

The Smyth County Board of Supervisors held its regular meeting on Thursday, June 25, 2026, at 7:00 p.m. The location of the meeting was held in the Auditorium of the Marion Senior High School, 848 Stage Street, Marion, Virginia.

PRESENT:

Atkins District Supervisor Charles Atkins,
Chilhowie District Supervisor Mike Sturgill,
Royal Oak District Supervisor Courtney Widener,
North Fork District Supervisor Rick Billings,
Rye Valley District Supervisor Jason Parris,
Saltville District Supervisor Roscoe Call,
Park District Supervisor Kristopher Ratliff.

STAFF:

County Administrator, Shawn Utt
Asst. County Administrator – Operations, Lisa Richardson
Asst. County Administrator – Development, Clegg Williams
Executive Assistant & Deputy Clerk, Madi Pitts
Economic Development Director, Kendra Hayden
Zoning Administrator, Becca Creasy
Clerk to the Planning Commission, Kelsey Marchant

OTHERS:

Smyth County Planning Commission
Smyth County Sheriff's Office
Smyth News & Messenger

6/26/2026 7:01 PM Chair, Atkins District Supervisor Charlie Atkins, and Hazel Wagoner, Chairperson of the Planning Commission, called the joint-public hearing to order and welcomed everyone.

6/26/2026 7:02 PM Assistant County Administrator Clegg Williams led the Pledge of Allegiance. Stephanie Porter-Nichols provided the invocation.

6/26/2026 7:04 PM Chair, Atkins District Supervisor Charlie Atkins called for a motion to allow Chilhowie District Supervisor Mike Sturgill to join the meeting electronically. Royal Oak District Supervisor Courtney Widener made a motion allowing Mr. Sturgill to join, it was seconded by Rye Valley District Supervisor Jason Parris and unanimously approved.

6/26/2026 7:05 PM County Administrator Shawn Utt read the rules of the joint-public hearing into record. He then turned the meeting over to Assistant County Administrator for Operations Mr. Williams, who read the legal ad into the record.

**NOTICE OF PUBLIC HEARING
BEFORE THE SMYTH COUNTY BOARD OF SUPERVISORS AND
SMYTH COUNTY PLANNING COMMISSION
ON AMENDMENTS TO THE SMYTH COUNTY ZONING ORDINANCE**

*The Smyth County Board of Supervisors and Planning Commission will hold a joint public hearing on Thursday, **June 25, 2026**, at **7:00 P.M.** (or as soon thereafter as the matter may be heard) in the **Marion Senior High School Auditorium**, 848 Stage Street, Marion, Virginia, for the Planning Commission to consider whether to recommend the approval of the following amendments, and the Board of Supervisors to consider whether to accept the Planning Commission recommendations on the following amendments to the Zoning Ordinance of Smyth County, Virginia:*

- a. Repeal data processing facility from sections 3-4(z), 3-5(u), 4-10.6 and Article X
- b. Adopt Section 4-19 Data Center regulations
- c. Define Data Center in Article X: A facility or portion thereof used for the storage, processing, management, or distribution of digital data through computer systems, servers, telecommunications equipment, and related infrastructure.

Any person may appear and be heard on this matter, subject to the rules of the Smyth County Board of Supervisors and Planning Commission. Amendment materials are available for public review in the offices of the Zoning Administrator and County Administrator, 121 Bagley Circle, Marion, Virginia, during regular business hours. Persons requiring special assistance under the Americans with Disabilities Act should contact (276) 706-8315 at least 48 hours before the hearing. Smyth County complies with Title VI of the Civil Rights Act; for information call (276) 783-3298 or visit www.smythcounty.org.

BY ORDER OF THE
SMYTH COUNTY BOARD OF SUPERVISORS
AND THE
PLANNING COMMISSION
Shawn M. Utt, County Administrator
Hazel Wagoner, Chairperson of the Planning Commission

6/25/2026 7:08 PM Mr. Williams then provided a summary overview of the proposed text amendment; and described the meanings of “by right” and “by special use permit” in the zoning ordinance. He stressed that his office has not received an application to place a data center in Smyth County and they are trying to establish a process in the event of an application in the future.

6/25/2026 7:14 PM Following his presentation, Mr. Williams read seven emails that had been received into the record. They are as follows:

Date Received	From	Email
June 25, 2026	Andrew Cassell	“Ms. Creasy: Please update your 7pm Data Center meeting posting to include the location. I have heard that it is going to be at the high school; your ambiguous posting will prevent people from knowing where to go, which will limit attendance. Questions I have: A. You proposed 55 decibels, which is considered moderate noise that will impact sleep. Why are you okay with this? I bet you would not be okay with 55 decibels in your back yard. B. You have failed to address the most important topic with a data center. That is water. What wording are you going to insert about preserving the wells and water in this town if a data center would come? C. You failed to address the increase in electricity costs. Residents should not have to absorb rate increases secondary to the increase use of the electric grid by a data center. Andrew Cassell”

June 24, 2026	Fairfax Arnold	"Dear Supervisors- I believe we, as a County, need to place a moratorium on all data centers at this time. The reason is simple- hyperscale data centers are a new phenomenon in land use. We need time to evaluate the consequences of these large projects. Below are reasons related to sound only with noted references. Environmental and Energy Institute is a good starting point Hyperscale data centers generate a mix of low-frequency hums, tonal sounds, and broadband noise, predominantly caused by massive cooling systems and high-speed fans. This acoustic footprint is characterized by: [1, 2, 3] • Low-Frequency Noise: The most common and disruptive type. This humming or buzzing sound ($<250 \text{ Hz}$) travels long distances, penetrates physical barriers easily, and can even include imperceptible <i>infrasound</i> that causes physical discomfort. [1, 2] • Broadband Noise: A steady, rushing sound generated by turbulent airflow through air handling units, computer room air conditioners (CRAC), and HVAC exhaust systems. [1, 2] • Tonal Noise: Distinct, single-frequency pitches (buzzes or whines) emitted by rotating equipment like server fans, chillers, and water pumps. [1, 2] • Intermittent Generator Noise: High-decibel industrial noise triggered during emergency power outages or routine maintenance tests when diesel backup generators are activated. [1, 2] Because of these low frequencies, standard sound barriers often fail to block the persistent noise, which can reach exterior levels of (85 dB) or higher in the immediate vicinity. To explore the physical and health impacts of this acoustic pollution on local communities, read the in-depth report by the Environmental Health Project. [1, 2, 3] Thank you for your work! Fairfax Arnold Camp Rd Sugar Grove 276 247 0600"
June 24, 2026	Roberta Arnold	"Dear Board of Supervisors, I am hereby requesting that a moratorium be placed on data centers coming into Smyth County until we learn more about the problems that may arise. Here are four citations of harm that we need more data on: 1. Noise levels unidentified sound measurements: https://www.eesi.org/articles/view/communities-are-raising-noise-pollution-concernsabout-data-centers. 2. PFA's in the environment: https://www.eesi.org/articles/view/data-centers-are-contributing-to-pfas-forever-chemical-pollution

		3. Water Use: https://natureforward.org/data-centers-and-water-use/ https://www.eesi.org/articles/view/data-centers-and-water-consumption These four examples are only a sampling of important areas where harm is occurring. By putting a minimum of a four year moratorium on this issue, waiting to look into collected data, we can make a more informed vote in the future about the question of allowing data centers to be placed in Smyth County.. Sincerely, Roberta Arnold Smyth County Home Resident”
June 3, 2026	Sandie Seymour	“The County should put in the ordinance; NO Data Centers will ever be considered in Smyth County! Come on Board of Supervisors, please make it ‘never’. This beautiful County deserves to be preserved!! Thank you!! Sandie Seymour, resident and property owner!!!”
June 25, 2026	Kenneth Snider	“After the definition of Data Centers and Call Centers add next statement should be ‘Smyth County has a total ban on Data Centers and the use of water resources to cool equipment.’ Call Centers may be established in the county providing they use an existing structure. There will be No generators outside used as a source of power. This need will be accomplished through the use of Solar Energy. It will be the responsibility of the Call Center to install and maintain the solar system. NO clear cutting will be allowed to establish a solar field. Panels will be installed on the rooftop of the building and/or the parking area. These suggestions were an accumulation of the people that I talked to who will be unable to attend. Thank you for considering these suggestions.”
June 25, 2026	Rose Likins	“Hello, I’m writing to provide comments on the draft county ordinance on data centers. First, thank you for doing the work to prepare Smyth County for a future request. I know it was a lot of work to research the law and the experiences of other jurisdictions. While I share the hesitation that many of our neighbors feel about such a facility in our beautiful county, I also recognize the need to diversify revenue sources to enable the County to provide the services citizens need and expect. I would like to suggest three possible amendments to the current draft.

		— In section (1) on the decommissioning plan, I would add an additional requirement to post a bond to cover the cost of decommissioning. The amount of the bond should be 125 percent of a cost estimate of the decommissioning prepared by an independent evaluator. The applicant shall bear the cost of the independent evaluation. — in section (3), para f, I would include a requirement to provide a certification from the applicant and the energy provider that no cost will be born by Smyth County or its residents for energy for the data centers. — in section (f) factors relating to approval, number 4, please be more specific about utilities to include water, sewer and waste disposal. We need to know what waste they will be producing and how they plan to dispose of it. Similarly, water consumption is a critical factor and should be weighed heavily in the evaluation process. Thank you for considering these suggestions. Rose Likins”
June 25, 2026	Courtney & Dennis DeYoung	“Dear Smyth County, Since we are unable to attend this evening's meeting we have prepared the attached document for your review and consideration. Additionally, can you please provide an action plan on how the rules and regulations for these Data Centers will be enforced and what are the penalties for Data Centers when the rules are broken? We would also like to propose that no data centers be allowed within the boundaries of any National Forests in Smyth County. Additionally, National Forest Land is federally owned and managed by the US Forest Service, not the County. Even private property within a National Forest would need special permits from the federal level. How is this topic being handled? Kind regards, Courtney and Dennis DeYoung”

6/25/2026 7:21 PM Chair, Atkins District Supervisor Charlie Atkins, and Hazel Wagoner, Chairperson of the Planning Commission, then opened the public hearing for public comment. As the first volunteer started to speak, the Board and Commissioners indicated they were having trouble hearing from the stage. Several Board members and Commissioners did step off the stage and sat in the audience to hear citizen concerns.

There were over 150 attendees at the joint-public hearing. Of that total, 29 people spoke concerning the proposed text amendments. A summary of the concerns of the citizens included, but not limited to an overall ban or moratorium for any data center; no mention of a moratorium in the text amendment for the special use permit; environmental pollutants; noise pollutants; increased cost of utilities; being taken advantage of by government and big businesses; long-term job opportunities; fears of increased presence of artificial intelligence; detriments to Smyth County’s

natural scenery and resources; the strain on water sources; and the impacts on reproduction and future generations. **A list of those who spoke into the record can be found at the end of these minutes.*

6/25/2026 8:44 PM When the attendees were finished speaking, they then questioned the Board and Commissioners about their thoughts and opinions on the matter. Mr. Utt spoke up, indicating that this joint-public hearing was primarily for them to listen to citizens and figure out what the best steps would be for the text amendment, in the event Smyth County received an application for a data center.

6/25/2026 8:46 PM Following the public comments, Mr. Williams spoke again and informed attendees that part of the Board and Commissioners' process was to contemplate their decisions. Several more audience members asked how the County planned on protecting them. Mr. Williams clarified that currently, "data processing facility" is allowed by right in the commercial and industrial districts, meaning that his office could receive an application and there is no way that the County could stop it. By amending the ordinance to require a special use permit in these districts, there would be a public process followed by a recommendation from Commissioners to the Board to either approve or deny the special use permit.

6/25/2026 8:52 PM There were more audience concerns about adding a moratorium to the text amendment for a data center. County Attorney Scot Farthing clarified that courts constantly overrule moratoriums and the best way to control it would be by a special use permit and the Zoning Ordinance.

6/25/2026 8:55 PM Following further discussion, Mr. Atkins adjourned the joint-public hearing but informed citizens that they would be available to speak afterwards individually. It was encouraged by County officials for citizens to reach out to their district's supervisor with any questions.