

 The Smyth County Board of Supervisors held its regular meeting on Thursday, October 24th, 2024, at 5:00 p.m. The location of the meeting was held 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 Chilhowie District Supervisor Michael Sturgill; Rye Valley District Supervisor Jason Parris; Royal Oak District Supervisor Courtney Widener; Saltville District Supervisor Roscoe Call; North Fork District Supervisor Rick Billings; Park District Supervisor Kristopher Ratliff.

ABSENT: None.

STAFF: County Administrator, Shawn Utt; Assistant County Administrator-Operations Lisa Richardson; Assistant County Administrator-Development Clegg Williams; County Attorney Scot Farthing; Zoning Administrator, Becca Creasy.

OTHERS: Smyth County News and Messenger, Sheriff's Office, and Citizens

10/24/2024 5:00 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order.

10/24/2024 5:02 PM Chair, Atkins District Supervisor Charles Atkins led the pledge of allegiance and Stephanie Nichols provided the invocation.

10/24/2024 5:04 PM Royal Oak District Supervisor Courtney Widener shared his appreciation for local agencies who assisted in saving the life of a child during the recent flooding. Mr. Widener read the following Resolution for review and consideration:

RESOLUTION OF APPRECIATION FOR OUR LOCAL LIFE SAVING HEROS

WHEREAS, the safety and well-being of our community depend on the bravery and dedication of our first responders; and

WHEREAS, on September 27th, 2024, our first responders displayed extraordinary courage and commitment during a critical emergency situation involving a youth who had been tragically washed away by the floodwaters along Matson Drive in the Town of Marion in the immediate aftermath of Hurricane Helene; and

WHEREAS, the swift and coordinated efforts of the personnel from the Marion Fire/EMS, Marion Police Department, Smyth County Sheriff's office, Smyth County Public Safety and others led to the successful rescue of the youth, demonstrating exceptional skill and teamwork without worry of harm to themselves with only the desire to save and protect one of our own; and

WHEREAS, the actions of these first responders not only saved a life but also provided comfort and reassurance to the boy's family and our entire community during a time of great distress knowing professionals such as these serve our community proudly and honorably; and

WHEREAS, their selfless service exemplifies the highest ideals of public safety and dedication to the welfare of others.

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby expresses its deepest appreciation to all first responders involved in the rescue operation, recognizing their heroic actions and unwavering commitment to the safety of our citizens; and,

BE IT FURTHER RESOLVED that this resolution be made a part of the official records of the Smyth County Board of Supervisors meeting, held this day, and that a copy be presented to the first responders as a token of our sincere gratitude.

ADOPTED this 24th day of October, 2024.

ATTEST:

SMYTH COUNTY
BOARD OF SUPERVISORS

Shawn M. Utt, Clerk of the Board

Charles Atkins, Chair

To be presented to the following individuals:

- Marion Fire/EMS: Brett Miller, Richard Keesling, Ben Cregger, Sam Widener, Rusty Hamm
 - Marion PD: Jordon Propst, Josh Taylor, Keith Finney
 - Smyth County SO: Peter "Doc" Bruzzo, Gayle Greer, Stacy Hess, Roger Dowell, Landon Smith, Christian Centeno
 - Smyth County Dispatchers: Carly Greer, Megan Taylor, Lakin Hess, Kayleigh Jackson, Jill Robbins)
 - Smyth Co Fire/EMS: Curtis Crawford and Aaron Blevins
- *Royal Oak District Supervisor Courtney Widener made a motion adopt the Resolution of Appreciation for our Local Living Saving Heros as presented. Rye Valley District Supervisor Jason Parris seconded the motion.*

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins, Vice Chair, Chilhowie District Supervisor Michael Sturgill, Saltville District Supervisor Roscoe Call, Royal Oak District Supervisor Courtney Widener, Park District Supervisor Kristoper Ratliff, North Fork District Supervisor Rick Billings, and Rye Valley District Supervisor Jason Parris.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

10/24/2024 5:15 PM Mr. Joe Lerch, Director of Local Government Policy at VACO, presented two awards: the “Best Achievement Award” for the Smyth Grow project and an additional achievement award for the Smyth Promise partnership.

Jimmy Moss from the Mount Rogers Planning District discussed the Smyth Grow Campaign, providing details about the program. Additionally, Mr. Utt explained the Smyth Promise program, emphasizing the County’s efforts to build the workforce.

10/24/2024 5:32 PM Jim Accurso, Public Affairs Specialist with the U.S. Small Business Administration (SBA), introduced himself and discussed the SBA's response coordination efforts. He highlighted that the SBA will be assisting non-residential claimants affected by the Helene flooding.

FEMA representatives, Marissa Kapuscinski and Patty Gardner, also introduced themselves and provided information about the Disaster Recovery Center (DRC) and the various agencies present to offer assistance.

10/24/2024 5:40 PM Public Hearing for ordinance related to “Tax Exemptions for Surviving Spouses of Line of Duty Deaths”. Mr. Utt read the following advertisement:

NOTICE OF PUBLIC HEARING

In compliance with the Code of Virginia of 1950, and amendments thereto, 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, October 24, 2024, at 5:00 p.m. or soon thereafter, to receive comments on the proposed ordinance for tax exemption for surviving spouses of line of duty deaths.

All interested persons may express their views by emailing alouthian@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 22, 2024. A copy of the proposed Ordinance is available for public review by contacting the County Administrator's Office. Anyone who has 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.

Smyth County fully complies with Title VI of the Civil Rights Act of 1964 and related statutes and regulations in all programs and activities. For more information, or to obtain a Title VI Discrimination Complaint Form, contact (276) 783-3298 or at <https://www.smythcounty.org>.

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

10/24/2024 5:42 PM Chair, Atkins District Supervisor opened the public hearing.

Commissioner of Revenue Bradley Powers expressed that the situation has been heavy on his mind

and conveyed his happiness to be present. He also noted that his office is prepared to begin accepting applications.

EMS Coordinator Curtis Crawford spoke in appreciation of First Responders and gave his support for this ordinance.

10/24/2024 5:51 PM Chair, Atkins District Supervisor closed the public hearing.

- *A motion was made by Royal Oak District Supervisor Courtney Widener to waive the rules of the Public Hearing for the Tax Exemption for Surviving Spouses of Line of Duty Deaths Ordinance. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins, Vice Chair, Chilhowie District Supervisor Michael Sturgill, Saltville District Supervisor Roscoe Call, Royal Oak District Supervisor Courtney Widener, Park District Supervisor Kristoper Ratliff, North Fork District Supervisor Rick Billings, and Rye Valley District Supervisor Jason Parris.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *A motion was made by Rye Valley District Supervisor Jason Parris to adopt the Tax Exemption for Surviving Spouses of Line of Duty Deaths Ordinance as presented below. Chilhowie District Supervisor Michael Sturgill seconded the motion.*

Real Property Tax Exemption for Surviving Spouses of Certain Persons Killed in the Line of Duty¹

Sec. 23-500. Purpose.

The purpose of this subdivision is to establish an exemption from taxation for the qualifying real property of surviving spouses of covered persons as defined herein, generally including law enforcement officers, firefighters, search and rescue personnel, or emergency medical service personnel who are killed in the line of duty.

Sec. 23-501. Definitions.

As used in this article, unless the context requires otherwise:

Average assessed value means the average assessed value for all dwellings located within the county that are situated on property zoned as single-family residential.

Commissioner means the commissioner of the revenue of the county.

Covered person means any person set forth in the definition of "deceased person" in Code of Virginia, § 9.1-400 whose beneficiary, as defined in Code of Virginia, § 9.1-400, is entitled to receive benefits under Code of

¹State law reference(s)—Exemption for surviving spouses of certain persons killed in the line of duty, Code of Virginia, § 58.1-3219.13, et seq.

Virginia, § 9.1-402, as determined by the comptroller prior to July 1, 2017, or as determined by the Virginia Retirement System on and after July 1, 2017.

Sec. 23-502. Exemption from taxes on property of surviving spouses of certain persons killed in the line of duty.

- (a) Pursuant to Article X, Section 6-B of the Constitution of Virginia, for tax years beginning on or after January 1, 2024, the county exempts from taxation the real property described in subsection (b) of the surviving spouse of any covered person who occupies the real property as his principal place of residence. If the covered person's death occurred on or prior to January 1, 2024, and the surviving spouse has a principal residence on January 1, 2024, eligible for the exemption under this section, then the exemption for the surviving spouse shall begin on January 1, 2024. If the covered person's death occurs after January 1, 2024, and the surviving spouse has a principal residence eligible for the exemption under this section on January 1 in the year that such covered person dies, then the exemption for the surviving spouse shall begin on January 1 of the year that such covered person dies. If the surviving spouse acquires the property after January 1, 2024, then the exemption shall begin on the date of acquisition, and the previous owner may be entitled to a refund for a pro rata portion of real property taxes paid pursuant to Code of Virginia, § 58.1-3360. The county shall not be liable for any interest on any refund due to the surviving spouse for taxes paid prior to the surviving spouse's filing of the affidavit or written statement required by Code of Virginia, § 58.1-3219.15. The exemption applies without any restriction on the spouse's moving to a different principal place of residence; however, the exemption shall apply only as long as the spouse owns and resides on the property as the principal place of residence.
- (b) Those dwellings in the county with assessed values in the most recently ended tax year that are not in excess of the average assessed value for such year of a dwelling situated on property that is zoned as single-family residential shall qualify for a total exemption from real property taxes under this article. If the value of a dwelling is in excess of the average assessed value as described in this subsection, then only that portion of the assessed value in excess of the average assessed value shall be subject to real property taxes, and the portion of the assessed value that is not in excess of the average assessed value shall be exempt from real property taxes. Single-family homes, condominiums, town homes, manufactured homes as defined in Code of Virginia, § 46.2-100 whether or not the wheels and other equipment previously used for mobility have been removed, and other types of dwellings of surviving spouses, whether or not the land on which the single-family home, condominium, town home, manufactured home, or other type of dwelling of a surviving spouse is located is owned by someone other than the surviving spouse, that (i) meet this requirement and (ii) are occupied by such persons as their principal place of residence shall qualify for the real property tax exemption. If the land on which the single-family home, condominium, town home, manufactured home, or other type of dwelling is located is not owned by the surviving spouse, then the land is not exempt. For purposes of determining whether a dwelling, or a portion of its value, is exempt from county real property taxes, the average assessed value shall be such average for all dwellings located within the county that are situated on property zoned as single-family residential.
- (c) The surviving spouse shall qualify for the exemption so long as the surviving spouse does not remarry and continues to occupy the real property as their principal place of residence. The surviving spouse shall notify the commissioner within 30 days of remarriage. If a surviving spouse remarries, eligibility for the exemption shall cease upon such remarriage, and taxes shall be pro-rated accordingly.
- (d) The county shall provide for the exemption from real property taxes of (i) the qualifying dwelling, or that portion of the value of such dwelling and land that qualifies for the exemption pursuant to subsection (b), and (ii) with the exception of land not owned by the surviving spouse, the land, not exceeding one acre, upon which it is situated. A real property improvement other than a dwelling, including the land upon which such improvement is situated, shall also be exempt from taxation so long as the principal use of the improvement is (a) to house or cover motor vehicles or household goods and personal effects as classified in subdivision a 14 of Code of Virginia, § 58.1-3503 and as listed in Code of Virginia, § 58.1-3504 and (b) for other than a business purpose.
- (e) Effect of different forms of ownership and multiple owners. For purposes of this exemption, real property of any surviving spouse of a covered person includes real property (i) held by a surviving spouse as a tenant for life, (ii) held in a revocable inter vivos trust over which the surviving spouse holds the power of revocation, or (iii) held in an irrevocable trust under which the surviving spouse possesses a life estate or enjoys a continuing right of use or support. Such real property does not include any interest held under a leasehold or term of years.

In the event that (i) a surviving spouse is entitled to an exemption under this subdivision by virtue of holding the property in any of the three ways set forth in subsection (e)(1) and (ii) one or more other persons have an ownership interest in the property that permits them to occupy the property, then the tax exemption for the property that otherwise would have been provided shall be prorated by multiplying the amount of the exemption by a fraction the numerator of which is one and the denominator of which equals the total number of people having an ownership interest that permits them to occupy the property.

In the event that the principal residence is jointly owned by two or more individuals including the surviving spouse, and no person is entitled to the exemption under this section by virtue of holding the property in any of the three ways set forth in subsection (e), then the exemption shall be prorated by multiplying the amount of the exemption by a fraction the numerator of which is the percentage of ownership interest in the dwelling held by the surviving spouse and the denominator of which is 100.

Sec. 23-503. Application for exemption.

The surviving spouse claiming the exemption under this article shall file with the commissioner on forms to be supplied by the commissioner, an affidavit or written statement (i) setting forth the surviving spouse's name, (ii) indicating any other joint owners of the real property, (iii) certifying that the real property is occupied as the surviving spouse's principal place of residence, and (iv) including evidence of the determination of the comptroller or the Virginia Retirement System pursuant to the definition of "covered person" stated in this subdivision. The surviving spouse shall also provide documentation that he is the surviving spouse of a covered person and of the date that the covered person died. The surviving spouse shall be required to refile the information required by this section only if the surviving spouse's principal place of residence changes.

Sec. 23-504. Absence from residence.

The fact that surviving spouses who are otherwise qualified for tax exemption pursuant to this article are residing in hospitals, nursing homes, convalescent homes, or other facilities for physical or mental care for extended periods of time shall not be construed to mean that the real estate for which tax exemption is sought does not continue to be the sole dwelling of such persons during such extended periods of other residence, so long as such real estate is not used by or leased to others for consideration.

Secs. 23-505—23-510. Reserved.

This ordinance was duly considered following a required public hearing held on October 24th, 2024, and was adopted and made effective by the Board of Supervisors of Smyth County, Virginia on October 24th, 2024. The Board of Supervisors members voting:

<u>NAME</u>	<u>FOR</u>	<u>AGAINST</u>	<u>ABSENT</u>
Charles E. Atkins	X		
Michael L. Sturgill	X		
Rick A. Billings	X		
Kristopher S. Ratliff, DPh	X		
S. Courtney Widener	X		
W. Jason Parris	X		
Roscoe D. Call	X		

I certify that this is a true and correct copy taken from the minutes of the Smyth County Board of Supervisors meeting of October 24th, 2024.

Shawn Utt, Clerk of the Board

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Courtney Widener,
Park District Supervisor Kristoper Ratliff,
North Fork District Supervisor Rick Billings, and
Rye Valley District Supervisor Jason Parris.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

10/24/2024 5:53 PM Minutes from the October 10th, 2024 meeting.

- A motion was made by Saltville District Supervisor Roscoe Call to approve the meeting minutes of October 10th, 2024, meeting. Chilhowie District Supervisor Michael Sturgill seconded the motion.

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Rick Billings, and
Rye Valley District Supervisor Jason Parris.

NAYS: None.

ABSTAINERS: Park District Supervisor Kristoper Ratliff.

ABSENT: None.

10/24/2024 5:05 PM Chair, Atkins District Supervisor Charles Atkins opened Citizens Time.

Anna Leigh DeBord with the Smyth County Museum gave an update of events they plan to host.

10/24/2024 6:02 PM Chair, Atkins District Supervisor Charles Atkins closed Citizens Time

10/24/2024 6:02 PM Chilhowie District Supervisor Michael Sturgill read the minutes of October 17th, 2024, Parks and Recreation Committee and shared the following recommendation:

- Royal Oak District Supervisor Courtney Widener made a motion to recommend Mr. Utt issue a Request for Proposals (RFP) for 4th of July Fireworks. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved by the committee.

After consideration, the Parks and Recreation Committee recommendation PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Courtney Widener,
Park District Supervisor Kristoper Ratliff,
North Fork District Supervisor Rick Billings, and

Rye Valley District Supervisor Jason Parris.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

10/24/2024 6:04 PM Mr. Utt read the minutes of the October 17th, 2024, Budget Committee and presented the following recommendations:

- *Royal Oak District Supervisor Courtney Widener made a motion to recommend approval of Budget Amendment #4 in the amount of \$785,000 as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved by the Committee.*

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

*AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Courtney Widener,
Park District Supervisor Kristoper Ratliff,
North Fork District Supervisor Rick Billings, and
Rye Valley District Supervisor Jason Parris.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

RESOLUTION
SMYTH COUNTY BUDGET FISCAL YEAR 2024/25 – AMENDMENT #4

WHEREAS, the Smyth County Board of Supervisors, on June 20th, 2024 adopted the Fiscal Year 2024/25 Budget in the original amount of \$146,646,737; and

WHEREAS, in the meeting of August 22, 2024, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #1) for Fiscal Year 2024/45 in the amount of \$151,588,158; and

WHEREAS, in the meeting of August 22, 2024, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #2) for Fiscal Year 2024/45 in the amount of \$151,6003,158; and

WHEREAS, in the meeting of September 26, 2024, the Smyth County Board of Supervisors adopted an amended budget (Budget Amendment #3) for Fiscal Year 2024/45 in the amount of \$151,917,704; and

WHEREAS, the aggregate amount of budget amendment #4 is \$785,000 which would increase the Fiscal Year 2024/25 budget to a total of \$152,702,704 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 2024/25 in the amount of \$152,702,704.

BE IT FURTHER RESOLVED, the approval of this budget amendment #4 shall indeed constitute an appropriation of the same funds.

Adopted this the 24th day of October 2024

ATTEST:

SMYTH COUNTY
BOARD OF SUPERVISORS

Shawn M. Utt, Clerk

Charles Atkins, Chair



Exhibit A
 F72024/25
 Budget Amendment #4 (10/24/2024)

Part 1. REVENUES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Budget with Amendment	Notes
Fund 001	State Grant Funding	001-021100-004	VOBA NSBLL Grant	\$ -	\$ (200,000)	\$ (200,000)	Can handling equipment grant for Dispatch Center
Fund 001	State Grant Funding	001-021100-004	VOBA NSBLL Grant	\$ -	\$ (1,000)	\$ (1,000)	
Fund 001	Miscellaneous Revenue	001-029100-014	Water Fund Donation	\$ -	\$ (1,000)	\$ (1,000)	
Fund 001	Water & Sewer Payments	201-02500-001	Water Payments	\$ (4,873,378)	\$ (70,000)	\$ (4,943,378)	
Total Revenues With Amendment				\$ (4,873,378)	\$ (785,000)	\$ (5,658,378)	

Part 2. EXPENDITURES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Amended Budget	Notes
Fund 001	8811/Dispatch	001-031000-888-12	NSBLL Call Handling Grant	\$ -	\$ 200,000	\$ 200,000	Call handling equipment grant for Dispatch Center
Fund 001	Southern Virginia Regional Jail	001-031010-7003	Regional Jail Reconciliation	\$ -	\$ 37,600	\$ 37,600	Reconciliation funds for R24 overage
Fund 001	Disaster Relief	001-030600-888-002	Hurricane Relief Donations	\$ -	\$ 13,000	\$ 13,000	
Fund 001	Disaster Relief	001-030600-888-001	Weighting Foundation Expenses	\$ -	\$ 900,000	\$ 900,000	
Fund 001	Capital Improvements	001-070000-888-77	IT-Municipal Finance Software Replacement	\$ 380,000	\$ (37,600)	\$ 342,400	
Fund 001	Utility Fund Capital Projects	201-025000-0018	Kawans Booster Pump Station	\$ -	\$ 70,000	\$ 70,000	
Total Expenditures With Amendment				\$ 380,000	\$ 785,000	\$ 1,165,000	

Revenues	Expenditures	Difference
\$ (4,873,378)	\$ (5,658,378)	\$ 785,000
\$ (4,873,378)	\$ (5,658,378)	\$ 785,000
\$ -	\$ -	\$ -

10/24/2024 6:08 PM Royal Oak District Supervisor Courtney Widener read the minutes of the October 17th, 2024, Public Safety Committee, and shared the following recommendation:

- *Chilhowie District Supervisor Mike Sturgill made a recommendation to authorize the County Administrator, or designee to authorize EMS payment arrangements for past due bills up to \$1,000 per individual and no more than \$5,000 monthly. Rye Valley District Supervisor Jason Parris 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, Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Courtney Widener,
Park District Supervisor Kristoper Ratliff,
North Fork District Supervisor Rick Billings, and
Rye Valley District Supervisor Jason Parris.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

9/26/2024 5:56 PM Mr. Utt noted the School Board currently owns the small park/playground located across from the old Carnegie School at the corner of South Iron Street and Walnut Street in the Town of Marion. The Town is interested in updating the playground equipment but has requested that ownership be transferred before making any investments. According to the Code of Virginia, any property owned by a school board that is deemed surplus and unnecessary must be conveyed back to the local governing body, which in this case is the Smyth County Board of Supervisors. We have been asked to act as an intermediary to facilitate the transfer of the property to the Town of Marion. Should the Board agree to this transfer, the next step would involve accepting ownership of the property and holding a public hearing, with a recommended date of November 14th, to formally proceed.

- *Chilhowie District Supervisor Mike Sturgill made a motion to accept ownership of Tax map No 210-127-16, lots #16, 17, 18, and 19 of the George W. Wright Addition as shown on a plat recorded in the Clerk's Office of the Circuit Court of Smyth County and schedule a public hearing to gain comments regarding conveyance of the property to the Town of Marion. Rye Valley District Supervisor Jason Parris seconded the motion.*

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Courtney Widener,
Park District Supervisor Kristoper Ratliff,
North Fork District Supervisor Rick Billings, and
Rye Valley District Supervisor Jason Parris.

NAYS: Saltville District Supervisor Roscoe Call.

ABSTAINERS: None.

ABSENT: None.

10/24/2024 6:20 PM County Attorney Report:

County Attorney Scot Farthing had nothing new to report.

10/24/2024 6:20 PM County Administrator Report:

Mr. Utt shared a public input session has been scheduled as required for DHCD grant funds available for hurricane recovery efforts on October 31st at 2pm. Mr. Utt also reviewed a draft Mutual Aid Agreement with the Town of Marion for the Board to ratify. This agreement is designed to assist the Town in getting reimbursed for the support they provided to our Utility Department during the flood response.

- *Chilhowie District Supervisor Michael Sturgill made a motion to ratify approval of the agreement with the Town of Marion for Mutual Aid for Resource and Equipment Sharing During Emergencies. 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, Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Courtney Widener,
Park District Supervisor Kristoper Ratliff,
North Fork District Supervisor Rick Billings, and
Rye Valley District Supervisor Jason Parris.

NAYS: Saltville District Supervisor Roscoe Call.

ABSTAINERS: None.

ABSENT: None.

10/24/2024 6:27 PM Supervisor Comment Time

Rye Valley District Supervisor Jason Parris shared he appreciated staff keeping him informed as well as the potential to bring fireworks for a 4th of July celebration in the County.

Chilhowie District Supervisor Michael Sturgill shared it has been a great school year so far. Mr. Sturgill also reminded everyone of the Apple Festival band competition tonight.

Park District Supervisor Kristopher Ratliff shared his appreciation for staff efforts, especially Mr. Utt during Hurricane Helene and he knew the County was in good hands.

Saltville District Supervisor Roscoe Call agrees with Mr. Ratliff with staff efforts. Mr. Call also shared he has nothing against the Town of Marion, he just wishes we all work together for the betterment of the citizens.

Royal Oak District Supervisor Courtney Widener acknowledged the first responders present at the meeting and highlighted their significant contributions to recovery efforts. He commended their selfless service, noting that they acted without hesitation. Mr. Widener also expressed his enthusiasm for a forthcoming fireworks program in the County, which will include collaborative events with all three towns and the County.

North Fork District Supervisor Rick Billings echoed everyone's comments thanking the first responders for the miracle of seeing the child who almost lost his life be able to attend the meeting.

Chair, Atkins District Supervisor Charles Atkins also echoed everyone's comments and how proud he is off the staff. Mr. Atkins also thanked Mr. Utt for spearheading the SmythGrow program.

10/24/2024 6:45 PM

- *Royal Oak District Supervisor Courtney Widener 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 community action agencies. 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, Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Courtney Widener,
Park District Supervisor Kristoper Ratliff,
North Fork District Supervisor Rick Billings, and
Rye Valley District Supervisor Jason Parris.

NAYS: Saltville District Supervisor Roscoe Call.

ABSTAINERS: None.

ABSENT: None.

10/24/2024 6:55 PM

- *Royal Oak District Supervisor Courtney Widener made a motion to adopt the following resolution and enter back into open session. Saltville District Supervisor Roscoe Call 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, Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Courtney Widener,
Park District Supervisor Kristoper Ratliff,
North Fork District Supervisor Rick Billings, and
Rye Valley District Supervisor Jason Parris.

NAYS: Saltville District Supervisor Roscoe Call.

ABSTAINERS: None.

ABSENT: None.

10/24/2024 6:55 PM Mr. Atkins recessed the meeting until the Joint Public Hearing at 7pm with the Planning Commission.

DRAFT