,630	\$ 11,630 Roll-over of Grant Funding	brant Funding
:UND 001	Recreation		Smyth County Explorer's Program	•	\$ 100,000	\$ 100,000 New After-Scho	100,000 New After-School Program partnership with School Board
:UND 004	General EDA Expenses	004-012010-5600	Economic Development Activities	\$	\$ 450,000	\$ 450,000 Proceeds from land sales	n land sales
600 QND:	County School Operations	009-09990-5804	Facilities	\$ 4,788,627	7 \$ 210,678	\$ 4,999,305 Roll-over of uns	,999,305 Roll-over of unspent funding from FY21 for SCSB
:UND 303	CDBG Grant - Food Pantry	303-012010-0001	CDBG Grant Expenses	\$	\$ 130,776	\$ 130,776 Roll-over of Grant Funding	srant Funding
:UND 501	Capital Projects	502-012010-0253	Broadband Project Grant	\$	\$ 40,000	\$ 40,000 Roll-over of Grant Funding	srant Funding
-UND 502	Capital Projects	502-012010	MRPDC-Atkins Source TA	\$	\$ 45,000	\$ 45,000 Roll-over of Grant Funding	srant Funding
-UND 502	Capital Projects	502-012010	MRPDC-Ebenezer Well/Pathway Park	•	\$ 25,000	\$ 25,000 Roll-over of Grant Funding	srant Funding
:UND 502	Capital Projects	502-012010-0242	Back of the Dragon Overlook	\$	\$ 325,000	\$ 325,000 Roll-over of Grant Funding	srant Funding
FUND 749	Recovery Court	749-010000-5203	Cell Phone	•	\$ 1,440	\$ 1,440 Budget correction/oversight	ction/oversight
JND 775	ARPA - Round 1 Funding	775-030000-0001	Public Infrastructure and Support	5	\$ 2,923,675	\$ 2,923,675 ARPA Stimulus Funding	Is Funding

Revenues	\$ (94,916,778) \$	(4,341,172) \$	(99,257,950)
Expenditures	\$ 94,916,778 \$	4,341,172 \$	99,257,950
Difference	\$ \$	\$,

Saltville District Supervisor Roscoe Call seconded the motion.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Courtney Widener

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 5:35 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for Personal Property Segregation Ordinance.

8/11/2022 5:35 PM County Administrator Shawn Utt read the following notice: **NOTICE OF**

NOTICE OF PUBLIC HEARING

In compliance with the Code of Virginia of 1950, and amendments thereto, the Smyth County Board of Supervisors will conduct a public hearing to consider an Amendment to The Smyth County Code of Ordinances Chapter 23, Article III to include provisions related to the segregation of certain personal property classifications for taxation purposes. The Board of Supervisors shall hear comments from citizens concerning the proposed amendment of the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, August 11th, 2022, beginning at 5:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion Virginia, to receive comments on the proposed amendment.

All interested persons may express their views by emailing pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to the County Administrator, 121 Bagley Circle, Suite 100, Marion VA 24354, or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, August 11th, 2022.

A copy of the proposed amendment is on file in the County Administrator's Office located at 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

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

BY ORDER OF THE SMYTH COUNTY BOARD OF SUPERVISORS Shawn M. Utt, County Administrator Shawn Utt 8/11/2022 5:37 PM Jeff Richardson, Commissioner of Revenue gave a brief update on tax segregation and the reason for it. Mr. Richardson added that it allows certain vehicles to be classified in a different category.

North Fork District Supervisor Phil Stevenson asked if the \$2.20 proposed decrease would be enough to benefit the citizens. Mr. Richardson said the County would still have a revenue plus. Mr. Stevenson indicated that he is all for it but noted he would like to keep the rate where it doesn't hit the citizens hard. Chair, Atkins District Supervisor Charles Atkins said this will allow certain vehicles to be pulled out separately. Discussion continued.

North Fork District Supervisor Phil Stevenson said he really valued Mr. Richardson's opinion.

8/11/2022 5:51 PM Chair, Atkins District Supervisor Charles Atkins closed the Public Hearing for the Personal Property Segregation Ordinance.

8/11/2022 5:52 PM A motion was made by North Fork District Supervisor Phil Stevenson to waive the rules of public hearings for this specific hearing.

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,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

• A motion was made by North Fork District Supervisor Phil Stevenson to approve the Ordinance Establishing & Segregating Certain Types of Personal Property as a Separate Classification for Taxation Purposes pursuant to Virginia Code §58.1-3506.

AN ORDINANCE ESTABLISHING & SEGREGATING CERTAIN TYPES OF PERSONAL PROPERTY AS A SEPARATE CLASSIFICATION FOR TAXATION PURPOSES PURSUANT TO VIRGINIA CODE § 58.1-3506

WHEREAS, the General Assembly of Virginia recently enacted HB 1239, amending § 58.1-3506 to enable localities to establish certain types of personal property as a separate classification for local taxation purposes; and,

WHEREAS, the Board of Supervisors of Smyth County, Virginia (the "Board") recognizes the hardships imposed on the citizens of the County as a result of the lingering effects of COVID-19 pandemic, supply chain disruptions and high levels of inflation, and has by resolution duly adopted has extended the payment deadline for real estate taxes; and,

WHEREAS, the Board recognizes that due to supply chain disruptions and inflation, the values of certain items of personal property, including motor vehicles, may experience unexpected increases in market values; and,

WHEREAS, the Board is mindful of the possibility that certain personal property tax rates may need to be adjusted and wishes to separately assess for taxation certain types of personal property; and,

WHEREAS, after due notice and advertisement to the public, the Board has determined to establish a separate classification of personal property as set forth herein.

NOW, THEREFORE, BE IT ORDAINED that by the Smyth County Board of Supervisors that the items of property set forth below are declared to be a separate class of property and shall constitute a classification for local taxation within the County separate from other classifications of tangible personal property taxed by the County, and such items shall be subject to a separate rate of taxation, such rate to be fixed by resolution of the Board:

- A. Automobiles as described in subdivision A (3) of § 58.1-3503;
- B. Trucks of less than two tons as described in subdivision A (4) and A (5) of § 58.1-3503;

BE IT FURTHER ORDAINED that the classification of personal property identified herein shall be taxed for the 2022 taxable year and succeeding years at such rate as the Board may determine by resolution, or as otherwise provided by law.

This Ordinance was duly adopted this 11th of August, 2022.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY.

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

Clark of the Roard	

Chilhowie District Supervisor Michael Sturgill seconded the motion.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 5:53 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing for the Tangible Personal Property Tax Levy.

8/11/2022 5:53 PM County Administrator Shawn Utt read the Public Hearing notice as follows:

NOTICE OF PUBLIC HEARING Tangible Personal Property Tax Levy

In compliance with the Code of Virginia, notice is hereby given that the Board of Supervisors of Smyth County, Virginia, will hold a public hearing in the Boardroom of the Smyth County Administration Building at 121 Bagley Circle, Marion, Virginia, on Thursday, August 11, 2022, at 5:00 p.m. or soon thereafter.

Pursuant to Virginia Code §58.1-3001 et seq., the Board proposes to re-consider a tax levy decrease on tangible personal property located in Smyth County Virginia at a unit levy no greater than \$2.20 per \$100.00 of assessed valuation.

All interested persons may express their views by emailing pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to 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, August 11, 2022.

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

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

8/11/2022 5:54 PM Chair, Atkins District Supervisor Charles Atkins closed the Public Hearing for the Tangible Personal Property Tax Levy.

8/11/2022 5:54 PM A motion was made by North Fork District Supervisor Phil Stevenson to waive the rules of public hearings for this specific hearing.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

North Fork District Supervisor Phil Stevenson added that he doesn't want to make it harder on the citizens and asked Mr. Utt how he came up with the \$2.20 per \$100.00. Mr. Utt said he is following suit with neighboring Counties and that while he doesn't have the exact figures from the additional revenue, he said it could be as much as \$750,000.

Chair, Atkins District Supervisor Charles Atkins said the Budget Committee waivered between \$2.15 and \$2.20 and with the County heading towards a new landfill project, they felt better with the \$2.20. Mr. Stevenson thanked Mr. Atkins for his words and said he would vote for it if it could be dropped another \$0.05 to \$2.15.

After further discussion, the following motion was made:

• A motion was made by North Fork District Supervisor Phil Stevenson to approve the Resolution setting the 2022 Personal Property Tax Rates for specific vehicles as allowed in Code of Virginia §58.1-3506 for the period of July 1, 2022 through June 30, 2023 at a

rate of \$2.15 per \$100 of valuation and the Personal Property Tax Relief Act (PPTRA) rate at 39%.

A RESOLUTION SETTING 2022 PERSONAL PROPERTY TAX RATES FOR SPECIFIC VEHICLES AS ALLOWED IN CODE OF VIRGINIA § 58.1-3506 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; and

WHEREAS, after the appropriate notices and public hearings, the Board of Supervisors of Smyth County has hereby adopted an ordinance pursuant to Code of Virginia §58.1-3506 whereby certain types of personal property may be segregated into separate classifications for taxing purposes; and

WHEREAS, the Smyth County Board of Supervisors wishes to tax, at a lower rate, certain personal property affected by the unanticipated increases in NADA using vehicle values as provided for in Code of Virginia §58.1-3506.

THEREFORE, BE IT RESOLVED that the Board of Supervisors affect a Personal Property Tax Rate of \$2.15 per \$100 valuation for July 1, 2022 through June 30, 2023 for the following categories of personal property:

- a) Automobiles as described in subdivision A 3 of the Code of Virginia §58.1-3503
- b) Trucks of less than two tons as described in subdivision A (4) and A (5) of the Code of Virginia §58.1-3503

BE IT FURTHER RESOLVED that the Board of Supervisors hereby sets the Personal Property Tax Relief Act (PPTRA) rate at 39% for the July 1, 2022 through June 30, 2023 tax year as recommended by the Smyth County Commissioner of Revenue.

Adopted this the day of, 2022	
ATTEST:	SMYTH COUNTY BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles E. Atkins, Chair

Saltville District Supervisor Roscoe Call seconded the motion.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 6:07 PM Chair, Atkins District Supervisor Charles Atkins called for a five-minute recess.

8/11/2022 6:12 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order.

8/11/2022 6:12 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the July 28, 2022, meeting as presented.

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,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None.

ABSTAINERS: North Fork District Supervisor Phil Stevenson

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 6:14 PM Treasurer, Tom Burkett, reviewed the County financial information and gave the Board an "end of year" report.

North Fork District Supervisor Phil Stevenson thanked Mr. Burkett for his presentation and noted that it enlightened him.

8/11/2022 6:30 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing.

General County	
Accounts Payable Listing 7/1/2022 - 7/31/2022	\$1,306,936.95
Total General County	\$1,306,936.95
Fund Accounts	
EDA Fund 4	\$381.95
Recovery Court Fund 749	<u>\$3,426.20</u>
Total Fund Accounts	\$3,808.15
TOTAL ACCOUNTS PAYABLE - JULY 2022	\$1,310,745.10

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,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 6:30 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

8/11/2022 6:31 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

8/11/2022 6:31 PM Saltville District Supervisor Roscoe Call, read the minutes from the Appointment Committee meeting and presented the following recommendation:

• A motion was Saltville District Supervisor Roscoe Call to recommend reappointing Curtis Crawford to the Southwest Virginia Emergency Medical Services Council, Inc. for an additional three-year term set to expire on July 31, 2025. Royal Oak District Supervisor Courtney Widener seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 6:32 PM Chilhowie District Supervisor Michael Sturgill, 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 approving the FY22/23 Budget Amendment #2 to include budget carryovers from FY21/22 as discussed without including the Feasibility Study for Dispatch Center Operations for a total carry-over amount of \$963,350.00 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,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving the transfer station construction project fund in the amount of \$2,000,000 from

Capital Improvements Fund (502-012010-0272) to the Transfer Station Construction Fund (505-012010-0001). 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,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 6:38 PM Royal Oak District Supervisor Courtney Widener, read the minutes from the Building & Grounds Committee meeting and presented the following recommendation:

• A motion was made by Rye Valley District Supervisor Lori Deel to recommend moving forward with the HVAC unit replacement quote from Trane in the amount of \$16,975 to be pulled from Supplemental Appropriations. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

After consideration, the Building & Grounds Committee recommendation PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: North Fork District Supervisor Phil Stevenson

ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 6:51 PM Royal Oak District Supervisor Courtney Widener, read the minutes of the Public Safety Committee and presented the following recommendations:

• A motion was made by Royal Oak District Supervisor Courtney Widener to recommend going into contract with King-Moore for technical assistance for the GIS system maintenance and operations. Chilhowie District Supervisor Michael Sturgill 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,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend presenting the Radio Study RFP to the full board for approval to advertise. 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,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 6:59 PM Saltville District Supervisor Roscoe Call, read the minutes of the Water & Sewer Committee and discussed the following request:

• A motion was made by Rye Valley District Supervisor Lori Deel to recommend sending the permanent Pump and Haul permit without a committee recommendation to the full

Board for discussion and consideration. Saltville District Supervisor Roscoe Call seconded the motion, and it was unanimously approved.

Assistant County Administrator for Development, Clegg Williams, said he has been working with the citizens regarding the pump and haul permit request. Mr. Williams discussed what a pump and haul system is and added that essentially the liability of a pump and haul permit falls back on the Board and they would be responsible for ensuring proper maintenance is performed on a regular basis. Discussion continued.

• A motion was made by North Fork District Supervisor Phil Stevenson to deny the Permanent Pump & Haul request from Michael Walkup.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 7:10 PM A motion was made by North Fork District Supervisor Phil Stevenson to uphold the Planning Commission's recommendation to approve a Special Use Permit for Tommy & Phyllis Gross accessory building in excess of 150² on a vacant lot on Bear Lick Lane identified as Tax Map No. 74A-3-73

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None. ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 7:11 PM A motion was made by North Fork District Supervisor Phil Stevenson to uphold the Planning Commission's recommendation approving a Special Use Permit for Community Connection for a Group Care Facility located at 2510 Highway 16, Marion, VA

Saltville District Supervisor Roscoe Call seconded the motion. After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 7:12 PM A motion was made by North Fork District Supervisor Phil Stevenson to uphold the Planning Commission's recommendation approving the map amendment request to rezone the property from Commercial to Agricultural/Rural for Ernest Junior Trent located behind 5276 Lee Highway, Atkins, VA

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

8/11/2022 7:14 PM County Attorney Report -

Scot Farthing had nothing new to report at this time.

8/11/2022 7:15 PM County Administrator Report -

Mr. Utt reported that Wally Blevins, Solid Waste/Utilities Foreman is working to bring recycling back to the County, starting with #1 plastics with the hopes of expanding in the future.

8/11/2022 7:17 PM Supervisor Comment Time -

North Fork District Supervisor Phil Stevenson said he appreciates the Board working together with each other. Mr. Stevenson discussed the need for the Rich Valley County store on the Back of the Dragon. Mr. Stevenson said the store needs a new septic in order to allow food to be served. He said with it being the only store in that area, and with the promoting the Back of the Dragon, he feels it would be beneficial if the County could assist. Discussion continued.

• A motion was made by North Fork District Supervisor Phil Stevenson to authorize \$25,000 to use as a low interest loan to the EDA who will serve as fiscal agent for the Rich Valley County Store septic repair.

Royal Oak District Supervisor Courtney Widener seconded the motion, and it was unanimously approved.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

Saltville District Supervisor Roscoe Call said he appreciated everyone being here and having fun and getting things done and God bless everyone. Mr. Call said he attended the Teacher of the Year luncheon at the lake and that it was a good time.

Board of Supervisors Meeting Minutes August 11, 2022 Page 20

Chilhowie District Supervisor Michael Sturgill thanked the library and the historical society for their assistance with the teaching staff. Mr. Sturgill said a great job to all the fire and rescue for continuing to keep the citizens safe. He said there has been a great start to the new school year and that students were glad to be back. Mr. Sturgill mentioned the nationwide teacher shortage and asked for everyone to keep them in your thoughts and prayers. Mr. Sturgill thanked everyone for working today and said things are getting better by the day.

Chair, Atkins District Supervisor Charles Atkins thanked everyone for being here and for the good discussions. Mr. Atkins said that he appreciates everyone working together and to be safe going home.

Royal Oak District Supervisor Courtney Widener said he was glad to see the representatives of the Octagon House here working hard to do all they can and added how important it is for the County to help. Mr. Widener thanked the staff for all they do.

8/11/2022 7:23 PM With no further business to discuss, the meeting was adjourned. The next meeting will be August 25, 2022, at 5:00 p.m.

Chair, Charles Atkins

The Smyth County Board of Supervisors held its regular meeting on Thursday, September 8, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye

Valley District Supervisor Lori Deel; Chilhowie District Supervisor Michael Sturgill; Saltville District Supervisor Roscoe Call; North Fork District Supervisor Phil Stevenson; Park District

Supervisor Kris Ratliff

ABSENT: Royal Oak District Supervisor Courtney Widener

STAFF: County Administrator Shawn Utt; Assistant County

Administrator – Operations Lisa Richardson; Assistant County Administrator – Development Clegg Williams; County Attorney Scot Farthing; Administrative Assistant/Deputy Clerk Paula

Harvey

OTHERS: Smyth County Sheriff's Deputy and citizens

9/8/2022 5:03 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

9/8/2022 5:06 PM Shawn Utt, County Administrator led the Pledge of Allegiance and Alan Gray, Pastor Royal Oak Presbyterian Church in Marion gave the invocation.

9/8/2022 5:06 PM Mr. Allan Sumpter, Residency Engineer for VDOT discussed updates on various projects that VDOT is currently working on throughout the County. Mr. Sumpter also provided updates on the mowing progress, patching and ditching updates and other maintenance types of activities. He reported that they are also getting the equipment ready for Winter weather. He discussed the speed study requests from the May board meeting and advised that they are working to move through these as quickly as possible.

Mr. Sumpter also discussed the speed study results in the Broadford area, specifically requested by local resident, John Clark and explained the process and reported on what data was collected. Mr. Sumpter advised after the completion of the study, VDOT traffic engineers did not recommend changing the speed limit due to the standards that need to be met prior to such a change not being present in this specific study. Discussion continued.

Mr. Sumpter announced this is his last visit with the Board. Effective next week he noted he would be assuming a new role with VDOT in the Wise Residency. He advised that Matthew Lewis will take his place in the interim. Mr. Sumpter thanked the Board for their professionalism and wished everyone well and said he would miss working with everyone.

The Board thanked Mr. Sumpter for his services and wished him well with his new position.

9/8/2022 5:39 PM Kyle Brewster, Saltville EMS Chief, provided an update for Saltville EMS operations within his first year. Mr. Brewster reviewed the handout from the packet and explained in detail operations from the last year noting he believed the agency is in a strong financial position in his opinion. Mr. Brewster also touched on the structure of services and discussed plans for the upcoming year. Discussion continued.

Saltville District Supervisor Roscoe Call noted that he recently attended the Saltville Labor Day Celebration and said that the Saltville EMS presence there was outstanding. He said he is getting positive input from the community and for them to keep up the good work.

Chair, Atkins District Supervisor Charles Atkins thanked Mr. Brewster for the update and wished them continued success.

9/8/2022 6:10 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the August 11, 2022, meeting as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None.

ABSTAINERS: Vice Chair, Rye Valley District Supervisor Lori Deel, and

Park District Supervisor Kris Ratliff

ABSENT: Royal Oak District Supervisor Courtney Widener

9/8/2022 6:11 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

9/8/2022 6:12 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing.

General County	
Accounts Payable Listing 8/1/2022 - 8/31/2022	\$1,270,660.79
Total General County	\$1,270,660.79
Fund Accounts	
EDA Fund 4	\$90,754.33
Fund 746 Sheriff	\$19,160.00
Recovery Court Fund 749	\$ <u>18,182.89</u>
Total Fund Accounts	\$128,097.22
TOTAL ACCOUNTS PAYABLE - AUGUST 2022	\$1,398,758.01

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

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Park District Supervisor Kris Ratliff,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener

9/8/2022 6:13 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

9/8/2022 6:13 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

9/8/2022 6:14 PM County Administrator, Shawn Utt read the minutes from the Solid Waste Committee meeting and presented the following recommendation:

• A motion was made by Saltville District Supervisor Roscoe Call to recommend scheduling a public hearing for September 22, 2022 at 5:00 p.m. or shortly thereafter to consider the

amendments to the transfer station fee structure to include tipping fees, fees for tire disposal and a minimum transfer station usage fee. Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.

North Fork District Supervisor Phil Stevenson said he does not agree with charging for tire disposal and wants to keep the four (4) free tires per resident. Mr. Stevenson believes eliminating the 4 free tires could cause other issues and should be left as is. Mr. Stevenson also added that he is not in agreement with charging residents a minimum \$5 fee to unload on the tipping floor.

Vice Chair, Rye Valley District Supervisor Lori Deel concurred with Mr. Stevenson regarding not eliminating the four (4) free tires.

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

AYES: None.

NAYS: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Park District Supervisor Kris Ratliff,

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

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener

After further discussion, the following motion was rendered:

• A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to schedule a public hearing for September 22, 2022, at 5:00 p.m. or shortly thereafter to consider amendments to the transfer station fee structure to include tipping fees and a minimum transfer station usage fee.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Park District Supervisor Kris Ratliff,

Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: North Fork District Supervisor Phil Stevenson

ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener

9/8/2022 6:34 PM County Administrator Shawn Utt, Shawn Utt, read the minutes from the Budget Committee meeting and presented the following recommendation:

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving Budget Amendment #3 in the amount of \$1,002,797 to include all items as discussed. Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2022/23 – AMENDMENT #3

WHEREAS, the Smyth County Board of Supervisors, on May 26, 2022 adopted the Fiscal Year 2022/23 Budget in the original amount of \$106,723,018; and

WHEREAS, earlier in the meeting of August 11, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #1) for Fiscal Year 2022/23 in the amount of \$110,958,384; and

WHEREAS, later in the meeting of August 11, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #2) for Fiscal Year 2022/23 in the amount of \$111,921,734; and

WHEREAS, the aggregate amount of budget amendment #3 is \$1,002,797 which would increase the Fiscal Year 2022/23 budget to a total of \$112,924,531as 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 2022/23 in the amount of \$112,924,531.

BE IT FURTHER RESOLVED, the approval of this budget amendment #3 shall indeed constitute an appropriation of the same funds.

SMYTH COUNTY

Adopted this the 8th day of September, 2022

ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles Atkins, Chair

Exhibit A										
FY 2022-23										
Budget Ame	endment #3 (9-8-22)									
Part 1. REV	ENUES									
Fund	Department	Line Item	Account Title		Adopted		Amount of	Budge	et with	Notes
		Number			Budget		Amendment	Amen	dment	
FUND 001	Local Funds Transfer	001-040000-0005	Use of Fund Balance	\$	(1,127,350)	\$	(337,450)	\$	(1,464,800)	Transfer FY22 funding to FY23
FUND 002	State Grant Money	001-021100-0027	Recovery Court - DCJS Grant Funds	\$		\$	(41,347)	\$	(41,347)	New state grant funding
FUND 001	Local Funds Transfer	001-040000-0006	Transfer to Capital Improvements Fund	\$	2,781,741	\$	60,000	\$	2,841,741	
FUND 004	EDA Fund Revenue	004-010000-0008	Smyth Strong Fund	\$	-	\$	(300,000)	\$	(300,000)	Transfer FY22 CIP funding to FY23
FUND 004	EDA Fund Revenue	004-010000-0014	GO Virginia Pathway Park Sitework Grant	\$	-	\$	(100,000)	\$	(100,000)	Grant Funding approved in FY22
FUND 004	EDA Fund Revenue	004-010000-0015	TRRC Pathway Park Sitework Grant	\$		\$	(100,000)	\$	(100,000)	Grant Funding approved in FY22
FUND 037	School Textbook Fund	037-011010-0001	School Textbook Fund	\$	(11,000)	\$	(124,000)	\$	(135,000)	
FUND 502	Capital Improvements Fund	502-012020-0001	Reimbursements From Project Funds	\$	(2,781,741)	\$	(60,000)	\$	(2,841,741)	
Total Reve	nues With Amendment			\$	(111,921,734)	Ş	(1,002,797)	\$ (1	12,924,531)	
Part 2. EXPE	NDITURES									
Fund	Department	Line Item	Account Title		Adopted		Amount of	Amende	d Budget	Notes
		Number			Budget		Amendment	Am	ount	
FUND 001	Volunteer Fire Departments	001-032020-5604-40	Adwolfe VFD	\$	42,605		27,450			Funding for Roof Replacement
FUND 001	Recovery Court - State	001-021010-1003	Part-Time Salaries	\$		\$	19,657			New state grant funding
FUND 001	Recovery Court - State	001-021010-5401	Supplies	\$		\$	21,690			New state grant funding
FUND 004	Economic Development Authority - General Exps		SmythStrong ARPA Fund	\$		\$	300,000		,	Rollover from FY22
FUND 004	Economic Development Authority - General Exps		Pathway Park Site Work	\$		\$	200,000			GoVA Grant and Tobacco Commission Grant
FUND 004	Economic Development Authority - General Exps		Economic Development Activities	\$	50,000		250,000			Project Learn commitment
FUND 037	School Textbook Fund	037-099990-5701	School Textbook Fund	\$	11,000		124,000			Budget Request
FUND 502	Capital Improvements Fund	502-012010	Konnarock Community Center Well	\$		\$	25,000			Roll-over for project approved in FY22
FUND 502	Capital Improvements Fund	502-012010	Saltville Library ARC Match	\$		\$	15,000			Match for Grant approved in FY22
FUND 502	Capital Improvements Fund	502-012010-0255	Animal Control Building repairs	\$	-	\$	20,000	\$	20,000	Epoxy Floor Replacement
Total Expen	ditures With Amendment			\$	111,921,734	\$	1,002,797	\$ 1	12,924,531	
			_		4		/\			
			Revenues	\$	(111,921,734)		(1,002,797)	, ,	112,924,531)	
			Expenditures	\$	111,921,734	\$	1,002,797	Ş	112,924,531	
			Difference	Ś		Ś	_	Ś		
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After consideration, the Budget Committee recommendation PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Chilhowie District Supervisor Michael Sturgill,

Park District Supervisor Kris Ratliff,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener

9/8/2022 6:38 PM County Administrator Shawn Utt discussed the revised Pathway Regional Industrial Facility Authority Pathway Park participation agreement. Mr. Utt noted that when the agreement was originally approved by the Board it was prior to the Washington County attorney making suggested recommendations. Mr. Utt advised that both Washington and Bland counties have approved the revised agreement and recommended the Board authorize him to execute the agreement and move forward.

• North Fork District Supervisor Phil Stevenson made a motion to approve the revised Pathway Regional Industrial Facility Authority Pathway Park Participation Agreement as presented and to authorize the County Administrator to execute the document.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener

9/8/2022 6:39 PM County Administrator Shawn Utt discussed the Opioid settlement funds and reminded that those funds have to be used as an opioid addiction mitigation strategy. He suggested potentially making some of the funds available for Appalachian Center for Hope as they work to get their programming up and running. Chair, Atkins District Supervisor Charles Atkins said he is in support of the Appalachian Center for Hope program but since they still in the stages of creation would rather see the funds go to a program to get immediate need. Another recommendation Mr. Utt presented was for the funds be given to the Appalachian Substance Abuse Coalition (ASAC), who is a strong partner with the Recovery Court program so they could be of use immediately.

Park District Supervisor Kris Ratliff said it is so important to help those maintain their sobriety and to get back in the workforce and be productive citizens.

• Chilhowie District Supervisor Michael Sturgill made a motion to authorize the Opioid settlement funding in the amount of \$24,072 to go for the Appalachian Substance Abuse Coalition for use as a opioid addition mitigation strategy.

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

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

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

NAYS: None. ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener



Mr. Farthing reported that he is currently waiting on his private process server to locate the owner of the Riverside Drive property. Mr. Farthing added that he is working on other various administration item and also collecting the non-user fees for water & sewer.

North Fork District Supervisor Phil Stevenson asked if any news on the airstrip and truck stop litigation. Mr. Farthing provided a brief update on both.

9/8/2022 6:47 PM County Administrator Report -

Mr. Utt discussed the following:

1. Real Estate Reassessment RFP – Mr. Utt reported that administration has been working through the process to procure the upcoming reassessment with a January 1, 2024 effective date. The due date for the proposals was August 31, 2022 and Mr. Utt noted that Pearson's Appraisal Services was the only one that responded. He said there would be a meeting with them on Monday, September 12, to discuss a draft agreement and is in hopes he will have to present to the Budget Committee to be able to present at the September 22, 2022 Board meeting. Mr. Utt reported that like everything else, costs are expected to increase.

There was discussion regarding the creation of a land use committee to study the current land use program and offer recommendations for updates or improvements. Chair, Atkins District Supervisor Charles Atkins suggested that whoever the Chairperson may be at the time appoint members to serve. Discussion continued and the Board collectively agreed with Chair Atkins' suggestion.

2. <u>Historic District Designation</u> – Mr. Utt discussed the Appalachian Center for Hope plans for the Rehab Building and that there is consideration of the use of historic tax credits as an option for funding. However, in order to qualify for the program, the building

needs to be officially designated either a historic district or as an individual historic structure. Mr. Utt said the most cost-effective would be to create a historic district. He reported that the Appalachian Center for Hope has reached out to the Town of Marion to serve as the official requestor to the Virginia Department of Historic Resources. Mr. Utt also discussed the possibility and thoughts of including the Morrison Building as well.

3. <u>Smyth County Community Hospital Board</u> – Mr. Utt said he has been asked to serve on the reconstituted Hospital Board and that he hopes to continue the great working relationship between the County and the hospital. He also added that he would be a voice for the County for issues that need to be discussed in greater depth.

9/8/2022 6:56 PM Supervisor Comment Time -

Vice Chair, Rye Valley District Supervisor Lori Deel gave her appreciation to everyone for bearing with her and letting her participate electronically. Mrs. Deel thanked Saltville EMS for coming to speak and said the school year is off to a great start. She also added she appreciates all the Board members and staff for their time and to keep the County moving forward.

Saltville District Supervisor Roscoe Call said he is glad to see Mrs. Deel back and for everyone to have a safe trip home and God Bless.

Park District Supervisor Kris Ratliff reminded everyone to stay aware of the new Covid booster and said the Flu season is predicated to be aggressive and suggested everyone getting their vaccine. Dr. Ratliff said he recently became aware of a training program that certifies Pharmacy Technicians and advised Smyth County is interested and may partner for training as a way to open the door. Dr. Ratliff asked about County logging operations if there is a code of when one is harvested to put another back in its place and Mr. Utt said state code doesn't allow for that. Dr. Ratliff congratulated Mrs. Deel on her new baby and thanked the Board for all they do.

Chair, Atkins District Supervisor Charles Atkins thanked everyone for speaking up and good discussions. He pointed out that the next ARPA committee meeting is getting closer with both studies wrapping up and for everyone to be thinking to putting that money to good use. Mr. Atkins congratulated Mrs. Deel on her new baby and said he is glad to have the staff working so well together.

Chilhowie District Supervisor Michael Sturgill said he has recently had some good experiences at the McMullin convenience station and the employees there are outstanding. He also gave a shoutout of appreciation to all Fire, EMS and Police for all they do. Mr. Sturgill reminded everyone of the upcoming Chilhowie Apple Festival on September 22-25 and encouraged

everyone to come out. Mr. Sturgill thanked the Library for working well together with the schools and gave a shoutout to a former student that recently had an article published in Newsweek. He also congratulated Mrs. Deel on her new baby.

North Fork District Supervisor Phil Stevenson said he appreciates Saltville EMS operations and hopes they can come up with a plan for another building and that they have his support.

9/8/2022 7:05 PM Mr. Utt reported that the RFP's for the Landfill for Solid Waste came back and Eco Safe Landfill in Blountville, TN was the only one that responded. Mr. Utt recommend moving forward with the agreement. Discussion continued.

• North Fork District Supervisor Phil Stevenson made a motion to authorize the County Administrator Shawn Utt to negotiate and enter into a 5-year agreement with a 5-year extension with Eco Safe Landfill for Solid Waste.

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

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener

North Fork District Supervisor Phil Stevenson said he hopes the County is still looking into the possibility of constructing an incinerator for future solid waste needs. Mr. Utt said he feels there is a regional group he can pull together for that.

Saltville District Supervisor Roscoe Call said he visited the salt plant and went to the manager and advised them of the recent bags of salt that were brought to the Landfill. Mr. Call advised the manager of the salt plant told him he would take care of making sure the leftover bags of salt do not get brought to the Landfill.

9/8/2022 7:07 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to enter into closed session under Code of Virginia Section 2.2-3711(a)3 – Discussion or

consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property, regarding Solid Waste property update.

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener

9/8/2022 7:18 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 closed session on this date pursuant to an affirmative recorded voted 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,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener

9/8/2022 7:20 PM Chilhowie District Supervisor Michael Sturgill made a motion to authorize the County Administrator Shawn Utt to execute a purchase agreement with Chilhowie Land Company and Walker Paving Company to purchase 8 acres (+/-) for use as a transfer station in the amount of \$550,000 with expectations the current lease contract will be null and void.

North Fork District Supervisor Phil Stevenson seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: Royal Oak District Supervisor Courtney Widener

9/8/2022 7:21 PM With no further business to discuss, the meeting was adjourned. The next meeting will be September 22, 2022, at 5:00 p.m.



The Smyth County Board of Supervisors held its regular meeting on Thursday, September 22, 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: Chair Atkins District Supervisor Charles Atkins; Chilhowie

District Supervisor Michael Sturgill; Saltville District Supervisor Roscoe Call; Royal Oak District Supervisor Courtney Widener;

Park District Supervisor Kris Ratliff

ABSENT: North Fork District Supervisor Phil Stevenson

Vice Chair, Rye Valley District Supervisor Lori Deel

STAFF: Administrative Assistant/Deputy Clerk Paula Harvey; County

Attorney Scot Farthing; County Administrator Shawn Utt; Assistant County Administrator - Operations Lisa Richardson; Assistant County Administrator - Development Clegg Williams

OTHERS: Smyth County Sheriff's Deputy, Smyth County News & Messenger

and citizens

9/22/2022 5:00 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

9/22/2022 5:01 PM Sandie Seymour, Accounts Payable Clerk led the Pledge of Allegiance and Heather Street, Assistant Director of IT, gave the invocation.

9/22/2022 5:02 PM Chair, Atkins District Supervisor Charles Atkins welcome the new Accounts Payable Clerk, Sandie Seymour to the County and wished her success.

9/22/2022 5:02 PM County Administrator Shawn Utt, presented information regarding the Resolution Declaring September as Recovery Month. Mr. Utt noted that Smyth County Recovery Court will be hosting a candlelight vigil on the steps of the County Courthouse on Friday, September 30th in observance of Recovery month and in memory of those lost to mental health and substance use disorders. Mr. Utt asked the Board to consider adopting the following resolution:

SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION DECLARING SEPTEMBER AS RECOVERY MONTH

WHEREAS, mental health and substance use disorders affect all communities nationwide and Smyth County is sadly no exception; and

WHEREAS, the Smyth County Recovery Court Program was established in 2018 with a mission to reduce substance use and recidivism within the community by implementing a court-based program with the goal of promoting productivity, development of potential and a safer, healthy community; and,

WHEREAS, the Smyth County Recovery Court Program is tasked with helping to turn the tide of mental health and substance use disorders into a positive direction by guiding those impacted on a journey of improved health and overall wellness and will celebrate the 28th individual to graduate from the program later this month; and

WHEREAS, learning to manage the effects of these conditions helps individuals achieve healthy lifestyles and make a positive contribution to the larger community; and

WHEREAS, the Smyth County Recovery Court program is partnering with other organizations to recognize the month of September as Recovery Month in observance of those who work to improve the lives of those affected by mental health and substance use disorders by raising awareness and educating communities about the effective services that are available to those in need; and,

WHEREAS, the Smyth County Recovery Court will be hosting a candlelight vigil on the steps of the Smyth County Courthouse on Friday, September 30th in observance of Recovery Month and in memory of those lost to mental health and substance use disorders.

NOW, THEREFORE, BE IT RESOLVED the Smyth County Board of Supervisors does hereby declare and proclaim September as Recovery Month and more specifically declare and proclaim September 30th as Recovery Day.

BE IT FURTHER RESOLVED that this declaration be spread upon the minutes of the Board of Supervisors this 22nd day of September 2022.

CMVTH COUNTY

ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk of the Board	Charles Atkins, Chair

• Chilhowie District Supervisor Michael Sturgill made a motion to approve the Resolution Declaring September as Recovery Month.

Park District Supervisor Kris Ratliff seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Park District Supervisor Kris Ratliff,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Vice Chair, Rye Valley District Supervisor Lori Deel

Chilhowie District Supervisor Michael Sturgill thanked the staff of the Recovery Court for all they do.

9/22/2022 5:06 PM County Administrator, Shawn Utt, read the following Public Hearing notice:

Public Hearing Proposed Increase in Solid Waste Disposal Rates

Due to the increased costs related to the closure of the Bristol Landfill and relocation to a new landfill for solid waste disposal, the Smyth County Board of Supervisors is proposing an increase to the rates charged for Solid Waste Disposal Services as follows:

	Current Rate Structure	Proposed Rate Structure
Tipping Fee	\$56.00 per ton	\$80.00 per ton
Minimum Fee		
(Transfer Station Scale Usage)	\$0.00	\$5.00

A Public Hearing will be conducted by the Smyth County Board of Supervisors on Thursday, September 22, 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.

All interested persons may express their views by emailing pharvey@smythcounty.org prior to the meeting. Written comments may also be mailed to the County Administrator, 121 Bagley Circle, Suite 100, Marion, VA 24354; or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, September 22, 2022.

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

9/22/2022 5:06 PM Saltville District Supervisor Roscoe Call made a motion to waive the reading of the rules for Public Hearings.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Park District Supervisor Kris Ratliff,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Vice Chair, Rye Valley District Supervisor Lori Deel

9/22/2022 5:07 PM County Administrator, Shawn Utt, provided a brief synopsis of the proposed increase in Solid Waste tipping fees. Mr. Utt recommended moving the effective date to November 1, 2022 to allow for time to get everyone adequate notice.

9/22/2022 5:11 PM Chair, Atkins District Supervisor Charles Atkins, opened the public hearing for the Proposed Increase in Solid Waste Disposal Rates.

9/22/2022 5:12 PM Chilhowie District Supervisor Michael Sturgill said he had one person to contact him regarding fees for dump trailers and said the state of North Carolina did

not charge fees for dump trailers. Mr. Sturgill asked for dump trailers to be exempt from paying for the transfer station floor minimum usage.

Royal Oak District Supervisor Courtney Widener asked for clarification on the tipping fee as to whether it is only for the floor and Mr. Utt advised that the minimum tipping fee being proposed will only apply to the transfer station floor.

9/22/2022 5:15 PM Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

9/22/2022 5:15 PM Saltville District Supervisor Roscoe Call made a motion to waive the rules of public hearings for this specific public hearing.

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,

Park District Supervisor Kris Ratliff,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Vice Chair, Rye Valley District Supervisor Lori Deel

9/22/2022 5:16 PM Chilhowie District Supervisor Michael Sturgill made a motion to approve the increase in Solid Waste disposal fees as presented but included an exemption of dump trailers for the minimum fee charge, with an effective date of November 1, 2022.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Park District Supervisor Kris Ratliff,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Vice Chair, Rye Valley District Supervisor Lori Deel

9/22/2022 5:18 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the minutes from the September 8, 2022, meeting as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Park District Supervisor Kris Ratliff,

Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Courtney Widener ABSENT: North Fork District Supervisor Phil Stevenson

Vice Chair, Rye Valley District Supervisor Lori Deel

9/22/2022 5:19 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

9/22/2022 5:19 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

9/22/2022 5:20 PM County Administrator, Shawn Utt read the minutes from the Budget meeting and presented the following recommendations:

 Vice Chair, Rye Valley District Supervisor Lori Deel Supervisor made a motion to recommend approving the reassessment agreement contract with Pearson's Appraisal Service, Inc. to include authorization of the County Administrator to execute the agreement on the County's behalf pending final review and approval from the County Attorney. Chilhowie District Supervisor 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,

Park District Supervisor Kris Ratliff,

Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Courtney Widener
ABSENT: North Fork District Supervisor Phil Stevenson
Vice Chair, Rye Valley District Supervisor Lori Deel

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to recommend approving an appropriation in the amount of \$10,000 in Fund 748 for Sheriff's department supplies and equipment. Chilhowie District Supervisor Michael Sturgill 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,

Park District Supervisor Kris Ratliff,

Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None.

ABSTAINERS: Royal Oak District Supervisor Courtney Widener
ABSENT: North Fork District Supervisor Phil Stevenson
Vice Chair, Rye Valley District Supervisor Lori Deel

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to recommend approving an appropriation in the amount of \$50,000 in Fund 737 – State Seizure Fund and \$20,000 in Fund 760 – Federal Seizure Fund for the Commonwealth Attorney's request. Chilhowie District Supervisor Michael Sturgill 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,

Park District Supervisor Kris Ratliff,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Vice Chair, Rye Valley District Supervisor Lori Deel

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to recommend approving an appropriation in the amount of \$1,000,000 in the Transfer Station Construction Fund 505 for the purchase of the Transfer Station and other work that may occur in the coming months. Chilhowie District Supervisor Michael Sturgill 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,

Park District Supervisor Kris Ratliff,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

Vice Chair, Rye Valley District Supervisor Lori Deel

9/22/2022 5:25 PM Assistant County Administrator, Clegg Williams, gave a brief update on the purchase agreement for the Smyth County Transfer Station. Mr. Williams said the drafted purchase agreement has been forwarded to the owner's attorney to be reviewed. Mr. Williams advised things are progressing and moving forward.

9/22/2022 5:26 PM County Attorney Report -

Mr. Farthing noted that the recent purchase of the old Worldwide Ford building with the EDA is a good thing for the County and said the college is excited as his wife also serves on that Board. Mr. Farthing advised he is working on other various needs as quickly as possible.

9/22/2022 5:27 PM County Administrator Report -

- 1. Assistant County Administrator, Clegg Williams, discussed the 6-month update on the truck stop special use permit, as a condition from the Board when it was approved. Mr. Williams said Mr. Soni advised him they are now officially the owners of the property and that they also submitted a letter to FEMA for a map amendment and that a letter from FEMA receiving acknowledgment of the application indicating they are reviewing that.
- 2. Mr. Williams noted that he received a phone call from a company interested in developing cell phone towers within Smyth County. Mr. Williams said they indicated

that they were interested in placing a tower in the Sugar Grove area and added that he is working with them to get the application submitted. Mr. Williams added that in conversation with the company they were open to adding additional towers where needed in the more rural areas of the County. Mr. Williams presented a draft letter of engagement (LOE) with the company for the Board's consideration. He noted there are no costs associated with the LOE and the main role for the County would be to spread the word of the survey work related to increased cell service possibilities.

9/22/2022 5:27 PM Vice Chair, Rye Valley District Supervisor Lori Deel entered the meeting.

Chair, Atkins District Supervisor Charles Atkins, asked about the Commonwealth of Virginia broadband money usage and if it could be used toward additional towers. Mr. Utt said in order to get a fiber line connection a tower site, it would have to be established along with a 911 address. Mr. Atkins also asked that in order to move forward with a letter of engagement with the CCM Group would the County need to get bids or procurement and Mr. Utt noted that it would not be requirement since there is no cost to the County.

After further discission, the following motion was made:

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to authorize the County Administrator Shawn Utt to execute the letter of engagement with the CCM Group regarding cell phone tower coverage on the County's behalf.

Royal Oak District Supervisor Courtney Widener seconded the motion.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Park District Supervisor Kris Ratliff,

Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson

9/22/2022 5:36 PM Supervisor Comment Time -

Chair, Atkins District Supervisor Charles Atkins said he was excited about the possibility of a cell tower for the Sugar Grove area and other rural parts of the County. Mr. Atkins thanked everyone for showing up.

Saltville District Supervisor Roscoe Call said he was glad to be here and for everyone to stay healthy. Mr. Call also said he is happy with the progress and a job well done from the staff.

Vice Chair, Rye Valley District Supervisor Lori Deel Supervisor apologized for her tardiness and said she is also excited for the possibility of cell tower coverage in the more rural areas of the County. Mrs. Dell said she appreciates all the work of the staff and the Board and welcome Sandie Seymour, the new Accounts Payable Clerk.

Royal Oak District Supervisor Courtney Widener said he was glad to see the Transfer Station moving along and to see things moving in the right direction. Mr. Widener said he is excited about the possibility for cell service in rural areas of the County and that he appreciates the work from the staff and the Board.

Park District Supervisor Kris Ratliff said someone approached him after the last meeting regarding the stop sign at the Hungry Mother Convenience station not being optimally placed. Dr. Ratliff asked for VDOT to please review the placement. Dr. Ratliff commended Mr. Utt and the staff for all the great work they are doing and said he is amazed at how well things are functioning. Dr. Ratliff also complimented the EDA on the behind the scenes work and said he is looking forward to the fruits of the County for years to come.

Chilhowie District Supervisor Michael Sturgill said he had some news good to share after his Board meeting with Ballad Health. Mr. Sturgill said that the Urgent Care at Smyth County Community Hospital is due to be turned over on December 10, 2022 with hopes to be open within that week. Mr. Sturgill said he was proud to announce that all of the Smyth County Public Schools are fully accredited by the State of Virginia. Mr. Sturgill also noted his excitement of the recent purchase of the Worldwide Ford Building in partnership with Wytheville Community College and said he's excited to what it will bring to the area. Mr. Sturgill thanked the County staff for all they do and said he feels everything is going in the right direction and working together as a Board to make the County the best it can be.

9/22/2022 5:43 PM With no further business to discuss, the meeting was adjourned. The next meeting will be October 13, 2022, at 5:00 p.m.

Board of Supervisors Meeting Minutes
September 22, 2022
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Chair, Charles Atkins

The Smyth County Board of Supervisors held its regular meeting on Thursday, October 13, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye

Valley District Supervisor Lori Deel; Chilhowie District Supervisor Michael Sturgill; Saltville District Supervisor Roscoe

Call; Royal Oak District Supervisor Courtney Widener

ABSENT: North Fork District Supervisor Phil Stevenson; Park District

Supervisor Kris Ratliff

STAFF: Administrative Assistant/Deputy Clerk Paula Harvey; County

Attorney Scot Farthing; County Administrator Shawn Utt; Assistant County Administrator - Operations Lisa Richardson; Assistant County Administrator - Development Clegg Williams; Emergency Services Coordinator Curtis Crawford; Deputy Emergency Services Coordinator Marshall "Marty" Lewis Jr., Building & Grounds Superintendent Dennis Greer; Assistant

Director of IT Heather Street, IT Specialist Rene Trudeau

OTHERS: Smyth County Sheriff's Deputy, Smyth County News & Messenger

and citizens

10/13/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

10/13/2022 5:02 PM Dennis Greer, Building & Grounds Superintendent led the Pledge of Allegiance and Rev. Emily Edmondson, Christ Episcopal Church in Marion, gave the invocation.

10/13/2022 5:04 PM Heather Street, Assistant Director of IT introduced the new IT Specialist, Rene Trudeau. Curtis Crawford, Emergency Services Coordinator introduced the new Deputy Coordinator, Marshall "Marty" Lewis Jr. Mr. Crawford also advised that Jim Hawthorne who is not in attendance tonight was recently hired as the new Radio Technician for the County. Chair, Atkins District Supervisor Charles Atkins welcomed the new hires.

10/13/2022 5:05 PM County Administrator, Shawn Utt, presented information regarding the Operation Greenlight County Resolution. Mr. Utt read the following Resolution for the record.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION IN SUPPORT OF OPERATION GREENLIGHT FOR VETERANS

WHEREAS, the residents of Smyth County have great respect, admiration, and the utmost gratitude for all of the men and women who have selflessly served our country and this community in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women who served in the Armed Forces have been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, Smyth County seeks to honor these individuals who have paid the high price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Veterans continue to serve our community in the American Legion, Veterans of Foreign Wars, religious groups, civil service, and by functioning as County Veteran Service Officers in 29 states to help fellow former service members access more than \$52 billion in federal health, disability and compensation benefits each year; and

WHEREAS, Active Military Service Members transitioning from military service are at a high risk for suicide during their first year after military service; and

WHEREAS, the National Association of Counties encourages all counties, parishes and boroughs to recognize Operation Green Light for Veterans; and

WHEREAS, the Smyth County appreciates the sacrifices of our United State Military Personnel and believes specific recognition should be granted.

NOW THEREFORE BE IT RESOLVED, with designation as a Green Light for Veterans County, Smyth County hereby declares from October through Veterans Day, November 11th 2022 a time to salute and honor the service and sacrifice of our men and women in uniform transitioning from Active Service; and,

BE IT FURTHER RESOLVED, that in observance of Operation Green Light, Smyth County encourages its citizens in patriotic tradition to recognize the importance of honoring all those who made immeasurable sacrifices to preserve freedom by displaying a green light in a window of their place of business or residence.

ATTEST:	SMYTH COUNTY BOARD OF SUPERVISORS
Shawn M. Utt, Clerk of the Board	Charles Atkins, Chair

• Chilhowie District Supervisor Michael Sturgill made a motion to adopt the Operation Greenlight County Resolution as presented.

Saltville District Supervisor Roscoe Call seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

Chair, Atkins District Supervisor Charles Atkins said it is hard on the families of those serving our Country and for everyone to keep them in your prayers. Mr. Atkins presented the Resolution to two members of the VFW and thanked them for their service.

10/13/2022 5:09 PM County Administrator, Shawn Utt, presented information regarding the Fire Prevention Week Resolution. Mr. Utt read the following Resolution for the record.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION IN SUPPORT OF FIRE PREVENTION WEEK 2022

WHEREAS, Smyth County is committed to ensuring the safety and security of all those living in and visiting our beautiful County; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires caused 2,580 civilian deaths in the United States in 2020, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 356,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Smyth County residents should be sure everyone in the home understands the sounds of the smoke alarms and knows how to respond; and

WHEREAS, Smyth County residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Smyth County residents will make sure their smoke and carbon monoxide (CO) alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

WHEREAS, Smyth County first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Smyth County residents that are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2022 Fire Prevention WeekTM theme, "Fire won't wait. Plan your escape.TM," effectively serves to remind Smyth County and our citizens that it is important to have a home fire escape plan.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Smyth County, Virginia do hereby proclaim October 9-15, 2022, as Fire Prevention Week, and we urge all the people of Smyth County to plan and practice a home fire escape for Fire Prevention Week 2022 and to support the many public safety activities and efforts of our Smyth County fire and emergency services.

ADOPTED this 13th day of October, 2022.

ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk of the Board	Charles Atkins, Chair

• Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to approve the Fire Prevention Week Resolution as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

Chair, Atkins District Supervisor Charles Atkins presented a copy of the signed Resolution to representatives of Adwolfe, Marion, Saltville & Nebo Fire Departments.

10/13/2022 5:09 PM County Administrator, Shawn Utt, presented information regarding the Virginia America 250 Commission Resolution. Mr. Utt read the following Resolution for the record.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION IN SUPPORT OF THE VIRGINIA AMERICA 250 COMMISSION

WHEREAS, the Board of Supervisors of Smyth County, Virginia is dedicated to the furtherance of economic development and tourism in the county; and,

WHEREAS, the Virginia America 250 Commission (VA250) was created in 2020 by the General Assembly for the purpose of preparing for and commemorating the 250th anniversary of Virginia's participation in American independence; and,

WHEREAS, VA250 has requested that each locality form a committee to aid in planning for the commemoration period; and,

WHEREAS, Smyth County will form a local VA250 committee; and,

WHEREAS, the committee will plan and coordinate programs occurring within the county and communicate regularly with VA250 and the Board of Supervisors; and,

WHEREAS, the Board of Supervisors wishes to undertake this endeavor with VA250 to promote and commemorate this important historic milestone; and,

WHEREAS, the Smyth County Tourism Association has volunteered to act as the organizing entity for the local VA250 committee; and,

WHEREAS, the committee will make every effort to include representatives from tourism, education, economic development, local historical organizations, and local government.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Smyth County, Virginia hereby desires to support the Virginia America 250 Commission and their efforts to commemorate the 250th anniversary of Virginia's participation in American independence; and,

BE IT FURTHER RESOLVED that the Board of Supervisors will be a willing partner with the Smyth County Tourism Association to form a committee to aid in the planning for the commemoration period.

SMYTH COUNTY BOARD OF SUPERVISORS	
Charles Atkins Chair	

• Saltville District Supervisor Roscoe Call made a motion to adopt the Virginia America 250 Commission Resolution as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

Mr. Utt said that Amanda Livingston, Director of Tourism was unable to attend tonight but added he would get her a framed copy of the Resolution. Mr. Atkins added that he is on the Board for the Tourism Board and that if anyone has any issues to please forward on to him and he would see it got to the Tourism Board.

10/13/2022 5:14 PM Paige Wright, After-School Program Director provided an update on the program. Ms. Wright said they are now up to serving five (5) schools, Atkins, Chilhowie, Oak Point, Marion and recently added Sugar Grove. Ms. Wright reported that they started with 41 students enrolled and are now up to 82 students. She said they are still struggling with getting involvement from the Rich Valley and Saltville area and reported they have the staff to cover just not the students.

Chair, Atkins District Supervisor Charles Atkins asked if there are any issues with parents picking their children up on time. Ms. Wright responded and said they have had a few issues but that they were isolated incidents and added that they work well with all parents.

County Administrator Shawn Utt asked if she needed anything to make the program better and she said not at this time and that things were going well. Chilhowie District Supervisor Michael Sturgill said it has been a great asset for working parents and thanked Ms. Wright for her leadership. Mr. Atkins said this has been one of the best programs the Board has helped initiate alongside changing the hours of the convenience stations.

10/13/2022 5:18 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the minutes from the September 22, 2022, meeting as presented.

Royal Oak District Supervisor Courtney Widener seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

10/13/2022 5:19 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

10/13/2022 5:20 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the following accounts payable listing for September 2022.

General County	
Accounts Payable Listing 9/1/2022 - 9/30/2022	\$1,923,247.84
Total General County	\$1,923,247.84
<u>Fund Accounts</u>	
EDA Fund 4	\$273,215.33
Fund 505 Transfer Station Construction	\$183,790.00
Fund 748 Sheriff	\$3,982.61
Recovery Court Fund 749	\$2,950.25
Total Fund Accounts	\$463,938.19
TOTAL ACCOUNTS PAYABLE - SEPTEMBER 2022	\$2,387,186.03

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

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

Chair, Atkins District Supervisor Charles Atkins asked Mr. Utt what the SHI payments were for, and Mr. Utt said he believes it is for maintenance contracts on all servers and software but would find out and report back.

10/13/2022 5:22 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

10/13/2022 5:22 PM With no one wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

10/13/2022 5:23 PM County Administrator, Shawn Utt read the minutes from the Budget Committee meeting and presented the following recommendations:

 Motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to recommend approving Budget Amendment #4 as presented in the amount of \$920,029. Chair, Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

• A motion was made by Vice Chair, Rye Valley District Supervisor to recommend approving the 2^{nd} Quarter Appropriations for FY23 as presented in the amount of \$24,983,440.00.

Chair, Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

10/13/2022 5:29 PM County Administrator, Shawn Utt 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 Regina Pack Eller as the Private Provider representative for the Community Policy Management Team (CPMT) to fill the unexpired term to expire on December 31, 2022. Saltville District Supervisor Roscoe Call seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

10/13/2022 5:31 PM Assistant County Administrator, Clegg Williams read the minutes from the ARPA Committee meeting and presented the following recommendation:

• Park District representative Dr. Mike Robinson made a motion to recommend disbursing the second-year allocation of \$285,673 to the Smyth County Fire/Rescue Training Academy. Chilhowie District representative Ronnie Corvin seconded the motion.

After consideration, the ARPA 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, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

10/13/2022 5:34 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee meeting and presented the following recommendations:

• A motion was made by Royal Oak District Supervisor Courtney Widener to recommend approving the County Administrator Shawn Utt to execute the OMG Agreement with Dr. Bruzzo pending approval of the County Attorney. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

• A motion was made by Royal Oak District Supervisor Courtney Widener to recommend approval of the DERA Resolution as presented. Vice Chair, Rye Valley District Supervisor 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, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

• A motion was made by Royal Oak District Supervisor Courtney Widener to recommend approval of the Resolution in honor of Fire Prevention month for October 2022 as presented. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

No action was taken since this was approved earlier in the meeting.

10/13/2022 5:41 PM County Administrator, Shawn Utt reported that the Planning District Commission completed a door-to-door survey of the Middle Fork Sewer project area. Mr. Utt reported that the results of that survey were that there is not enough interest from the community to support a sewer project as this time. Mr. Utt noted that if interest changes in the future that the project can always be revisited at that time.

10/13/2022 5:43 PM County Administrator, Shawn Utt discussed a request to appropriate additional funding for the Circuit Court Clerk's Holding Fund (Fund 770) to pay for some needed equipment and supplies. Mr. Utt requested the Board's consideration in approving this request.

• Motion was made by Saltville District Supervisor Roscoe Call to approve the Supplemental Appropriation Request for the Circuit Court Clerk's Holding Fund (Fund 770) in the amount of \$5,000.

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

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Royal Oak District Supervisor Courtney Widener,

Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None. ABSTAINERS: None.

ABSENT: Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson

10/13/2022 5:45 PM County Attorney Report - Mr. Farthing had nothing new to report at this time.

10/13/2022 5:46 PM Assistant County Administrator Clegg Williams discussed an email that came in this afternoon from the group that will be offering the potential of additional cell phone tower coverage for the area. Mr. Williams handed out an updated map from survey results. Discussion continued.

10/13/2022 5:47 PM Supervisor Comment Time -

Saltville District Supervisor Roscoe Call said he appreciates everyone working together and God bless all.

Chilhowie District Supervisor Michael Sturgill thanked VDOT for all of their continued help and work on the roads. Mr. Sturgill was happy to report that the Salvation Army recently donated \$1,000 to the schools to buy clothes for needy students. Mr. Sturgill also reported that the VHSL has recently awarded Marion H.S, Chilhowie H.S and Northwood H.S the Claudia Dodson Sportsmanship, Ethics and Integrity Award as well as each won the Stay in the Game Award. Mr. Sturgill noted that it is the highest award to receive and there are a lot of qualifications and that only 11 in the State of Virginia received it and that all three of the High Schools in the County received it.

Vice Chair, Rye Valley District Supervisor Lori Deel expressed her appreciation to those who have or are currently serving our military. Mrs. Deel said it was very humbling to have a veteran beside her and one behind her sitting on the Board. Mrs. Deel also expressed her appreciation to all County Fire and EMS that selflessly serve.

Royal Oak District Supervisor Courtney Widener thanked all the veterans and first responders for all they do and that he was glad to be able to recognize for the jobs they do. Mr. Widener said the cell service survey is so important and he wants to make sure the information is getting pushed out to as many as possible to help improve the quality of life for our citizens. Mr. Widener thanked the Board and staff for all they do and said for everyone to be safe going home.

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Chair, Atkins District Supervisor Charles Atkins thanked the School System for their great Veteran's Day programs and said it is very humbling to be there as a veteran. Mr. Atkins said the cell service survey needs to be placed in the newspapers, placed on our website and out on Facebook as well. Mr. Utt said that a Nixle message could also be used to send out a notification. Mr. Atkins said for everyone to be safe on the way home and thanked everyone for coming to the meeting and their participation.

10/13/2022 5:59 PM With no further business to discuss, the meeting was adjourned. The next meeting will be October 27, 2022, at 5:00 p.m., if needed.

Chair, Charles Atkins

The Smyth County Board of Supervisors held its regular meeting on Thursday, November 10, 2022, at 5:00 p.m. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

PRESENT: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye

Valley District Supervisor Lori Deel; Chilhowie District Supervisor Michael Sturgill; Saltville District Supervisor Roscoe Call; Royal Oak District Supervisor Courtney Widener; North Fork District Supervisor Phil Stevenson; Park District Supervisor

Kris Ratliff

ABSENT: None

STAFF: County Administrator Shawn Utt; County Attorney Scot Farthing;

Assistant County Administrator – Operations Lisa Richardson; Assistant County Administrator – Development Clegg Williams; Administrative Assistant/Deputy Clerk Paula Harvey; Economic

Development Project Manager Kendra Hayden

OTHERS: Citizens

11/10/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

11/10/2022 5:02 PM Clegg Williams, Assistant County Administrator – Development led the Pledge of Allegiance and Kendra Hayden, Economic Development Project Manager, gave the invocation.

11/10/2022 5:03 PM Dr. John Wells, President, Emory & Henry College provided a PowerPoint presentation on updates on campus at Emory & Henry College. Dr. Wells said that it was a privilege to be in partnership with the County and hopes it will continue. He noted that when the students graduate from Marion, they are sad to leave because during their time here, they had picked up another hometown. Dr. Wells thanked the Board for allowing him to come and talk about all the good things happening.

Chair, Atkins District Supervisor Charles Atkins thanked Dr. Wells for his presentation.

11/10/2022 5:16 PM Dr. Lou Fincher, Dean of the School of Health Sciences for Emory & Henry College presented a PowerPoint presentation regarding the Marion campus. Dr. Fincher discussed renovations that the school is going through as well. She advised that the Marion campus also now is the home to the Emory & Henry School of Nursing.

Chilhowie District Supervisor Michael Sturgill thanked Dr. Fincher for coming and added that the Board will do all they can within their power to see the school thrive and continue to grow.

11/10/2022 5:30 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the minutes from the October 13, 2022, meeting as presented.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Park District Supervisor Kris Ratliff,

Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call,

NAYS: None.

ABSTAINERS: North Fork District Supervisor Phil Stevenson

ABSENT: None.

11/10/2022 5:31 PM Assistant County Administrator, Lisa Richardson, reviewed the County financial information.

11/10/2022 5:32 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the following accounts payable listing for October 2022.

General County	
Accounts Payable Listing 10/1/2022 - 10/31/2022	\$2,767,505.41
Total General County	\$2,767,505.41
Fund Accounts	
EDA Fund 4	\$8,665.00
Fund 501 Water Deposit Refund	\$126.71
Fund 749 Recovery Court Fund	\$8,818.46
Fund 770 Expense Circuit Court	\$68.84
Total Fund Accounts	\$17,679.01
TOTAL ACCOUNTS PAYABLE - OCTOBER 2022	\$2,785,184.42

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,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

11/10/2022 5:33 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

11/10/2022 5:33 PM Rose Likins, Director of Smyth County Public Library provided an update on library schedules and operations. Ms. Likins stated that she has been working closely with the Smyth County Public School librarians and added that it has been a great partnership that she hopes will continue to grow.

Chilhowie District Supervisor Michael Sturgill thanked Ms. Likins for a job well done in working with the schools and the librarians.

Saltville District Supervisor Roscoe Call also thanked Ms. Likins for all of the library's great work.

Atkins District Supervisor Charles Atkins stated that he is excited to see library participation back up, especially with the youth in our community.

11/10/2022 5:39 PM Zachary Wright with Thrasher Group Engineering, headquartered in Bridgeport, West Virginia introduced himself to the Board and handed out a pamphlet. Mr. Wright explained that he was the regional manager and said his firm would be submitting an RFP for Professional Services Term Contract and that he just wanted the Board to put a face with a name.

The Board thanked Mr. Wright for coming.

11/10/2022 5:42 PM Lavonda Jessee with the Department of Social Services spoke in regard to a family that she has been working with that do not have running water. Ms. Jessee said

with the County's current Landlord/Tenant policy that they have not been able to get the water put in their name. She said the family is a grandmother and grandfather trying to raise their grandchildren and they have not had access to running water because of the current County policy that requires the owner to sign the form. The legal owners of the property have been deceased for many years resulting in likely dozens of heirs/owners. Ms. Jesse asked the Board to please consider changing the policy when they vote tonight, referring to the Water & Sewer Committee report. Discussion continued.

The Board thanked Ms. Jesse for coming tonight and that they will be actually voting on a decision to make that policy change later on in the meeting.

11/10/2022 5:48 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

11/10/2022 5:49 PM Saltville District Supervisor Roscoe Call read the minutes from the Water & Sewer Committee meeting and presented the following recommendations:

 Motion was made by North Fork District Supervisor Phil Stevenson to recommend making a one-time leak adjustment based on an average usage over the last 6 months and providing for a 100% adjustment rather than 50%. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

• Motion was made by North Fork District Supervisor Phil Stevenson to recommend changing the Landlord/Tenant policy for utility service to allow the service to be in the applicant's name. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

> Motion was made by North Fork District Supervisor Phil Stevenson to recommend changing the utility service policy to require new applicants or reconnected customers to pay a minimum deposit of \$100 and scheduling a public hearing for December 8, 2022 to consider the necessary ordinance amendments. Vice Chair, Rye Valley District Supervisor Lori Deel seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

11/10/2022 6:07 PM County Administrator, Shawn Utt read the minutes from the Budget Committee and presented the following recommendations:

• Motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to recommend approving Budget Amendment #5 in the amount of \$121,087 as presented. Chilhowie

District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2022/23 – AMENDMENT #5

WHEREAS, the Smyth County Board of Supervisors, on May 26, 2022 adopted the Fiscal Year 2022/23 Budget in the original amount of \$106,723,018; and

WHEREAS, earlier in the meeting of August 11, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #1) for Fiscal Year 2022/23 in the amount of \$110,958,384; and

WHEREAS, later in the meeting of August 11, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #2) for Fiscal Year 2022/23 in the amount of \$111,921,734; and

WHEREAS, in the meeting of September 8, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #3) for Fiscal Year 2022/23 in the amount of \$112,924,53; and

WHEREAS, in the meeting of October 13, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #4) for Fiscal Year 2022/23 in the amount of \$113,844,560; and

WHEREAS, the aggregate amount of budget amendment #5 is \$121,087 which would increase the Fiscal Year 2022/23 budget to a total of \$113,965,647 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 2022/23 in the amount of \$113,965,647.

BE IT FURTHER RESOLVED, the approval of this budget amendment #5 shall indeed constitute an appropriation of the same funds.

SMYTH COUNTY
BOARD OF SUPERVISORS

Shawn M. Utt, Clerk
Charles Atkins, Chair

Adopted this the 10th day of November, 2022

Exhibit A FY 2022-23 Budget Amendment #5 (11-10-22)

Fund	Department	Line Item	Account Title	Adopted	Amount of	Budget with	Notes
		Number		Budget	Amendment	Amendment	
FUND 001	Compensation Board - Sheriff's Office	001-023020-0005	DCJS SRO Grant	\$ (202,252) \$	(58,087) \$	(260,339	Grant funds for Add'I SRO at MMS
FUND 004	Economic Development Authority	004-010000-0020	Proceeds from WCC Lease	\$ - \$	(63,000) \$	(63,000	Lease revenue from old Worldwide Ford Building
Total Bassas				 (AAD DAA ECOL É	(424 002) C	last oct car	

Part 2. EXP	ENDITURES						
Fund	Department	Line Item	Account Title	Adopted	Amount of	Amended Budget	Notes
		Number		Budget	Amendment	Amount	
FUND 001	Sheriff School Resource Officer Grant	001-021090-1001	Salaries & Wages	\$ 202,252 \$	58,087	\$ 260,339	Grant funds for Add'I SRO at MMS
UND 004	Economic Development Authority	004-012010-5505	WCC Building Debt Service	\$ - \$	49,000	\$ 49,000	Debt Service for WCC Building
FUND 004	Economic Development Authority	004-012010-	WCC Building Capital Reserve	\$ - \$	14,000	\$ 14,000	Capital Reserve for WCC Building

Revenues	\$ (113,844,560)	\$ (121,087)	\$ (113,965,647)
Expenditures	\$ 113,844,560	\$ 121,087	\$ 113,965,647
Difference	\$	\$ -	\$

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,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

> Motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to recommend approving a one-time annual grant equal to the amount of real estate taxes paid to HOPE, Inc. as requested. Chilhowie District Supervisor Michael Sturgill 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,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

> Motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to recommend approving a holiday bonus in the amount of \$1,000 for full-time employees and \$500 for part-time employees to be paid with the November 2022 payroll. Chilhowie District Supervisor Michael Sturgill 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,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

11/10/2022 6:15 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee meeting. There was no action taken, informational only.

11/10/2022 6:18 PM Chilhowie District Supervisor Michael Sturgill read the minutes from the Building & Grounds Committee meeting. No action was taken, informational only.

11/10/2022 6:23 PM Royal Oak District Supervisor Courtney Widener read the minutes from the Ordinance Committee meeting and presented the following recommendations:

• Motion was made by Chair, Atkins District Supervisor Charles Atkins to recommend scheduling a public hearing for December 8, 2022 to consider proposed amendments to the County Nuisance Ordinance. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Royal Oak District Supervisor Courtney Widener,

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

Vice Chair, Rye Valley District Supervisor Lori Deel asked how to make the process faster. Mr. Williams advised that it really all has to do with getting the property owners served. Mr. Williams said sometimes it is an issue to track down who actually owns the property. Discussion continued.

• Motion was made by Chilhowie District Supervisor Michael Sturgill to recommend scheduling a public hearing for December 8, 2022 to consider proposed amendments to the County Music and Festival Ordinance. Chair, Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

> Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

> • Motion was made by Chair, Atkins District Supervisor Charles Atkins to recommend scheduling a public hearing for December 8, 2022 to consider readopting a Noise Ordinance to be included in the Smyth County Code of Ordinances. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel,

Royal Oak District Supervisor Courtney Widener,

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

County Attorney, Scot Farthing discussed the potential for a future Solar Ordinance. North Fork District Supervisor Phil Stevenson said he understands Solar is a popular thing but added that they are eye-sores and if the County ever does decide on Solar farms to make sure an Ordinance is in place. No action was taken, informational only.

11/10/2022 *6:41 PM* Economic Development Project Manager, Kendra Hayden discussed a project for she has been working on for the former Natalie Mills property. Mrs. Hayden said that the property is eligible for an Industrial Revitalization Fund planning grant in the amount of \$60,000 with no match requirements. Mrs. Hayden was seeking approval from the Board to allow the County to be the applicant for the grant.

• Motion was made by Chilhowie District Supervisor Michael Sturgill to approve the County to be the applicant for the IRF (Industrial Revitalization Fund) planning grant for \$60,000 on behalf of the Natalie Mills Facility.

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,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

11/10/2022 6:44 PM Clegg Williams, Assistant County Administrator for Development discussed the following public nuisance complaints for the Board's consideration:

- 1. **607 St. Clairs Creek Road, Chilhowie** Mr. Williams reported that the taxes are not currently being paid on the property. Mr. Williams also added that the next owner of property would be responsible for cleaning up if the Board did declare it a public nuisance.
 - Motion was made by North Fork District Supervisor Phil Stevenson to schedule a public hearing for December 8, 2022 to declare 607 St. Clairs Creek Road, Chilhowie, VA a public nuisance.

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,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

- **2.** *366 North Overlook, Marion* Mr. Williams reported this home had been damaged due to a previous fire and has still not been cleaned up.
 - Motion was made by North Fork District Supervisor Phil Stevenson to schedule a public hearing for December 8, 2022 to declare 366 North Overlook, Marion, VA a public nuisance.

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,

Park District Supervisor Kris Ratliff,

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

NAYS: None. ABSTAINERS: None. ABSENT: None.

11/10/2022 6:47 PM County Administrator Shawn Utt, provided an Opioid Abatement Authority update. Mr. Utt referred to the letter of correspondence from Anthony McDowell, Executive Director. Mr. Utt reported that the County can expect to receive over the next several years as part of the Opioid settlements, upwards of \$1,000,000. Mr. Utt discussed a new project that Mount Rogers Community Services is setting up, adding that may be an eligible program for funds as well. Mr. Utt added that he believes the County has a very strong project to ensure the 100% with providing additional operational support to the Appalachian Center for Hope as it gets off the ground. No action taken, informational only.

11/11/2022 6:50 PM County Attorney Report -

Mr. Farthing had nothing new to report at this time.

Chilhowie District Supervisor Michael Sturgill thanked Mr. Farthing for the email updates.

Chair, Atkins District Supervisor Charles Atkins thanked Mr. Farthing for being in attendance to the Ordinance Committee meeting to help explain some of the various topics discussed.

11/10/2022 6:51 PM County Administrator Report -

Mr. Utt discussed the following:

- 1. **VDOT Projects** Mr. Utt reported that the County has been notified that the following projects have been approved for funding in the upcoming fiscal years:
 - a. <u>Green Acres/Evergreen Court Revenue Sharing Project</u> Mr. Utt stated that this project is similar to the projects that were done in Colecrest Subdivision and Green Valley Court. VDOT funding will be matched with local funding to widen the road to VDOT standards and bring the roads into the VDOT secondary road system. As in the past, the County will front the local costs and the property owners will be billed 1/10th of their respective portion annually for 10 years. Mr. Utt said that the County will place liens on the properties until their portions have been paid. Mr. Utt stated that this has worked well for other similar projects and that he expects the same from this one.
 - b. <u>Exit 54/ US Route 11/ Appalachian Trail Safety Project</u> Mr. Utt discussed that the project is where the Appalachian Trail (AT) crosses I81 at exit 54. Mr. Utt said that the current part of that trail is a small path on the side of the road and

is somewhat dangerous due to the narrow roadway under the interstate itself. The project was awarded federal grant funding and will build a separate trail along the east side of the exit and include safer markings for crossovers at Route 11. Mr. Utt reported that preliminary engineering phase is expected to run through 2023 with construction in 2024.

- 2. Nebo Community Center Mr. Utt discussed an update on a previous request from the Nebo Community Center's request for funding repairs/renovations to their building. Following the Board's discussion in the Spring, the County applied for funding through the Tobacco Commission for funding but have since been told that community centers were not eligible for their funding at the current time. Mr. Utt reported that since the Rich Valley Fair kitchen project is currently on hold, he was asked by the Nebo Community Center to bring their previous request back to the Board for additional consideration for the amount of \$61,116. After further discussion, the Board decided to refer the request to the Budget Committee for further consideration.
- 3. <u>VACO Conference Reminder</u> Mr. Utt noted that since there will be three (3) members of the Board of Supervisors attending the VACO Conference on November 13-15th, 2022 that the Board needed to make a formal announcement of the conference and stated that no official County business will be discussed or on the agenda. Mr. Utt also added that Chilhowie District Supervisor Michael Sturgill was a keynote speaker at the conference, and it was exciting for Smyth County.

11/10/2022 6:54 PM Supervisor Comment Time -

Vice Chair, Rye Valley District Supervisor Lori Deel said with tomorrow being Veteran's Day she was thankful to be serving on the Board between two Veteran's and was thankful for their families and their sacrifices. Mrs. Deel said recently that there was some misinformation on Public Safety goals within in the County regarding Smyth County Fire/Rescue. Mrs. Deel said that there are public meetings each month and she encourages anyone to attend those. She reported that the next meeting with be on November 22, 2022 with the Town of Marion and also encouraged anyone to come out and ask questions. Mrs. Deel thanked the Board and staff for all their hard work.

Chair, Atkins District Supervisor Charles Atkins reported that since the Atkins Ruritan Club had put in water that their revenues were increasing, and they are able to host events and added that they wanted to express their sincere thanks to the Board. Mr. Atkins discussed the VDOT project regarding the Appalachian Trail enhancements at exit 54 and added that while it is a good thing, he is not behind it and thinks that money could be better spent elsewhere in the County. Mr. Atkins questioned the current paving process going on in the Town of Marion. Finally, Mr. Atkins expressed his appreciation for the activeness of the Board.

Saltville District Supervisor Roscoe Call said he appreciated everyone coming and was glad to see the staff and everyone healthy. Mr. Call said God Bless and wished for everyone to have a safe trip home.

Royal Oak District Supervisor Courtney Widener said he was very excited to see the children getting back to the library and out of the house. Mr. Widener thanked all the Veteran's, their families and thanked staff for the amazing jobs they each do.

North Fork District Supervisor Phil Stevenson thinks that copies of the Public Hearings regarding the proposed changes to the County Noise Ordinance should be placed at different stores throughout the County to help spread word. Mr. Utt noted that he would put something together and see that it happens.

Chilhowie District Supervisor Michael Sturgill thanked all the County employees for their work and thanked all the Veteran's for their service and sacrifice. Mr. Sturgill said we live in the greatest County and greatest State and feels very fortunate to reside here. Mr. Sturgill wished everyone a Happy Thanksgiving and thanked Mr. Farthing for always being here.

Park District Supervisor Kris Ratliff stated he when his daughter comes to town with his grandchildren, he was going to encourage them to check it out. Dr. Ratliff thanked the Veteran's and staff for all they do. Dr. Ratliff stated that he does call Smyth County home and even though everyone may not agree he is thankful for the respect of everyone's opinion and working together to move the County forward.

11/10/2022 7:08 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to enter into closed session under Code of Virginia Section 2.2-3711(a)(8) – Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel regarding contract negotiations with 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, Park District Supervisor Kris Ratliff, North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and Saltville District Supervisor Roscoe Call NAYS: None. ABSTAINERS: None. ABSENT: None.

11/10/2022 7:13 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, THEREFORD, 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.

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,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None. **11/10/2022 7:14 PM** Motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to amend the revenue sharing agreement with the Smyth County EDA to include funding to cover the company's first year of real estate tax for up to \$55,000 regarding Project Cardinal.

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Park District Supervisor Kris Ratliff,

North Fork District Supervisor Phil Stevenson, Chilhowie District Supervisor Michael Sturgill, and

Saltville District Supervisor Roscoe Call

NAYS: None. ABSTAINERS: None. ABSENT: None.

11/10/2022 7:16 PM With no further business to discuss, the meeting was adjourned. The next meeting will be December 8, 2022, at 5:00 p.m., if needed.

Chair, Charles Atkins

The Smyth County Board of Supervisors held its regular meeting on Thursday, December 8, 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: Chair Atkins District Supervisor Charles Atkins; Vice Chair Rye

Valley District Supervisor Lori Deel; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor

Courtney Widener; Park District Supervisor Kris Ratliff

ABSENT: North Fork District Supervisor Phil Stevenson; Saltville District

Supervisor Roscoe Call

STAFF: County Administrator Shawn Utt; County Attorney Scot Farthing;

Assistant County Administrator – Operations Lisa Richardson; Assistant County Administrator – Development Clegg Williams; Administrative Assistant/Deputy Clerk Paula Harvey; Dispatch

Manager, Gabriel Johnson

OTHERS: Citizens

12/8/2022 5:01 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

12/8/2022 5:02 PM Gabriel Johnson, Dispatch Manager led the Pledge of Allegiance and Mr. Allen Johnsey, Director of Ministry at First United Methodist Church in Marion, gave the invocation.

12/8/2022 *5:03 PM* Emily Viers, with Robinson, Farmer and Cox Accounting Firm presented the Audit for the County for the Fiscal Year ending June 30, 2022. Ms. Viers asked for the Board members to review the document in full and to notify their firm with any questions or concerns.

Chair, Atkins District Supervisor Charles Atkins asked Ms. Viers about the cafeteria account referenced on page 17. Ms. Viers said if it is a centralized account that it should be with the Treasurer. Mr. Atkins added that it is important that we pay our bills on time as it saves money in the long run but understands the auditor's recommendations and thanked her for the presentation.

12/8/2022 5:15 PM County Administrator Shawn Utt, read the following Public Hearing notice for the record:

NOTICE OF PUBLIC HEARINGS

In compliance with the Code of Virginia of 1950, and amendments thereto, the Smyth County Board of Supervisors will conduct multiple public hearings to consider amendments to the Smyth County Code of Ordinances as described below. The Board of Supervisors shall hear comments from citizens concerning these amendments to the Smyth County Code of Ordinances and the adoption of a new section or ordinance, the proposed noise ordinance:

- 1) Amendment(s) to Chapter 5, Article III, the Musical or Entertainment Festivals sections, to consider proposed amendments to this section to allow an administrative process to approve applications without requiring a public hearing.
- 2) Amendment(s) to Chapter 20, Article III, the Nuisance sections, to consider amendments to these sections to allow an administrative process for staff to notify property owners of a complaint being filed prior to requesting a public hearing to declare the property a public nuisance.
- 3) Amendment to the Smyth County Water & Sewer fees to include collecting a deposit of \$100 per service connection for services within the Smyth County Water & Sewer systems. This amendment and public hearing is in accordance with Va Code 15.2-2119.
- 4) To consider adopting a Noise Ordinance to be included in the Smyth County Code of Ordinances.

The public hearing shall be held on Thursday, December 8, 2022, beginning at 5:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Smyth County Office Building, 121 Bagley Circle, Marion Virginia, to receive comments on the above described amendments and noise ordinance.

All interested persons may express their views by emailing pharvey@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to County Administrator, 121 Bagley Circle, Suite 100, Marion VA 24354, or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00 p.m. on Thursday, December 8, 2022.

A copy of each proposed amendments and the proposed noise ordinance being considered is on file in the County Administrator's Office located at 121 Bagley Circle, Marion Virginia or online at www.smythcounty.org for public review.

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

BY ORDER OF THE SMYTH COUNTY BOARD OF SUPERVISORS Shawn M. Utt, County Administrator

12/8/2022 5:18 PM Mr. Utt read the Smyth County Board of Supervisors Rules of Procedure, Article V, Section 5.2 in reference to Public Hearings for the record.

12/8/2022 5:19 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing in reference to an amendment to the Musical or Entertainment Festival Ordinance.

12/8/2022 5:19 PM Clegg Williams, Assistant County Administrator for Development gave a brief description of the current County Music and Entertainment Festival Ordinance. Mr. Williams indicated that this amendment included a section to allow an administrative process to approve an application without first requiring a public hearing if there were no issues expressed from adjacent property owners.

12/8/2022 5:20 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for any citizens who wished to speak, hearing none, he closed the Public Hearing in reference to an amendment to the Musical or Entertainment Festival Ordinance.

12/8/2022 5:21 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing in reference to an amendment to the Nuisance Ordinance.

12/8/2022 5:22 PM Clegg Williams, Assistant County Administrator for Development gave a brief description of the proposed change to the Nuisance Ordinance to allow an administrative process to notify property owners of a complaint being filed on their property prior to requesting a public hearing from the Board of Supervisors to declare if the property is a public nuisance. He noted he is able to reach compliance with a large number of complaints without involving the Board and wished to make the process that is being used a formal process.

12/8/2022 5:21 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for any citizens who wished to speak, hearing none, he closed the Public Hearing in reference to an amendment to the Nuisance Ordinance.

12/8/2022 5:23 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing in reference to an amendment to the Water and Sewer Fee Schedule.

12/8/2022 5:24 PM Clegg Williams, Assistant County Administrator for Development, gave a brief description of the proposed changes to the water fee schedule to include collecting a

deposit of \$100 per service connection for services within the Smyth County water and sewer system.

12/8/2022 5:25 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for any citizens who wished to speak, hearing none, he closed the Public Hearing in reference to an amendment to the Water and Sewer Fee Schedule.

12/8/2022 5:26 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing in reference to adoption of a proposed County Noise Ordinance.

12/8/2022 5:26 PM Clegg Williams, Assistant County Administrator for Development discussed the goal of developing a completely new, more enforceable Noise Ordinance.

12/8/2022 5:27 PM Mr. Williams read a letter in reference to the proposed Noise Ordinance for the record from Matt & Ashley Graves. A copy of the letter is included in the official meeting file.

12/8/2022 5:29 PM David Fulton of Marion spoke regarding his concern with the proposed Noise Ordinance timeframe of 11 pm- 7 am. He stated that he has issues with loud exhaust and music from cars and would like to know if that is enforceable.

12/8/2022 5:31 PM Mr. Joe Copenhaver spoke regarding the proposed Noise Ordinance and said that as a farm owner he wanted to make sure the proposed Ordinance would take farmers and agriculture into consideration with the right to operate equipment and such at different hours.

12/8/2022 5:33 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for any additional citizens who wished to speak, hearing none, he closed the Public Hearing in reference to an amendment to the County Noise Ordinance.

Chilhowie District Supervisor Michael Sturgill advised Mr. Copenhaver that agriculture/farming is included as an exemption of the proposed Ordinance.

Chair, Atkins District Supervisor Charles Atkins stated that the proposed time frame does not apply to farming. Discussion continued.

12/8/2022 5:36 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing in reference to a Public Nuisance complaint at 607 St. Clair's Creek Road, Chilhowie, VA.

12/8/2022 5:36 PM Clegg Williams, Assistant County Administrator for Development reviewed the complaint, referenced photos of the property and advised they are working to get the owners of the property served.

Park District Supervisor Kris Ratliff asked how long this property had been in that state and Mr. Williams replied at least 20 years. Discussed continued.

12/8/2022 5:38 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for any citizens who wished to speak, hearing none, he closed the Public Hearing in reference to Public Nuisance complaint at 607 St. Clair's Creek Road, Chilhowie, VA.

12/8/2022 5:38 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to waive the rules of public hearings for this specific hearing.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 5:39 PM Chilhowie District Supervisor Michael Sturgill made a motion to declare 607 St. Clair's Creek Road, Chilhowie, VA a Public Nuisance and authorize the Zoning Administrator and County Attorney to move forward with legal action.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 5:40 PM Chair, Atkins District Supervisor Charles Atkins opened the Public Hearing in reference to Public Nuisance complaint at 366 North Overlook, Marion, VA.

12/8/2022 5:41 PM Clegg Williams, Assistant County Administrator for Development reviewed the complaint, referenced photos of the property and reported that personal service of the Public Hearing notice was given in person to the owners by the Sheriff's Department.

12/8/2022 5:42 PM Rodney Ford of Marion addressed the Board with his concerns in his neighborhood of the property and stated that the home referenced was in the vicinity of 6 homes of school aged children.

12/8/2022 5:44 PM Chair, Atkins District Supervisor Charles Atkins opened the floor for any additional citizens who wished to speak, hearing none, he closed the Public Hearing in reference to Public Nuisance complaint at 366 North Overlook, Marion, VA.

12/8/2022 5:44 PM A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to waive the rules of public hearings for this specific hearing.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 5:45 PM Royal Oak District Supervisor Courtney Widener made a motion to declare 366 North Overlook, Marion, VA a Public Nuisance and authorize the Zoning Administrator and County Attorney to move forward with legal action.

Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 5:33 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the minutes from the November 10, 2022, meeting as presented.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 5:34 PM Lisa Richardson, Assistant County Administrator for Operations, reviewed the County financial information.

12/8/2022 5:37 PM A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the following accounts payable listing for November 2022.

General County	
Accounts Payable Listing 11/1/2022 – 11/30/2022	
Total General County	\$1,457,403.22

Fund Accounts	
Fund 4 – EDA	\$137,671.56
Fund 505 Transfer Station Construction	\$7,700.15
Fund 748 Sheriff Purchase of Equipment	\$1,270.86
Fund 749 Recovery Court	\$30,104.16
Fund 770 Expense Circuit Court	
•	<u>\$5.17</u>
Total Fund Accounts	
\$176,751.90	
TOTAL ACCOUNTS PAYABLE – November 2022	\$1,634,155.12

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,

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

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 5:39 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

12/8/2022 5:40 PM Sara Kegley stepped forward to say thank the Board for taking on the role that they have. Mrs. Kegley stated that she has never felt prouder of her community than she does now and having a Board working together with all employees fed that pride. Mrs. Kegley expressed her appreciation for the bonus and said it showed they care and that it builds on the Smyth Strong theme.

12/8/2022 5:43 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

12/8/2022 5:49 PM Shawn Utt, County Administrator, read the minutes from the Budget Committee meeting and presented the following recommendations:

• Motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving Budget Amendment #6 in the amount of \$317,719 as presented. Vice Chair,

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

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2022/23 – AMENDMENT #6

WHEREAS, the Smyth County Board of Supervisors, on May 26, 2022 adopted the Fiscal Year 2022/23 Budget in the original amount of \$106,723,018; and

WHEREAS, earlier in the meeting of August 11, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #1) for Fiscal Year 2022/23 in the amount of \$110,958,384; and

WHEREAS, later in the meeting of August 11, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #2) for Fiscal Year 2022/23 in the amount of \$111,921,734; and

WHEREAS, in the meeting of September 8, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #3) for Fiscal Year 2022/23 in the amount of \$112,924,53; and

WHEREAS, in the meeting of October 13, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #4) for Fiscal Year 2022/23 in the amount of \$113,844,560; and

WHEREAS, in the meeting of November 10, 2022, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #5) for Fiscal Year 2022/23 in the amount of \$113,965,647; and

WHEREAS, the aggregate amount of budget amendment #6 is \$317,710 which would increase the Fiscal Year 2022/23 budget to a total of \$114,283,366 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 2022/23 in the amount of \$114,283,366.

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

SMYTH COUNTY

Adopted this the 8th day of December, 2022

ATTEST:	BOARD OF SUPERVISORS
Shawn M. Utt, Clerk	Charles Atkins, Chair

Exhibit A FY 2022-23 Budget Amendment #6 (12-8-22)

Part	1.	RF1	/FN	ILIES

und	Department	Line Item	Account Title		Adopted	Amount of	Budget with	Notes
		Number			Budget	Amendment	Amendment	
FUND 001	Expenditure Refunds	001-018030-0048	State Reimbursements for Jurors	\$	- \$	(10,000) \$		Late reimbursements from FY22
FUND 001	Expenditure Refunds	001-018030-0080	Saltville Library Project - ARC Grant	\$	- \$	(85,000) \$	(85,000	Federal planning grant for Saltville Library
FUND 001	State Grant Money	001-021100-0035	Brownfields Grant - MIS	\$	- \$	(122,719) \$	(122,719	DEQ grant for asbestos and demo at MIS
FUND 004	Economic Development Authority	004-010000-0020	Project Learn / WCC	\$	(63,000) \$	(100,000) \$	(163,000	Reimbursement from WCC for building repairs
						\$		
	nues With Amendment			\$	(113,965,647) \$	(317,719) \$	(114,283,366)
Part 2. EXP	ENDITURES	Line Item	Account Title	\$				
Part 2. EXP		Line Item Number	Account Title	\$	(113,965,647) \$ Adopted Budget	(317,719) S Amount of Amendment	(114,283,366 Amended Budget Amount) Notes
Part 2. EXP	ENDITURES	Number 001-021060-1009	Account Title Juror & Witnesses Wages	\$	Adopted	Amount of	Amended Budget Amount	
Part 2. EXP Fund FUND 001	ENDITURES Department	Number 001-021060-1009 001-070000-8888-		\$	Adopted Budget	Amount of Amendment	Amended Budget Amount 22,000	Notes
	ENDITURES Department Clerk of the Circuit Court	Number 001-021060-1009 001-070000-8888-	Juror & Witnesses Wages	\$ \$	Adopted Budget	Amount of Amendment	Amended Budget Amount 22,000 122,719	Notes Juror payments from FY22
Part 2. EXP Fund FUND 001 FUND 001	Department Clerk of the Circuit Court Capital Improvements	Number 001-021060-1009	Juror & Witnesses Wages Brownfields Grant - MIS	\$ \$ \$ \$	Adopted Budget	Amount of Amendment 10,000 \$ 122,719 \$	Amended Budget Amount 22,000 122,719 85,000	Notes Juror payments from FY22 DEQ grant for assestos and demo at MIS

 Revenues
 \$ (113,985,647)
 \$ (317,719)
 \$ (114,283,366)

 Expenditures
 \$ 113,965,647
 \$ 317,719
 \$ 114,283,366

 Difference
 \$ 5
 \$ 5
 \$

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

Mr. Utt reviewed a request from the Nebo Community Center in relation to their \$60,000 request related to necessary repairs. The Board decided to table request since North Fork District Supervisor Phil Stevenson was not at the meeting and because the request was in his district. Discussion ensued.

• A motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to table discussion on the request from Nebo Community Center until the January 12, 2023 meeting to allow for the North Fork District representative to be present.

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

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

 Motion was made by Chilhowie District Supervisor Michael Sturgill to recommend scheduling a public hearing for the County EMS fee schedule as requested for January 26th, 2023 at 5:00 p.m. or soon thereafter. Vice Chair, 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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

• Motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving the roll-over funding for the Mount Rogers Health District for FY21/22 in the amount of \$33,912.74. Vice Chair, 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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving the supplemental appropriation for the CDBG Food Pantry project (Fund 303) in the amount of \$5,975.00. Vice Chair, 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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 5:53 PM Shawn Utt, County Administrator, read the minutes from the Personnel Committee meeting and presented the following recommendation:

• A motion was made by Chilhowie District Supervisor Michael Sturgill to recommend approving the Reimbursement Contract for Training expending and conditions of Employment for unlicensed applicants regarding the hiring of CDL-A drivers as amended to include in Section 4 the provisions of failure to pass the course. Chair, Atkins District Supervisor Charles Atkins seconded the motion, and it was unanimously approved.

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 5:57 PM Vice Chair, Rye Valley District Supervisor Lori Deel read the minutes from the Public Safety Committee meeting. No action was taken, informational only.

12/8/2022 6:03 PM Shawn Utt, County Administrator, read the minutes from the Surplus Committee meeting and presented the following recommendation:

• Motion was made by Saltville District Supervisor Roscoe Call to declare all vehicles and equipment as surplus property and to advertise for bids. Park District Supervisor Kris Ratliff seconded the motion, and it was unanimously approved.

<u>YEAR</u> 2010	MAKE Ford	MODEL Explorer	VIN 1FMEU7DE4AUA92339
2010	Dodge	Charger	2C3CDXAT5DH721830
2010	Dodge	Charger	2C3CDXAT0GH188449
2015	Dodge	Charger	2C3CDXAT3FH827258
2017	Dodge	Charger	2C3CDXKT6HH568072
	Sewer Equipment of America	Trailer Mounted Sewer Jet	Model # 747-PR Serial # 1899
1994	Sullair 185Q	Trailer Mounted Air Compressor	Model # 185-DPQ-JD Serial # 004-111872

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

AYES: Chair, Atkins District Supervisor Charles Atkins,

Vice Chair, Rye Valley District Supervisor Lori Deel, Royal Oak District Supervisor Courtney Widener,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 6:06 PM Shawn Utt, County Administrator, read the minutes from the Water & Sewer Committee meeting. No action was taken, informational only.

12/8/2022 6:13 PM County Administrator Shawn Utt, reported that VDOT recently notified the County that the Green Acres/Evergreen Court Revenue Sharing Project has been funded

much sooner than was expected. Mr. Utt noted that while County staff works through the necessary easements and agreements, he recommended the Board to review and consider the Project Administration Agreement. Mr. Utt reported that the total estimated cost of the project is \$248,060, 50% of which needs to come from the County which will be reimbursed by the adjoining property owners. Mr. Utt stated that he plans to recommend a Budget Amendment in the near future for this. Mr. Utt noted that like previous revenue sharing projects, those payments will be billed with the Real Estate taxes each year, over the next 10 years.

After further discussion, the following motion was made:

• A motion was made by Chilhowie District Supervisor Michael Sturgill to authorize the County Administrator to execute all necessary documents related to Project No 9999-086-839 as it relates to the Green Acres Drive/Evergreen Court Revenue Sharing FY21 Project.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 *6:06* **PM** County Administrator Shawn Utt, discussed a draft service agreement with AMB Service to provide the billing assistance for the County EMS agency for the Board's consideration. Mr. Utt reported that the 7.25% fee is in line with the industry standard billing fee of 6-8% of the collected amounts. Mr. Utt recommended the Board to approve this agreement pending any concerns from the County Attorney.

After further discussion, the following motion was made:

• A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the AMB Service Agreement for County EMS and to authorize the County Administrator to execute all necessary related documents, pending any concerns from the County Attorney.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 6:17 PM County Attorney Report -

Mr. Farthing reported that he had good news to report that the County now owns the Morison Building and that the deed was recorded recently. Mr. Farthing also reported that he is working on a few other miscellaneous items.

12/8/2022 6:17 PM County Administrator Report -

Mr. Utt reported that he has nothing new to report at this time.

12/8/2022 6:18 PM Supervisor Comment Time -

Chair, Atkins District Supervisor Charles Atkins said when he looks at where the County was just three years ago, he is happy things are moving forward. He said he is hoping a fellow Board member that is out gets back and to feeling better soon. He noted for everyone to remember the reason behind Christmas was all to do with a baby in a manger and the love that goes along with it.

Vice Chair, Rye Valley District Supervisor Lori Deel commended the EMS and Public Safety for the long hard discussions regarding Auto-Aid and is pleased that everyone is coming together to make it better for our citizens. She said she was happy to hear about the successful audit and that she commends the leadership of the Board and staff. She wished everyone a Merry Christmas and reminded everyone to remember the reason for the season and to slow down and enjoy the time with their families.

Royal Oak District Supervisor Courtney Widener thanked the Kegley's for coming and stated that he appreciated everyone and what they do for our County. He stated that he thinks the

County is far better than they were just two years ago and that he appreciates the work of the Board and staff. He also wished everyone a Merry Christmas and to be safe going home.

Chilhowie District Supervisor Michael Sturgill gave a shoutout to Chilhowie and Northwood teams for their recent success with various sports and stated that the Marion golf team finished well this season. He reported that student, Blake Hall from Marion Middle School recently won the national fly-fishing championship and congratulated him. He also reported that the schools had a Fentanyl awareness day and that about 540 students were trained on how to administer Naloxone. He said that if it saves even one life it was worth it. He said he appreciated Linda Austin with the Appalachian Substance Abuse Coalition for putting this together along with help from school leadership. He advised that he is looking forward to the new Smyth County Fire & EMS Training Center opening and would like all of the Board members to go for a tour and see how functional it will be. Finally, he commended Mr. Widener on his display of Christmas lights and encouraged everyone to drive by and wished everyone a Merry Christmas.

Park District Supervisor Kris Ratliff thanked the staff for all their hard work and asked everyone to remember the reason for the season.

12/8/2022 6:29 PM County Administrator Shawn Utt, stated that he has had numerous employees reach out to him thanking him and the Board for the holiday bonus.

12/8/2022 6:30 PM Vice Chair, Rye Valley District Supervisor Lori Deel read a letter from Debbie Thomas, John Edmiston & Harris Lane neighbors for the record regarding the proposed amendment to the County Noise Ordinance. A copy of the letter is in the official meeting file.

12/8/2022 *6:31 PM* Chair, Atkins District Supervisor Charles Atkins stated that the County needs to get a Solar Ordinance in place.

Mr. Utt reported that there will be a draft for a Solar Ordinance to review at a future meeting, hopefully in January or early February.

12/8/2022 7:08 PM Vice Chair, Rye Valley District Supervisor Lori Deel made a motion to enter into closed session under Code of Virginia Section 2.2-3711(a)(3) – Discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property regarding Transfer station update and SWIFA Assignment Agreement.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 6:52 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, THEREFORD, 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.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 6:53 PM Motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the purchase agreement for property from Chilhowie Land Company and Walker Paving Company pending final review from the County Attorney and authorize County Administrator to execute all necessary documents on behalf of the County for the acquisition.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

ABSENT: North Fork District Supervisor Phil Stevenson, and

Saltville District Supervisor Roscoe Call

12/8/2022 6:55 PM Motion was made by Vice Chair, Rye Valley District Supervisor Lori Deel to approve the Assignment Agreement for the COF Performance Agreement related to the SWIFA and Speyside Bourbon Cooperage project and authorize the County Administrator to execute necessary documents on behalf of the County.

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,

Park District Supervisor Kris Ratliff, and

Chilhowie District Supervisor Michael Sturgill

NAYS: None. ABSTAINERS: None.

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

12/8/2022 6:56 PM With no further business to discuss, the meeting was adjourned. The next meeting will be January 12, 2023, at 5:00 p.m.

Chair, Charles Atkins