

The Smyth County Board of Supervisors held its regular meeting on Thursday, April 11, 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

4/11/2024 5:02 PM Chair, Atkins District Supervisor Charles Atkins called the meeting to order and welcomed everyone.

4/11/2024 5:02 PM Becca Creasy, Zoning Administrator led the Pledge of Allegiance and Pastor David Cross gave the invocation.

4/11/2024 5:03 PM Mrs. Richardson read the following resolution for the Board's consideration:

Animal Care and Control Appreciation Week

WHEREAS, the National Animal Care & Control Association (NACA) is committed to setting the standard of professionalism in animal welfare and public safety through training, networking, and advocacy; and,

WHEREAS, animal care and control professionals dedicate their lives to the health and safety of at-risk and helpless animals; and,

WHEREAS, animal care and control professionals work to rescue and protect animals from injury, disease, abuse, and starvation; and,

WHEREAS, NACA has designated the second full week of April as Animal Care and Control Officer Appreciation Week; and,

WHEREAS, federal, state, and local government officials throughout the nation take this time to recognize, thank, and commend all animal care and control professionals for the dedicated services they perform and for fulfilling the commitment to providing the highest and most efficient level of customer service; and,

NOW, THEREFORE the Smyth County Board of Supervisors declares the week of April 14th through 20th, 2024, to be National Animal Care and Control Appreciation Week in Smyth County.

Adopted This 11th day of April, 2024

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS:**

Shawn M. Utt, Clerk

Charlie Atkins, Chair

- *Saltville District Supervisor Roscoe Call made a motion to approve adopt the Resolution in Support of Animal Care and Control Appreciation week April 14th through April 20th, 2024. 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.*

4/11/2024 5:06 PM Royal Oak District Supervisor Courtney Widener read the following resolution for the Boards consideration:

RESOLUTION IN RECOGNITION OF THE SECOND WEEK OF APRIL AS NATIONAL PUBLIC SAFETY COMMUNICATOR WEEK

WHEREAS, emergencies can occur at any time that require law enforcement, fire or emergency medical services; and,

WHEREAS, when an emergency occurs the prompt response of law enforcement officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS, the safety of our law enforcement officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who contact the Smyth County emergency communications center; and,

WHEREAS, Public Safety Telecommunicators (also known locally as our Dispatchers) are the first and most critical contact our citizens have with emergency services; and,

WHEREAS, Public Safety Telecommunicators are the single vital link for our law enforcement officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and,

WHEREAS, Public Safety Telecommunicators of Smyth County have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients in need; and,

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW, THEREFORE, BE IT RESOLVED, the Smyth County Board of Supervisors declares the week of April 14 through 20, 2024, to be National Public Safety Telecommunicators Week in Smyth County, in honor of the men and women whose diligence and professionalism keep our County and citizens safe.

Adopted this the 11th day of April, 2024.

ATTEST:

**SMYTH COUNTY
BOARD OF SUPERVISORS**

Shawn M. Utt, Clerk

Charles E. Atkins, Chair

- Royal Oak District Supervisor Courtney Widener made a motion to adopt the Resolution in Support of National Public Safety Communicator Appreciation week April 14th through April 20th, 2024. 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

4/11/2024 5:10 PM Chair, Atkins District Supervisor Charles Atkins introduced Bailey Robertson, Smyth County 4-H Agent. Mr. Robertson spoke to the Board about the importance of students having the opportunity to attend 4-H Camp and the financial struggles parents might be faced with, leaving children unable to attend camp. Mr. Robertson invited three 4-H students to give testimonies of the positive impacts 4-H has had on them. Following those presentations, Mr. Robertson requested the Board's financial assistance with scholarships for this summer's 4-H program. He noted that last year, just under 40 participants received some level of support but didn't have a final number yet since there were several weeks to register. The Board members all noted support for the request and the following motion was offered:

- *Atkins District Supervisor Charles Atkins made a motion to fill the gap after fundraising efforts for 4-H Camp Scholarships out of Supplemental Appropriations. 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.

4/11/2024 5:22 PM Director of Community and Economic Development Kendra Hayden provided the Board an update of current projects and recent successes including the Marion Automotive relocation to retain a vital business within the County. Mrs. Hayden also discussed the importance of a job in general and the amount of revenue it circulates within the community. The Board thanked Mrs. Hayden for her dedication and the work she puts into each project.

4/11/2024 5:39 PM Mr. Utt read the following advertisement for the VDOT 6 Year secondary road plan:

***NOTICE OF PUBLIC HEARING
6 YEAR VDOT PLAN
BY SMYTH COUNTY, VIRGINIA***

The Virginia Department of Transportation and the Board of Supervisors of Smyth County, in accordance with Section 33.1-70.01 of the Code of Virginia, will conduct a joint public hearing in the Board Meeting Room of the Smyth County Government Center Building, 121 Bagley Circle, Marion, Virginia 24354 at 5:00 p.m. or as soon thereafter as possible on April 11th, 2024. The purpose of this public hearing is to receive public comment on the proposed Secondary Six-Year Plan for Fiscal Years 2024/25 through 2029/30 in Smyth County and on the Secondary System Construction Budget for Fiscal Year 2024/25. Copies of the proposed Plan and Budget may be reviewed by contacting the Abingdon Residency Office of the Virginia Department of Transportation at (276) 676-5582 or at the Smyth County offices located at 121 Bagley Circle, Marion, Virginia 24354.

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

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>.

4/11/2024 5:45 PM Chair, Atkins District Supervisor Charles Atkins opened the public hearing.

4/11/2024 5:46 PM Rachael Brown, VDOT Land Use Engineer from the Abingdon office offered a brief summary of the proposed 6-year plan noting it did not include new projects but only updated cost estimates for projects already in the plan.

With no citizens wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed the public hearing.

- *Chilhowie District Supervisor Michael Sturgill made a motion to waive the rules of 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,
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.

- *Chilhowie District Supervisor Michael Sturgill made a motion to approve the Secondary 6-Year Road Plan as presented with no new additions. 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.

4/11/2024 5:51 PM Minutes of the March 28th Board of Supervisors meeting:

- *A motion was made by Park District Supervisor Kristoper Ratliff to approve the minutes from the March 28, 2024, meeting as amended. 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,
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: Royal Oak District Supervisor Courtney Widener.

ABSENT: None.

4/11/2025 5:52 PM Assistant County Administrator, Lisa Richardson reviewed the following County financial information:

SMYTH COUNTY BOARD OF SUPERVISORS
THURSDAY, APRIL 11, 2024

ACCOUNTS PAYABLE LISTING
March 2024

Request approval of the following payables:

| | |
|---|-----------------------|
| <u>General County - Regular Checks</u> | \$1,838,340.10 |
| <u>Fund 4 EDA - Regular Checks</u> | \$42,913.16 |
| Fund 302 Public Safety Radio | \$34,000.00 |
| Fund 505 Transfer Station-Regular Checks | \$0.00 |
| Accounts Payable Listing - March 2024 | \$1,915,253.26 |
| <u>Fund Accounts - Manual Checks</u> | |
| Fund 501 Water Deposit Refunds | \$700.00 |
| Fund 747 Sheriff State Asset Forfeiture | \$0.00 |
| Fund 748 Sheriff Purchase of Equipment | \$1,370.85 |
| Fund 749 Recovery Court | \$4,747.59 |
| Fund 760 Commonwealth Attorney Federal Drug Asset | \$0.00 |
| Fund 770 Circuit Court Clerk - Holding Account | \$0.00 |
| Total Fund Accounts | \$6,818.44 |
| TOTAL ACCOUNTS PAYABLE - March 2024 | \$1,922,071.70 |

4/11/2024 5:56 PM A motion was made by Saltville District Supervisor Roscoe Call to approve the accounts payable listing 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.

4/11/2024 5:56 PM Chair, Atkins District Supervisor Charles Atkins opened citizen's time.

Mark Chaney, Commander of Post 18 American Legion in Marion spoke about the current services of the American Legion including vital support in Smyth County Veterans.

Sara Taylor, 603 E. Coyner, Marion, spoke about issues she has faced since reassessment has started.

Charles Hayden, 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. Hayden referred to the housing study that was provided to him.

4/11/2024 6:19 PM With no one else wishing to speak, Chair, Atkins District Supervisor Charles Atkins closed citizen's time.

4/11/2024 6:19 PM Royal Oak District Supervisor Courtney Widener read the minutes from the April 4th Public Safety Committee meeting. The meeting was informational only, no action taken.

4/11/2024 6:21 PM Mr. Utt read the minutes from the April 4th Budget Committee meeting. The meeting was informational only, no action taken.

4/11/2024 6:22 PM Mr. Williams read the minutes from the Planning Commission's March 28th meeting. He noted Saltville District Representative David Spence made a motion to recommend approval of the Comprehensive Plan as amended. Rye Valley District Representative Paul Shepherd seconded the motion, and it was unanimously approved by the Planning Commission.

- *After consideration, a motion was made by Chilhowie District Supervisor Michael Sturgill to approve and adopt the 2044 Comprehensive Plan as presented. Royal Oak District Supervisor Courtney Widener seconded the motion.*

After consideration, the motion PASSED by the following vote:

AYES: Chair, Atkins District Supervisor Charles Atkins,
Vice Chair, 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.

4/11/2024 6:23 PM In an effort to clarify the Board's decisions from the March 28, 2024 joint public hearing regarding the Special Use Permit and Map Amendment of Craig Harper's properties, Mr. Williams recommended the Board reiterate their votes. He then reminded the Board of the Planning Commission's recommendations stating they ultimately recommended the Board deny the Special Use Permit request for a Service Business and approve the Map Amendment and rezone the properties from Agricultural/Rural to Commercial.

- *Saltville District Supervisor Roscoe Call made a motion to accept the Planning Commission recommendation to rezoning the properties at the intersection of Hwy 107, Valley Road, and South Wood Lane (Tax Map Nos. 41A-4-1 and 41A-4-2) from A/R to Commercial. 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.

- *Chilhowie District Supervisor Michael Sturgill made a motion to follow the Planning Commission's recommendation and deny the Special Use Permit request for a Service Business located at the intersection of Hwy 107, Valley Road, and South Wood Lane (Tax Map Nos. 41A-4-1 and 41A-4-2). 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.

4/11/2024 6:25 PM Mr. Utt shared a memo he received from Mrs. Hayden requesting an amendment to the existing revenue share agreement between the County and the EDA regarding the SIG (Scholle) expansion. The request to amend the agreement stems from a significant price change in the overall rail project due to the length of time it has taken to get the rail project designed and permitted, increasing the construction costs by \$87,200 in total. Mrs. Hayden asked for a \$20,000 increase in the amount of Personal Property tax revenue paid by the Board.

- *A motion was made by Saltville District Supervisor Roscoe Call to approve the amendment to the original Revenue Share Agreement between Smyth County Board of Supervisors and Economic Development Authority to increase the personal property tax revenue share payment by \$20,000 for a total payment of \$75,000. Royal Oak District*

Supervisor Courtney Widener seconded the motion, and it was unanimously approved.

After consideration, the motion PASSED by the following vote:

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

4/11/2024 6:28 PM County Attorney Report

County Attorney, Scot Farthing had nothing to report at this time.

4/11/2024 6:28 PM County Administrator Report -

Mr. Utt provided the Board with several invitation dates of local events.

4/11/2024 6:32 PM Supervisor Comment Time -

Chilhowie District Supervisor Michael Sturgill mentioned the news article featuring the graduation for the Manufacturing Excellence Program. Mr. Sturgill also made the following motion:

- *A motion was made by Chilhowie District Supervisor Mike Sturgill to reappoint Nellie Harmon as the Chilhowie Representative on the Smyth County Library Board for a 4-year term to expire 6/30/2028. Saltville District Supervisor Roscoe Call seconded the motion, and it was unanimously approved.*

After consideration, the motion PASSED by the following vote:

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

- *A motion was made by North Fork District Supervisor Rick Billings to reappoint Christin Long as the Saltville Representative on the Smyth County Library Board for a 4-year term to expire 6/30/2028. 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,
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.

Park District Supervisor Kristopher Ratliff noted the discussion that has been reported regarding the extension of passenger rail to the New River Valley and ultimately to Bristol. He requested staff to look into a rail stop in Smyth County and what the likelihood of that occurring.

Saltville District Supervisor Roscoe Call congratulated Mr. Utt on being awarded County Administrator of the Year by the PDC. The Board all shared their congratulations as well.

North Fork District Supervisor Rick Billings shared he looks forward to all the positive things coming to Smyth County.

Royal Oak District Supervisor Courtney Widener shared his appreciation for Mrs. Hayden and all she does to move the County forward. Mr. Widener also thanked the members of the American Legion for the vital role they offer to the community.

Rye Valley District Supervisor Jason Parris shared his appreciation for being part of a community that shares prayer before meetings.

Atkins District Supervisor Charles Atkins thanked Mrs. Hayden for her hard work and dedication. Mr. Atkins also thanked staff for all the responsibilities they take on. Finally, Mr. Atkins shared his appreciation for Bailey Robertson for the positive changes he has made in the 4-H program.

4/11/2024 6:52 PM

- *Royal Oak District Supervisor Courtney Widener made a motion to enter into closed session under Code of Virginia Section 2.2-3711(a)1 Personnel Matters; Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public offers, appointees, or employees any public body regarding the Mount Rogers Community Services Appointment and include Christin Long in this portion of closed session as well as Code of Virginia Section 2.2-3711(a)(7) – Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation pertaining to the McClure lawsuit. Saltville District Supervisor Roscoe Call seconded the motion.*

After consideration, the motion PASSED by the following vote:

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

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

4/11/2024 7:55 PM *Royal Oak District Supervisor Courtney Widener made a motion to adopt the following resolution and enter back into open session. Rye Valley District Supervisor Jason Parris 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,
Rye Valley District Supervisor Jason Parris,
Saltville District Supervisor Roscoe Call,
North Fork District Supervisor Rick Billings,
Royal Oak District Supervisor Courtney Widener, and
Park District Supervisor Kristopher Ratliff.*

NAYS: None.

ABSTAINERS: None.

ABSENT: None.

4/11/2024 7:56 PM With no further business to discuss, Chair, Atkins District Supervisor Charles Atkins recessed the meeting until April 17th for the Board Retreat.