

The Smyth County Board of Supervisors held its regular meeting on Thursday, March 14, 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: Atkins District Supervisor Charles Atkins; Rye Valley District Supervisor Jason Parris; Park District Supervisor Kristopher Ratliff; Chilhowie District Supervisor Michael Sturgill; Royal Oak District Supervisor Courtney Widener; Saltville District Supervisor Roscoe Call; North Fork District Supervisor Rick Billings

ABSENT: None.

STAFF: County Administrator Shawn Utt; Assistant County Administrator – Operations Lisa Richardson; Assistant County Administrator – Development Clegg Williams; Executive Assistant Auna Louthian; County Attorney Scot Farthing.

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

3/14/2024 5:02 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

3/14/2024 5:02 PM Becca Creasy, Zoning Administrator led the Pledge of Allegiance and Pastor Justin Hall gave the invocation.

3/14/2024 5:03 PM *A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the amendments to the agenda to include 3)c Tracy Thompson to give update on Lincoln Theatre, 3)d Kendra Hayden- Hotel Market Feasibility Study, and remove item 12) Closed session. 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,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3/14/2024 5:03 PM Glade Spring Town Council member Dirk Moore spoke to the Board about a possible partnership for a wellness and development center geared towards citizens in Substance Use Disorder recovery. The grant being applied for does require a joint effort from at least two localities and is requesting support from Washington County as well as Smyth County. Mr. Moore explained that Washington County would be the fiscal agent and it is not a requirement for Smyth County to allocate funds towards the project but Smyth was being asked to provide a show of support. Mr. Moore also mentioned that the plans are for this

center to not take away anything from the existing Wellness Center in Saltville, but to work together.

- *Saltville District Supervisor Roscoe Call made a motion to approve a letter of support and partnership with the Town of Glade Spring and Washington County, VA for a Wellness Recovery and Development center located in the Town of Glade Spring, VA. 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,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3/14/2024 5:10 PM Tracy Thompson, Executive Director of the Lincoln Theatre gave an update on the current successes of the Theatre. Ms. Thompson thanked the Board for their continued support. Ms. Thompson then announced Bob Watkins will be stepping into her existing role as Executive Director following her pending retirement and believes he will do very well. The Board thanked Ms. Thompson for her hard work and dedication.

3/14/2024 5:14 PM Mrs. Hayden presented a proposal for a Hotel Market Feasibility Study from RevPAR with options for multiple sites to be included. Mrs. Hayden noted this will be a joint effort with Smyth County Tourism, the Towns of Marion and Chilhowie, and a request will be submitted to each. A Memorandum of Understanding has been drafted that details the joint efforts and financial contribution of each participant and will be signed upon approval.

- *A motion was made by Saltville District supervisor Roscoe Call to approve the RevPAR proposal and a financial contribution of up to \$8,900. Chilhowie District Supervisor Michael Sturgill 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 Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
North Fork District Supervisor Rick Billings,
Rye Valley District Supervisor Jason Parris,
Royal Oak District Supervisor Courtney Widener, and
Park District Supervisor Kristopher Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3/14/2024 5:17 PM Vice Chair, Chilhowie District Supervisor Michael Sturgill read the following resolution for the Board's consideration:



SMYTH COUNTY

BOARD OF SUPERVISORS

RESOLUTION OF APPRECIATION TO DR. DENNIS CARTER, SUPERINTENDENT OF SMYTH COUNTY SCHOOLS FOR BEING NAMED REGION 7 SUPERINTENDENT OF THE YEAR

WHEREAS, Dr. Dennis Carter has served the Smyth County School System for 29 years with the past seven (7) as our School Superintendent; and

WHEREAS, Dr. Carter has been recognized for his exceptional leadership, dedication and contributions to education as Region 7's Superintendent of the Year; and

WHEREAS, Dr. Carter has consistently demonstrated a commitment to excellence in educational practices, fostering a positive learning environment for students, and supporting the professional development of educators, both current and future; and

WHEREAS, Dr. Carter has exhibited outstanding leadership skills, vision and innovation in addressing the challenges faced by educators throughout the Region 7 area; and

WHEREAS, Dr. Carter has earned the respect, admiration and gratitude of his peers and many other stakeholders for his tireless efforts and unwavering commitment to the success and well-being of students and educators alike; and

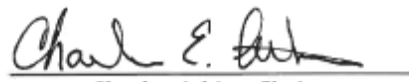
WHEREAS, Dr. Carter's creativity and ingenuity have been on prime display most recently through the development and expansion of the *Smyth Promise Program* into the *Teachers for Tomorrow* partnership between the local community colleges, Emory & Henry College and the Smyth County Community Foundation by building our future workforce now.

NOW THEREFORE BE IT RESOLVED that the Smyth County Board of Supervisors hereby congratulate Dr. Carter on being named Region 7 Superintendent of the Year and express our deepest appreciation for his exemplary leadership, dedication and service to the field of education.

ADOPTED this 14th day of March, 2024.

ATTEST:

Shawn M. Utt, Clerk of the Board

SMYTH COUNTY
BOARD OF SUPERVISORS

Charles Atkins, Chair

- *Chilhowie District Supervisor Michael Sturgill made a motion to adopt the resolution of Appreciation to Dr. Dennis Carter. 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,
North Fork District Supervisor Rick Billings,

*Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

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

3/14/2024 5:17 PM Mr. Utt read the following resolution for the Board's consideration:



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION OF SUPPORT FOR VIRGINIA OPIOID ABATEMENT AUTHORITY COOPERATIVE PARTNERSHIP GRANT FUNDING

WHEREAS, the Smyth County Board of Supervisors seeks to mitigate and abate the impacts of the opioid epidemic throughout Smyth County; and

WHEREAS, the mission of the Virginia Opioid Abatement Authority (OAA) is to abate and remediate the opioid epidemic in the Commonwealth through financial support in the form of grants, donations, or other assistance; and

WHEREAS, the OAA operates a financial assistance program to support certain cooperative partnerships of cities and/or counties in Virginia that implement regional efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids; and

WHEREAS, Smyth County joins other Southwest Virginia cities/counties who have committed to work together to develop and jointly submit an application for regional cooperative partnership funding from the OAA for the nonprofit organization, *the Appalachian Center for Hope, Inc.*, which will provide treatment for substance use disorder; and

WHEREAS, all Southwest Virginia partnership cities/counties are located within the same region, Region 3, of the Department of Behavioral Health and Developmental Services; and

WHEREAS, Smyth County agrees they will execute a legally binding operational agreement formalizing the cooperating partnership if the application for financial assistance is approved; and

WHEREAS, Smyth County has agreed to serve as the fiscal agent for the cooperative partnership if it is awarded; and

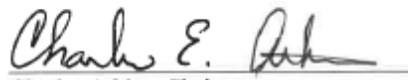
WHEREAS, Smyth County supports the request for grant funding from the OAA for Fiscal Year 2025, with plans by the partnership to apply for renewal funds for fiscal years 2026-2029; and

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors hereby authorizes Shawn Utt, Smyth County Administrator to execute the grant application to the Virginia Opioid Abatement Authority, to accept the grant award, and to execute all documents in connection therewith.

ADOPTED this 14 day of March, 2024.

ATTEST:

Shawn M. Utt, Clerk

SMYTH COUNTY
BOARD OF SUPERVISORS

Charles Atkins, Chair

- *Chilhowie District Supervisor Michael Sturgill made a motion to adopt the resolution of Support for Virginia Opioid Abatement Authority Cooperative Partnership Grant Funding. 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,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3/14/2024 5:28 PM Executive Director of Smyth County Libraries Rose Likins shared upcoming events and continued successes in the library. Chilhowie District Supervisor Michael Sturgill thanked Ms. Likins for her continued dedication.

3/14/2024 5:34 PM Bond Public Hearing:

Mr. Utt read the following notice that was advertised in the local newspaper on February 29th and March 7th -

**NOTICE OF PUBLIC HEARING
OF PROPOSED ISSUANCE OF BONDS
BY SMYTH COUNTY, VIRGINIA**

The Board of Supervisors of Smyth County, Virginia (the “Board of Supervisors”) will hold a public hearing on the proposed issuance of bonds by Smyth County (the “County”) at one time or from time to time. The estimated maximum amount of such bonds is \$13,450,000. The proposed uses of the bond proceeds are to pay costs of acquiring, improving, and equipping land and buildings for use by various County offices and departments, to pay costs of capital improvements to the County’s solid waste transfer station, and to pay costs of issuing the bonds. The public hearing which may be continued or adjourned, and at which persons may appear and present their views on the proposed issuance, will be held at 5:00 p.m., or shortly thereafter as may be heard, on March 14, 2024, before the Board of Supervisors in the Board of Supervisors Meeting Room at 121 Bagley Circle, Suite 100, Marion, Virginia.

All interested persons may express their views by emailing alouthian@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 14, 2024.

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.

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
SMYTH COUNTY BOARD OF SUPERVISORS
Shawn M. Utt, County Administrator

- *Saltville District Supervisor Roscoe Call made a motion to waive the reading of the rules for the 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, Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3/14/2024 5:34 PM Ben Wilson with Davenport & Company gave a presentation to include options for bond financing. He noted it was Davenport's recommendation to move forward with the Virginia Resources Authority proposal.

- *Saltville district Supervisor Roscoe Call made a motion to waive the rules of the public hearing and vote. 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,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

- *Saltville District Supervisor Roscoe Call made a motion to adopt the Resolution Authorizing the Issuance of General Obligation Bonds of Smyth County in a Principal Amount to not Exceed \$13,450,000. 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, Chilhowie District Supervisor Michael Sturgill,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.
ABSENT: None.

3/14/2024 5:48 PM Minutes of the February 22nd Board of Supervisors meeting:

- *A motion was made by Royal Oak District Supervisor Courtney Widener to approve the minutes from the February 22, 2024, meeting as presented. North Fork District Supervisor Rick Billings 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,
 North Fork District Supervisor Rick Billings,
 Saltville District Supervisor Roscoe Call,
 Rye Valley District Supervisor Jason Parris, and
 Park District Supervisor Kristoper Ratliff.*

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

3/14/2025 5:48 PM Assistant County Administrator, Lisa Richardson reviewed the following County financial information:

SMYTH COUNTY BOARD OF SUPERVISORS
THURSDAY, MARCH 14, 2024

ACCOUNTS PAYABLE LISTING

[February 2024](#)

Request approval of the following payables:

<u>General County - Regular Checks</u>	\$1,840,087.61
<u>Fund 4 EDA - Regular Checks</u>	\$43,275.17
Fund 302 Public Safety Radio	\$69,544.20
Fund 505 Transfer Station-Regular Checks	\$0.00
Accounts Payable Listing - February 2024	\$1,952,906.98
<u>Fund Accounts - Manual Checks</u>	
Fund 501 Water Deposit Refunds	\$100.00
Fund 747 Sheriff State Asset Forfeiture	\$0.00
Fund 748 Sheriff Purchase of Equipment	\$0.00
Fund 749 Recovery Court	\$41,833.91
Fund 760 Commonwealth Attorney Federal Drug Asset	\$0.00
Fund 770 Circuit Court Clerk - Holding Account	\$0.00

Total Fund Accounts	\$41,933.91
TOTAL ACCOUNTS PAYABLE - February 2024	\$1,994,840.89

3/14/2024 5:49 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the accounts payable listing 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, Chilhowie District Supervisor Michael Sturgill,
 Royal Oak District Supervisor Courtney Widener,
 North Fork District Supervisor Rick Billings,
 Saltville District Supervisor Roscoe Call,
 Rye Valley District Supervisor Jason Parris, and
 Park District Supervisor Kristoper Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3/14/2024 5:51 PM Chair, Atkins District Supervisor Charles Atkins opened citizen’s time.

Charles Hayden of 726 South Church St., Marion, spoke about concerns he has with the reassessment as well as his concern for the housing shortage information presented. Mr. Williams offered to provide Mr. Hayden with a copy of the most recent regional housing study.

David Fulton of 423 Pearl Ave., Marion, questioned Animal Control and their ability to enforce code in the Town of Marion. Mr. Utt clarified that Smyth County Animal Control can enforce County Code in the towns but not Marion’s code itself.

Matt Prater of 123 First Avenue, Saltville, spoke concerning the dilapidated sewer pipe in the Town of Saltville and asked the Board to consider assisting the Town to repair the pipes.

Greg Armstrong of 490 Wassona Drive, Marion, shared he would like a task force formed in case immigrants were to be dropped off within the County.

Timothy McCluskey 1067 St. Clairs Creek, Chilhowie, spoke regarding trash pickup locations being further out within the County and would like to see more benefits in his area.

Sara Taylor 603 E. Coyner, Marion, spoke about issues she has faced since reassessment has started. Ms. Taylor requested information regarding licensing for each assessor.

3/14/2024 6:32 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen’s time and called for a break.

3/14/2024 6:54 PM Chair, Atkins District Supervisor Charles Atkins called the meeting back to order. Royal Oak District Supervisor Courtney Widener read the minutes from the February 27th and March 7th Public Safety Committee meetings and presented the following recommendation:

- *Rye Valley District Supervisor Jason Parris made a recommendation to approve and authorize the County Administrator to execute the Mobile Communications America (MCA) Sales and Service Agreement as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.*

After consideration, the Committee recommendation 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,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3/14/2024 6:55 PM Mr. Utt read the minutes from the March 7th Budget Committee meeting and presented the following recommendations:

Item #1: Budget Amendment #7

- Chilhowie District Supervisor Michael Sturgill made a motion to recommend approving budget amendment #7 in the amount of \$230,000 for FY23/24 as presented. Royal Oak District Supervisor Courtney Widener seconded the motion, and it was unanimously approved.



SMYTH COUNTY BOARD OF SUPERVISORS

RESOLUTION SMYTH COUNTY BUDGET FISCAL YEAR 2023/24 – AMENDMENT #7

WHEREAS, the Smyth County Board of Supervisors, on June 8th, 2023 adopted the Fiscal Year 2023/24 Budget in the original amount of \$132,444,641; and

WHEREAS, in the meeting of August 24th, 2023 the Smyth County Board of Supervisors adopted an amended budget (Budget amendment #1) for Fiscal Year 2023/24 in the amount of \$135,536,020; and

WHEREAS, in the meeting of September 14th, 2023 the Smyth County Board of Supervisors adopted an amended budget (Budget amendment #2) for Fiscal Year 2023/24 in the amount of \$135,436,104; and

WHEREAS, in the meeting of November 9th, 2023 the Smyth County Board of Supervisors adopted an amended budget (Budget amendment #3) for Fiscal Year 2023/24 in the amount of \$135,839,906; and

WHEREAS, in the meeting of December 14th, 2023 the Smyth County Board of Supervisors adopted an amended budget (Budget amendment #4) for Fiscal Year 2023/24 in the amount of \$136,471,806; and

WHEREAS, in the meeting of January 25th, 2024 the Smyth County Board of Supervisors adopted an amended budget (Budget amendment #5) for Fiscal Year 2023/24 in the amount of \$136,471,806; and

WHEREAS, in the meeting of February 22nd, 2024 the Smyth County Board of Supervisors adopted an amended budget (Budget amendment #6) for Fiscal Year 2023/24 in the amount of \$140,059,644; and


WHEREAS the aggregate amount of budget amendment #7 is \$230,000 which would increase the Fiscal Year 2023/24 budget to a total of \$140,289,644 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 2023/24 in the amount of \$140,289,644.

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

Adopted this the 14th day of March 2024

ATTEST:


Shawn M. Utt, Clerk

**SMYTH COUNTY
BOARD OF SUPERVISORS**

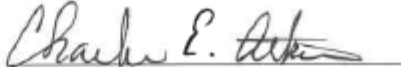

Charles Atkins, Chair

Exhibit A
 FY2023/24
 Budget Amendment #7 (03-14-2024)

Part 1. REVENUES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Budget with Amendment	Notes
Fund 001	Expenditure Refunds	018030-0007	Insurance Recoveries	\$ (50,000)	\$ (50,000)	\$ (100,000)	Additional insurance claim payouts
Fund 001	Miscellaneous	039010-0010	EMS Billing Revenues	\$ (750,000)	\$ (20,000)	\$ (770,000)	Additional reimbursements to AMB
Fund 001	Local Funds Transfer	001-040000-0005	Use of Fund Balance	\$ (2,473,655)	\$ (160,000)	\$ (2,633,655)	Finalize reassessment contract
					\$ -	\$ -	
					\$ -	\$ -	
Total Revenues With Amendment				\$ (140,059,644)	\$ (230,000)	\$ (140,289,644)	

Part 2. EXPENDITURES

Fund	Department	Line Item Number	Account Title	Adopted Budget	Amount of Amendment	Amended Budget	Notes
Fund 001	Board of Supervisors	001-011010-8900	Insurance Recoveries	\$ 50,000	\$ 50,000	\$ 100,000	Additional insurance claim payouts
Fund 001	Assessor	001-012100-3000-1	Professional Services	\$ 200,000	\$ 160,000	\$ 360,000	Finalize reassessment contract
Fund 001	Smyth County Fire & Rescue	001-032050-5803	EMS Overpayments	\$ 7,000	\$ 20,000	\$ 27,000	Additional reimbursements to AMB
					\$ -	\$ -	
Total Expenditures With Amendment				\$ 140,059,644	\$ 230,000	\$ 140,289,644	

Revenues	\$ (140,059,644)	\$ (230,000)	\$ (140,289,644)
Expenditures	\$ 140,059,644	\$ 230,000	\$ 140,289,644
Difference	\$ -	\$ -	\$ -

After consideration, the Committee recommendation 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,
 North Fork District Supervisor Rick Billings,
 Saltville District Supervisor Roscoe Call,
 Rye Valley District Supervisor Jason Parris, and
 Park District Supervisor Kristoper Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

Item #2: Saltville Moral Obligation Request – Mr. Utt shared he would circle back to this matter at the end of the Budget Committee report.

Item #3: Loader Financing

- Royal Oak District Supervisor Courtney Widener made a motion to recommend accepting the Bank of Marion financing offer and authorizing the County Administrator to complete all acts necessary for the purchase and financing of a Volvo Loader in the total amount of \$267,262.00 pending financial review by Davenport & Associates. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

After consideration, the Committee recommendation 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,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Item #4: Mount Rogers Health District OAA Fiscal Agent Request

- *Royal Oak District Supervisor Courtney Widener made a motion to recommend approving the partnership agreement and agreeing to serve as the Fiscal Agent for Mount Rogers Health District for their Opioid Abatement Grant. Chilhowie District Supervisor Michael Sturgill seconded the motion. Atkins District Supervisor Charles Atkins was opposed but the motion passed on a vote of 2-1.*

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

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

*NAYS: Chair, Atkins District Supervisor Charles Atkins, and
North Fork District Supervisor Rick Billings.*

ABSTAINERS: None.

ABSENT: None

- *Royal Oak District Supervisor Courtney Widener made a motion to recommend approving a \$50k contribution from Smyth County's Opioid Abatement Direct Distribution funds to Mount Rogers Health District to be used toward the mobile clinic project. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.*

After consideration, the Committee recommendation 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,
 North Fork District Supervisor Rick Billings,
 Saltville District Supervisor Roscoe Call,
 Rye Valley District Supervisor Jason Parris, and
 Park District Supervisor Kristoper Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Item #5: United Health Care (UHC) EMS Billing Rates

	County Rate	UHC Rate	Write-off
Basic Life Support	\$ 800.00	\$439.64	<i>\$360.36</i>
Advanced Life Support-1	\$1,000.00	\$522.08	<i>\$477.92</i>
Advanced Life Support-2	\$1,200.00	\$755.64	<i>\$444.36</i>
Ground Transport Mileage	\$17.00 / mile	\$8.94 / mile	<i>\$8.06 / mile</i>

- Royal Oak District Supervisor Courtney Widener made a motion to recommend approving the UHC proposed rate structure as presented. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.

After consideration, the Committee recommendation 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,
 North Fork District Supervisor Rick Billings,
 Saltville District Supervisor Roscoe Call,
 Rye Valley District Supervisor Jason Parris, and
 Park District Supervisor Kristoper Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Item #6: Open Door Community Request

- Chilhowie District Supervisor Michael Sturgill made a motion to recommend approving the grant in the amount of \$1,350.50 to Open Door Community for reimbursement of 2023 taxes paid to Smyth County. Royal Oak District Supervisor Courtney Widener seconded the motion, and it was unanimously approved.

After consideration, the Committee recommendation 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,
 North Fork District Supervisor Rick Billings,
 Saltville District Supervisor Roscoe Call,
 Rye Valley District Supervisor Jason Parris, and
 Park District Supervisor Kristoper Ratliff.

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Item #7: Parks and Recreation Football and Cheerleading Stipend

- *Royal Oak District Supervisor Courtney Widener made a motion to allocate a \$1,500 stipend for a Cheerleading Director as well as \$1,500 stipend for a Football Director for the upcoming 2024 season. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was unanimously approved.*

After consideration, the Committee recommendation 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,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None

Item #2: Saltville Moral Obligation Request. Mr. Utt provided the following report from the Budget Committee meeting:

Mr. Utt discussed a request from the Town of Saltville to assist with a Moral Obligation for at least two utility projects that will help the Town move forward on them. Mayor Young and Darian Musick (Crossroads Engineering) attended the Budget Committee meeting virtually to answer questions for the Committee. Mr. Musick noted the water project included a \$1,314,656 loan along with a \$330,000 grant while the sewer project had a \$87,450 loan along with \$262,350 in grant funding. They noted the request came as a result of conversations with the funding agency, Virginia Resources Authority (VRA). They town has been experiencing issues with getting their auditor to complete the audits in a timely manner and the audit for June 30, 2022 had only recently been finalized. Rather than waiting for the audit for June 30, 2023 to be complete, which no one knew how long that may be, the staff with VRA suggested the Town reach out to the County to potentially provide for a Moral Obligation to help stabilize the credit of the Town. The committee asked Mr. Utt to review options with the staff at VRA to see what kind of responses the Town had been able to provide to VRA's credit questions. After reviewing the provided documentation, the Committee recommended reviewing the matter with the full Board without recommendation at this time. After discussion the following motion was made:

Following the report, the Board members discussed the request and heard more information regarding the sewer project, which included the replacement of an aerial sewer line over the North Fork bridge near the sewer treatment plant. According to citizen reports, this line was in drastic need of replacement and was worrisome to many of the neighboring owners. Following discussion, the Board directed staff to invite representatives of Davenport & Company to a future Budget Committee meeting to discuss the requests. The consensus was that the sewer replacement project was a high enough priority and an low enough risk to move forward on agreeing to a Moral Obligation for that project at this time and awaiting guidance from Davenport for the remaining request.

- *A motion was made by Saltville District supervisor Roscoe Call to approve moving forward with the Moral Obligation for the Town of Saltville's sewer project in the amount of \$87,450. North Fork District Supervisor Rick Billings 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,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3/14/2024 7:34 PM Royal Oak District Supervisor Courtney Widener read the minutes from the March 7th Appointment Committee meeting. Informational only, no action taken.

3/14/2024 7:34 PM Old Business. Dangerous Dog Ordinance. Mr. Utt shared that the public hearing was held on February 22nd for the update to the Dangerous Dog Ordinance to mirror the State Code. Those proposed changes are as follows (in red):

Sec. 8-132. Control of dangerous or vicious dogs.

- (a) Any animal control officer who has reason to believe that a canine or canine crossbreed within his jurisdiction is a dangerous dog or a vicious dog shall apply to a magistrate of the jurisdiction for the issuance of a summons requiring the owner or custodian, if known, to appear before a general district court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. If a law enforcement officer successfully makes an application for the issuance of a summons, he shall contact the local animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is dangerous or vicious. The animal control officer shall confine the animal until such time as evidence shall be heard and a verdict rendered. If the animal control officer determines that the owner or custodian can confine the animal in a manner that protects the public safety, he may permit the owner or custodian to confine the animal until such time as evidence shall be heard and a verdict rendered. The court, through its contempt powers, may compel the owner, custodian or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds that the animal is a dangerous dog, the court shall order the animal's owner to comply with the provision of this section. If, after hearing the evidence, the court finds that the animal is a vicious dog, the court shall order the animal euthanized in accordance with the provisions of section 8-131.
- (b) No canine or canine crossbreed shall be found to be a dangerous dog or vicious dog solely because of its particular breed. No animal shall be found to be a dangerous or vicious dog if the threat, injury or damage was sustained by a person who was:
- (1) Committing, at the time, a crime upon the premises occupied by the animal's owner or custodian;
 - (2) Committing, at the time, a willful trespass or other tort upon the premises occupied by the animal's owner or custodian; or
 - (3) Provoking, tormenting, or physically abusing the animal, or can be shown to have repeatedly provoked, tormented, abused or assaulted the animal at other times.

No police dog which was engaged in performance of its duties as such at the time of the acts complained of shall be found to be a dangerous dog or a vicious dog. No animal which, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, or its owner or custodian's property shall be found to be a dangerous dog or a vicious dog.

- (c) The owner of any animal found by a court to be a dangerous dog shall, within ten days of such finding, obtain a dangerous dog registration certificate from the animal control officer for an initial registration fee of ~~\$50.00~~ **\$150.00** in addition to other fees that may be authorized by law. The local animal control officer shall also provide the owner with a uniformly designed tag which identifies the animal as a dangerous dog. The owner

shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times. All certificates obtained pursuant to this section shall be renewed annually for the same fee and in the same manner as the initial certificate was obtained. The animal control officer shall provide a copy of the dangerous dog registration certificate and verification of compliance to the state veterinarian.

- (d) By January 31st of each year, until the animal is deceased, the owner of an animal found to be a dangerous dog pursuant to Code of Virginia § 3.2-6540, as amended, shall update and renew the dangerous dog registration certificate obtained pursuant to § 3.2-6540.01, as amended for a fee of \$85.00 in the same manner as the initial certificate was obtained. However, if the dangerous dog adjudication occurred within 60 days of the end of the calendar year, the first renewal shall be included in the initial registration at no additional charge to the owner.
- (e) All dangerous dog registration certificates or renewals thereof required to be obtained under this section shall only be issued to persons 18 years of age or older who present satisfactory evidence of the animal's current rabies vaccination, if applicable, that the animal has been neutered or spayed, and that the animal is and will be confined in a proper enclosure or is and will be confined inside the owner's residence or is and will be muzzled and confined in the owner's fenced-in yard until the proper enclosure is constructed. In addition, the owners who apply for certificates or renewals thereof under this section shall not be issued a certificate or renewal thereof unless they present satisfactory evidence that their residence is and will continue to be posted with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property and the animal has been permanently identified by means of a tattoo on the inside thigh or by electronic implantation. All certificates or renewals thereof required to be obtained under this section shall only be issued to persons who present satisfactory evidence that the owner has liability insurance coverage, to the value of at least \$100,000.00 that covers animal bites. The owner may obtain and maintain a bond in surety, in lieu of liability insurance, to the value of at least \$100,000.00.
- ~~(e)~~(f) While on the property of its owner, an animal found by a court to be a dangerous dog shall be confined indoors or in a securely closed and locked structure of sufficient height and design to prevent its escape or direct contact with or entry by minors, adults, or other animals. The structure shall be designed to provide the animal with shelter from the elements of nature. When off its owner's property, an animal found by a court to be a dangerous dog shall be kept on a leash and muzzled in such a manner as not to cause injury to the animal's vision or respiration, but so as to prevent it from biting a person or another animal.
- ~~(f)~~(g) The owner of any dog found to be dangerous shall register the animal with the Commonwealth's Dangerous Dog Registry, as established under Code of Virginia, § 3.1-796.93:3, within 45 days of such a finding by a court of competent jurisdiction. The owner shall also cause the animal control officer to be promptly notified of:
- (1) The names, addresses, and telephone numbers of all owners;
 - (2) All of the means necessary to locate the owner and the dog at any time;
 - (3) Any complaints or incidents of attack by the dog upon any person or cat or dog;
 - (4) Any claims made or lawsuits brought as a result of any attack;
 - (5) Tattoo or chip identification information or both;
 - (6) Proof of insurance or surety bond; and
 - (7) The death of the dog.
- ~~(g)~~(h) After an animal has been found to be a dangerous dog, the animal's owner shall immediately, upon learning of same, cause the local animal control authority to be notified if the animal:
- (1) Is loose or unconfined;
 - (2) Bites a person or attacks another animal; or
 - (3) Is sold, given away, or dies. Any owner of a dangerous dog who relocates to a new address shall, within ten days of relocating, provide written notice to the appropriate local animal control authority for the old address from which the animal has moved and the new address to which the animal has been moved.
- ~~(h)~~(i) If the owner of an animal found by a court to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with the requirements of this section.
- ~~(i)~~(j) Any owner or custodian of a canine or canine crossbreed or other animal is guilty of:
- (1) A Class 2 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, attacks and injures or kills a cat or dog that is a companion animal belonging to another person.
 - (2) A Class 1 misdemeanor if the canine or canine crossbreed previously declared a dangerous dog pursuant to this section, when such declaration arose out of a separate and distinct incident, bites a human being or attacks a human being causing bodily injury.

The provisions of this subsection (i) shall not apply to any animal that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's

property, or when the animal is a police dog that is engaged in the performance of its duties at the time of the attack.

~~(j)~~(k) The owner of any animal which has been found by a court to be a dangerous dog who willfully fails to comply with the requirements of this section shall be guilty of a Class 1 misdemeanor.

~~(k)~~(l) All fees collected pursuant this section, less the costs incurred by the animal control authority in producing and distributing the certificates and tags required by the section, shall be paid into a special dedicated fund in the treasury of the county for the purpose of paying the expenses of any training course required for such animal control officer under the Code of Virginia, § 3.1-796.104:1.

(Ord. of 10-8-1996, § 10-59.3)

State law reference(s)—Similar provisions, Code of Virginia, § 3.1-796.93:1.

- *Royal Oak District Supervisor Courtney Widener made a motion to accept the changes to the Dangerous Dog Ordinance as presented effective immediately. North Fork District Supervisor Rick Billings 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,
North Fork District Supervisor Rick Billings,
Saltville District Supervisor Roscoe Call,
Rye Valley District Supervisor Jason Parris, and
Park District Supervisor Kristoper Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

3/14/2024 7:39 PM County Attorney Report

County Attorney, Scot Farthing shared various updates of projects he is in the process of completing.

3/14/2024 7:39 PM County Administrator Report -

Mr. Utt provided the Board with several invitation dates as well as an update from Edward Wright, Area Ranger on expected timelines for Grindstone Campground Septic lines to be repaired. Mr. Williams then shared a new monthly report format and asked the Board to give feedback on things they would like to keep updated on or highlighted.

3/14/2024 7:42 PM Supervisor Comment Time -

Rye Valley District Supervisor Jason Parris thanked the citizens who attended. Mr. Parris also thanked staff for their hard work and helpfulness.

Saltville District Supervisor Roscoe Call thanked the staff and wished everyone a safe trip home.

Chilhowie District Supervisor Michael Sturgill thanked the public for their input and attendance.

Royal Oak District Supervisor Courtney Widener shared his appreciation for the citizens in attendance and encouraged them to speak to their Board members about any issues they might have.

Park District Supervisor Kristopher Ratliff requested dates be added to the Board of Supervisors team calendar.

North Fork District Supervisor Rick Billings shared his appreciation for those in attendance. He shared the Board is here to help citizens and he believes things are going in the right direction.

Atkins District Supervisor Charles Atkins thanked the citizens in attendance. He shared the Board does listen and encouraged people to follow up. Mr. Atkins also shared March 17th through the 21st is National Ag week and shared his support for all those that work in the industry.

3/14/2024 7:59 PM With no further business to discuss, the meeting was adjourned.