

 The Smyth County Board of Supervisors held its regular meeting on Thursday, July 25th, 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; Rye Valley District Supervisor Jason Parris; Royal Oak District Supervisor Courtney Widener; Saltville District Supervisor Roscoe Call; Vice Chair Chilhowie District Supervisor Michael Sturgill.

ABSENT: Park District Supervisor Kristopher Ratliff; North Fork District Supervisor Rick Billings.

STAFF: Assistant County Administrator- Operations Lisa Richardson; Assistant County Administrator- Development Clegg Williams; County Attorney Scot Farthing; Executive Administrative Assistant/Deputy Clerk Auna Louthian.

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

7/25/2024 5:00 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order.

7/25/2024 5:01 PM Clegg Williams lead the pledge of allegiance.

7/25/2024 5:01 PM Kendra Hayden led the invocation.

7/25/2024 5:01 PM Presentations:

Jimmy Moss with Mount Rogers Planning District Commission shared the Smyth Grow program accomplishments so far including all 11 modular homes in Marion that are currently awaiting power connections, while an offer has been made on the first house by Totton Construction. Permits have been obtained for the six townhouse units at Royal Oaks, and construction is advancing smoothly. The first Williams Builders house in Chilhowie has been completed. Pruitt Construction has successfully surveyed and marked both of its lots. Additionally, the MRPDC Acquire, Renovate, and Sell Program has provided supplementary funds for four home builds, enhancing the Grow Smyth Co. budget. A \$2.5 million home loan sit-aside is available to reduce interest rates by 1% for borrowers using Virginia Housing loans. In total, 48 homes are either under construction or planned, with most partner agreements covering multiple units and allowing for the recycling of funds to support additional housing projects. The Board thanked Mr. Moss for his dedication to the program.

7/25/2024 5:19 PM KJ Holbrook Chief Clinical Officer for Mount Rogers Community Services spoke about proposed changes to the Performance agreement. Ms. Holbrook shared every two years the state updates the agreements and then it is forwarded to localities to adopt. Chairman, Atkins District Supervisor Charles Atkins thanked Ms. Holbrook for her attendance and shared the Board would review the updates.

7/25/2024 5:23 PM Public Hearing.

- *Royal Oak District Supervisor Courtney Widener made a motion to waive the reading of the rules for the public 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,
Vice Chair, Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Courtney Widener, and
Rye Valley District Supervisor Jason Parris.*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *North Fork District Supervisor Rick Billings and
Park District Supervisor Kristoper Ratliff.*

7/25/2024 5:23 PM Assistant County Administrator, Clegg Williams reviewed the public hearing advertisement for the proposed “How We Chill” music festival. Mr. Williams shared that in Mr. Roses’ application, he submitted a site plan, letter on sound compliance, certificate of insurance, and a letter from the Sheriff. Additionally, Mr. Rose has been actively working with the Health Department to finalize his permit. Mr. Rose also attempted numerous times to reach out to the Department of Forestry, but unfortunately, they did not respond. Mr. Rose did contact the Chilhowie Fire Department and received a letter from David Haynes, Chilhowie Fire Chief, acknowledging the event.

PUBLIC HEARING NOTICE

The Smyth County Board of Supervisors will conduct a public hearing on Thursday, July 25, 2024, 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:

Sonic Bloom Productions has submitted a festival application for a two-day event to be held at 1291 Arden Lane Chilhowie Virginia, 24319 during the following dates/times:

Friday, August 16, 2024 - 12:00 p.m. to 12:00 a.m., and will end by midnight per the Smyth County Code Section 5-98

Saturday, August 17, 2024 - 12:00 p.m. to 12:00 a.m., and 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. All interested people may express their views in person or by emailing alouthian@smythcounty.org prior to the scheduled public hearing. Written comments may also be mailed or delivered to County Administrator, 121 Bagley Circle, Suite 100, Marion VA 24354, or by fax to (276) 783-9314. All emails, written comments and faxes must be received by 2:00pm on Thursday, July 25th, 2024.

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 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>.

Done by order of the Board of Supervisors.

Shawn Utt, County Administrator

7/25/2024 5:25 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing.

7/25/2024 5:25 PM With no citizens wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

- *Rye Valley District Supervisor Jason Parris made a motion to waive the rules of the public hearing for the "How We Chill" music festival to allow for a vote. 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, and Rye Valley District Supervisor Jason Parris.*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *North Fork District Supervisor Rick Billings and Park District Supervisor Kristoper Ratliff.*

- *Saltville District Supervisor Roscoe Call made a motion to approve the application for the "How We Chill" music festival to be held on August 16th and 17th 2024 at 1291 Arden Lane Chilhowie Virginia, 24319. 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, and Rye Valley District Supervisor Jason Parris.*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *North Fork District Supervisor Rick Billings and Park District Supervisor Kristoper Ratliff.*

7/25/2024 5:29 PM Minutes from the July 11th, 2024 meeting.

- *A motion was made by Chilhowie District Supervisor Michael Sturgill to approve the meeting minutes of the July 13th, 2024 meeting. 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, and Rye Valley District Supervisor Jason Parris.*

NAYS: *None.*

ABSTAINERS: *Royal Oak District Supervisor Courtney Widener.*

ABSENT: *North Fork District Supervisor Rick Billings and Park District Supervisor Kristoper Ratliff.*

7/25/2024 5:29 PM Chair, Atkins District Supervisor Charles Atkins opened Citizens Time.

Bob Williams with Smyth Animal Rescue, spoke regarding the successes of the rescue. Mr. Williams mentioned different programs that are offered such as behavior improvements classes, food assistance and spay and neuter trap and release programs. Mr. Williams thanked the Board for their continued support.

7/25/2024 5:35 PM With no more citizens wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed Citizens Time.

7/25/2024 5:35 PM Royal Oak District Supervisor Courtney Widener read the minutes of the July 18th Public Safety Committee and presented the following recommendations:

- *Rye Valley District Supervisor, Jason Parris made a recommendation to authorize the forgiveness of debt for AMB account number 144197754 in the amount of \$148.96. Chilhowie District Supervisor, Mike 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, Vice Chair, Chilhowie District Supervisor Michael Sturgill, Saltville District Supervisor Roscoe Call, Royal Oak District Supervisor Courtney Widener, and Rye Valley District Supervisor Jason Parris.*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: North Fork District Supervisor Rick Billings and Park District Supervisor Kristoper Ratliff.

- Chilhowie District Supervisor, Mike Sturgill made a recommendation to authorize the forgiveness of debt for AMB account numbers 144157226 in the amount of \$300.00 and 143966545 in the amount of \$1,307.70. Rye Valley District Supervisor, Jason Parris 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, Chilhowie District Supervisor Michael Sturgill, Saltville District Supervisor Roscoe Call, Royal Oak District Supervisor Courtney Widener, and Rye Valley District Supervisor Jason Parris.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Rick Billings and Park District Supervisor Kristoper Ratliff.

- Chilhowie District Supervisor, Mike Sturgill made a recommendation to authorize the County Administrator to execute the contract with the SWVA Community College's Paramedic program. Rye Valley District Supervisor, Jason Parris 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, Chilhowie District Supervisor Michael Sturgill, Saltville District Supervisor Roscoe Call, Royal Oak District Supervisor Courtney Widener, and Rye Valley District Supervisor Jason Parris.

NAYS: None.

ABSTAINERS: None.

ABSENT: North Fork District Supervisor Rick Billings and Park District Supervisor Kristoper Ratliff.

- Chilhowie District Supervisor, Mike Sturgill made a recommendation to authorize the Chairman to execute the Mutual Aid and Cooperation Agreement for Law Enforcement services between Russell County and Smyth County. Rye Valley District Supervisor, Jason Parris 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, Chilhowie District Supervisor Michael Sturgill, Saltville District Supervisor Roscoe Call, Royal Oak District Supervisor Courtney Widener, and

Rye Valley District Supervisor Jason Parris.

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *North Fork District Supervisor Rick Billings and
Park District Supervisor Kristoper Ratliff.*

7/25/2024 5:41 PM Chilhowie District Supervisor Michael Sturgill read the minutes of the July 22nd Building and Grounds Committee and presented the following recommendations:

- *Royal Oak District Supervisor Courtney Widener made a motion to recommend creating a task force for all County Building needs and invite the appointment of two members from each entity or associated staff to include the County Board of Supervisors, County School Board, Department of Social Services and any other agency that may need to be added later. Chilhowie District Supervisor Michael Sturgill seconded the motion, and it was approved by the Committee.*

After consideration, the Building and Grounds 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, and
Rye Valley District Supervisor Jason Parris.*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *North Fork District Supervisor Rick Billings and
Park District Supervisor Kristoper Ratliff.*

7/25/2024 5:47 PM Utility Rate Increase: Mrs. Richardson shared after the public hearing on July 11th, the proposed Ordinance was provided to the Board for review and consideration.

- *Royal Oak District Supervisor Courtney Widener Made a motion to adopt the Ordinance setting Fixed Changes and Volume Changes for Water and Sewer Service to be effective August 1st, 2024. Saltville District Supervisor Roscoe Call seconded the motion.*

**ORDINANCE SETTING FIXED CHARGES AND VOLUME CHARGES FOR
WATER AND SEWER SERVICE, TO BE EFFECTIVE AUGUST 1, 2024**

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 August 1, 2024 is to provide for an across-the-board increase 5% in water and sewer utility rates and fees; and,

WHEREAS, the Board of Supervisors conducted a duly noticed public hearing on July 11, 2024 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 25th day of July, 2024, that the utility service charges for both water and sewer services are hereby amended as set forth in Appendix A attached hereto and expressly made a part hereof as if set forth herein; and,

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

This Ordinance was duly considered following the required public hearing held on July 11th, 2024 and was adopted by the Board of Supervisors of Smyth County, Virginia, at its regular meeting held on this, the 25th day of July, 2024 and shall be effective August 1, 2024, the members voting as follows:

<u>Member</u>	<u>Vote</u>	
Charles E. Atkins	<u>_Yes_</u>	
Roscoe D. Call	<u>_Yes_</u>	Adopted this the 25th day of July, 2024.
W. Jason Parris	<u>_Yes_</u>	
Kristopher S. Ratliff, DPh	<u>_Absent_</u>	Attest:
Rick A. Billings	<u>_Absent_</u>	
Michael L. Sturgill	<u>_Yes_</u>	
S. Courtney Widener	<u>_Yes_</u>	_____ Clerk of the Smyth County Board of Supervisors

After consideration, motion PASSED by the following roll call 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, and
Rye Valley District Supervisor Jason Parris.*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *North Fork District Supervisor Rick Billings and
Park District Supervisor Kristoper Ratliff.*

7/25/2024 5:49 PM Mrs. Richardson presented the following proposed Resolution for County Volunteer fire and EMS agencies on the County's Worker's Comp policy for review and consideration:

**RESOLUTION TO ADOPT THE MEMBER AGREEMENT TO JOIN
THE VIRGINIA ASSOCIATION OF COUNTIES
GROUP SELF INSURANCE RISK POOL**

WHEREAS, the Smyth County Board of Supervisors assists the Smyth County Volunteer Fire/EMS operations through annual contributions and operational support to encourage the provision of public safety services to the citizens of Smyth County; and

WHEREAS, the Smyth County Volunteer Fire/EMS desires to protect against liability claims and property losses and to provide for payment of claims or losses for which it may be liable; and

WHEREAS, the Virginia Association of Counties Group Self Insurance Risk Pool, aka VACoRP, has been established pursuant to Chapter 27 (§15.2-2700 et seq.) and Title 15.2 of the code of Virginia; and

WHEREAS, it is desirable for Smyth County Volunteer Fire/EMS to join the Virginia Association of Counties Group Self Insurance Risk Pool in order to provide a method of risk sharing for liability, workers' compensation and property losses;

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Smyth County Volunteer Fire/EMS (aka, the Smyth County Board of Supervisors) hereby agrees to the member agreement entitled "Member Agreement for Virginia Association of Counties Group Self Insurance Risk Pool" which creates a group fund to pay liability and workers' compensation claims and property losses of the counties and other local agencies joining the Group, and we acknowledge we have received a copy of the pertinent Plan and supporting documents.

BE IT FURTHER RESOLVED that Shawn M. Utt, County Administrator, is authorized to execute the member agreement to join the Virginia Association of Counties Group Self Insurance Risk Pool and to act on behalf of Smyth County Volunteer Fire/EMS in any other matter relative to the Group.

Adopted this the 25th day of July 2024.

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles Atkins, Chair

- *Saltville District Supervisor Roscoe Call made a motion to approve the Resolution to Adopt the Member Agreement to Join The Virginia Association Of Counties Group Self Insurance Risk Pool. Royal Oak District Supervisor Courtney Widener seconded the motion.*

After consideration, motion PASSED by the following roll call 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, and Rye Valley District Supervisor Jason Parris.*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *North Fork District Supervisor Rick Billings and Park District Supervisor Kristoper Ratliff.*

7/25/2024 5:54 PM County Attorney Report:

County Attorney Scot Farthing stated a judgement for cleanup costs for Quail Run has been issued and will be granted once the property is sold.

7/25/2024 5:57 PM County Administrator Report:

Mrs. Richardson praised the IT team for their swift resolution of the recent CrowdStrike issues, which enabled county staff to remain operational and functional in a remarkably short period of time. Mrs. Richardson then announced Julie Looney had been hired as the new Afterschool Program Director and plans to introduce her to the Board soon.

7/25/2024 6:02 PM Supervisor Comment Time

Chilhowie District Supervisor Michael Sturgill shared his gratitude for the Board working together.

Rye Valley District Supervisor Jason Parris thanked all who attended the Board meeting. Mr. Parris encouraged community support for the local Parks and Recreation Football season.

Royal Oak District Supervisor Courtney Widener thanked staff and shared his appreciation for the Afterschool program.

Chair Atkins, District Supervisor Charles Atkins, expressed his gratitude for everyone's hard work and highlighted that the Board's decision to use ARPA funds for addressing the housing crisis was a commendable investment in the county.

North Fork District Supervisor Roscoe Call wished everyone a safe trip home.

7/25/2024 6:08 PM

- *Royal Oak District Supervisor Courtney Widener 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 purposes, or of the disposition of publicly held real property regarding McMullin Station. 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,
Vice Chair, Chilhowie District Supervisor Michael Sturgill,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Courtney Widener, and
Rye Valley District Supervisor Jason Parris.*

NAYS: *None.*

ABSTAINERS: *None.*

ABSENT: *North Fork District Supervisor Rick Billings and
Park District Supervisor Kristoper Ratliff.*

7/25/2024 6:19 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,
Saltville District Supervisor Roscoe Call,
Royal Oak District Supervisor Courtney Widener, and
Rye Valley District Supervisor Jason Parris.*

NAYS: None.

ABSTAINERS: None.

*ABSENT: North Fork District Supervisor Rick Billings and
Park District Supervisor Kristoper Ratliff.*

7/25/2024 6:19 PM With no further business to discuss, Chair, Atkins District Supervisor Charles Atkins recessed the meeting until the 7pm Joint Planning Commission Meeting.