

## AGENDA

Tuesday, December 11, 2007 12:00 NOON

**12:00** Call the meeting to order.

- Invocation
- Pledge of allegiance to be led by Pam Testerman.
- Request the Board adopt the agenda as to form, along with the additional agenda.
  
- Request the Board approve the minutes of November 14 and 29, 2007 (pg. 9-31).
  
- Request the Board approve appropriations and accounts payable (see additional agenda).

**12:15 CITIZENS TIME**

## 12:30 New Business

1. Request the Board consider the Mutual Aid Agreement with the Towns as submitted by the Commonwealth Attorney. The current agreement expires December 31, 2007 (Ed Whitmore, **pg. 32-37**).
  
2. Request the Board approve by resolution, the Mutual Aid Agreement with Washington County as submitted by Mr. Tate. If approved, it allows Mr. Whitmore and Sheriff Bradley to sign the agreement. This current agreement also expires December 31, 2007 (John Tate, **pg. 38-44**).
  
3. Request the Board appoint a new member or re-appoint the following district specific appointments that expire December 31, 2007:
  - Area Beautification Committee Judges (Smyth County Chamber of Commerce)  
(1 year term, beginning each January)  
Rye Valley District - Phyllis Griffith-225 Red Hill Road, Marion (783-7672)  
Park District - Alice Freeman-135 West Strother Street, Marion (783-5959)  
Atkins District - Mavis Williams-821 Dogwood Lane, Marion (783-7167)  
Chilhowie District - Sandy Davenport-126 Scenic View Dr., Chilhowie (646-8002)  
North Fork District - Debbie Ogle-290 North Drive, Marion (783-2606)  
Saltville District - Norma Marsh-6272 South Main Street, Saltville (496-5233)  
Royal Oak District - Gay Hart-117 Rolling Hills Drive, Marion (783-3400)
  
  - Board of Zoning Appeals (5 year term, district specific, recommendations by Smyth County Board of Supervisors, Appointed by Judge of Circuit Court)  
Saltville District - Jimmy W. Frye-546 Upper Poore Valley Rd, Saltville  
(496-3462)

- Department of Social Services Board (4 year term, district specific)  
Rye Valley District - Darlene Neitch
  
- Planning Commission (4 year term, district specific)  
Atkins District - Dennis R. Blevins, Chairman –1719 Park Boulevard, Marion  
(783-6740)  
Park District - Karl A. Kalber, Vice Chairman–PO Box 967, Marion (783-6101)
  
- Smyth-Bland Regional Library Board (4 year term, district specific)  
Chilhowie District - Dick Ryan-PO Box 110, Chilhowie (646-5792)  
Rye Valley - District - Vickie Stamper–356 Belle Hollow Road, Chilhowie  
(646-5877)
  
- 4. Request the Board consider recommendations from the Appointment Committee concerning non-district specific appointments (Clark, Committee Chair).
  - Recommendations to the Board are in italics and in blue*
  - Monday, November 26 meeting (**pg. 45-50**)
  - Wednesday, December 5 meeting (**pg. 51-54**)
  
- 5. Discuss the agreement with the Town of Marion for the parking facility and the old school building (John Tate).
  
- 6. Request the Board consider Letter of Interest concerning The Marion Historic District Enhancement/Smyth County Schoolhouse Adaptive Reuse Planning Grant (Ed Whitmore, **pg. 55**)

**2:00 Virginia Department Of Transportation**

**2:30 Department of Zoning - Clegg Williams**

- The following is the recommendation from the Planning Commission on the joint public hearing held on Thursday, November 29:

**Recommendation on the request of Smyth County Community Hospital for a Map Amendment:** After lengthy discussion among the Planning Commission, Zoning Administrator, SCCH and citizens, Mr. Davidson made a motion which was seconded by Mr. Sparks and unanimously carried, to recommend the Board of Supervisors approve the application for a Map Amendment. The property is currently zone A/R and is recommended to be rezoned C. The property is identified by all of Tax Map No. 47-A-17 and a portion of Tax Map No. 154-24-2.

- Nuisance Complaints **pg. 56** (*those effected by these complaints may be present to address the Board at this time*)
  1. Ms. Reva Presley, 500 Riverside Road., Chilhowie - structure destroyed by fire (**pg. 57-76**)
  2. Ms. Ethel Berger, 190 Churchland Drive., Atkins - junkyard/automobile graveyard (**pg. 77-94**)
  3. Mr. Sanders Jackson, 1005 Shuler Hollow Rd., Chilhowie - structure destroyed by fire (**pg. 95-105**)
- Nuisance Ordinance (**pg. 106-110**)

### **3:00 Notice of Public Hearing (pg. 111-120)**

The Smyth County Board of Supervisors in accordance with section 15.2-1427 (F) of the Code of Virginia, will hold a public hearing on Tuesday, December 11 at 3:00 p.m., or soon there after, in the Board of Supervisors Meeting Room at the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia.

The purpose of the hearing is to receive comments on proposed changes to the Smyth County Code - Article VII – Enterprise Zone Exemptions. These proposed changes are contained in Section 34-206 through Section 34-211, and relate primarily to the definitions, eligibility requirements, and application process for Rehabilitated Real Estate Tax Exemption.

The text of the proposed amendments is on file and can be viewed at the County Administrator's Office at 121 Bagley Circle, Marion, Virginia. Any questions regarding the proposed changes can be directed to Sally Morgan at 276-783-7000, Ext. 206 or [smorgan@smythcounty.org](mailto:smorgan@smythcounty.org)

Done by order of the Smyth County Board of Supervisors  
Edwin B.J. Whitmore, III, County Administrator

### **3:30 Notice of Public Hearing**

The Smyth County Board of Supervisors in accordance with section 15.2-1427 (F) of the Code of Virginia, will hold a public hearing on Tuesday, December 11 at 3:30 p.m., or soon there after, in the Board of Supervisors Meeting Room at the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia.

The purpose of the hearing is to receive comments on proposed changes to the Smyth County Zoning Ordinance and the Smyth County Manufactured Home Park Ordinance.

The first proposed change is to amend Section 10-45 of the Zoning Ordinance, the definition of a manufactured home park as: *a site, lot, or tract of land equipped to accommodate four or more manufactured homes for dwelling purposes.*

The second proposed change is to remove Section 50-8 of the Manufactured Home Park Ordinance which addresses the installation of a manufactured home on individual lots with three or less manufactured homes.

Text of the proposed amendments is on file and can be viewed at the County Administrator's Office at 121 Bagley Circle, Marion, Virginia. Any questions regarding the proposed changes can be directed to Clegg Williams, Building and Zoning Department Administrator at 276-783-3298, Ext. 227 or [buildingandzoning@smythcounty.org](mailto:buildingandzoning@smythcounty.org).

Done by order of the Smyth County Board of Supervisors  
Edwin B.J. Whitmore, III, County Administrator

## **Old Business**

1. Collection of delinquent taxes **(8-10-04)**.
2. Marevine Slemp, request for water service on Fox Valley Road **(5-11-04)**.
3. Request for tax relief status on building improvements **(12-5-2006)**
4. Re-codifying of the Smyth County Code **(1-10-2006)**.
5. Proposed revisions from the Planning Commission to the Subdivision Ordinance. (referred to the Ordinance Committee **6-13-2006**).
6.
  - a. Disposal of former school building at 105 East Strother Street **(7-11-2006)**
  - b. Building and Grounds Committee recommendation concerning the old school building and the Heilig-Myers building (continued 11-15-2006, Committee meeting 10-27-2006).
7. Request the Board appropriate \$15,120 to pay Wythe County their portion of taxes collected on air craft at the Smyth Wythe Airport for 2006 **(6-12-2007)**.
8. Appropriation request in the amount of \$5,000 from the Smyth County Celebration **(7-10-2007)**.
9. Invoice from the Town of Marion for the County's 17.65% of the refinanced Virginia Resource Authority (VRA) bond on the Regional Sewer Treatment Plant **(8-14-2007)**.
10. Request from the Smyth County Museum for a 3 month extension on the evacuation of the building **(11-14-2007)**.
11. A request for a letter of support from Isle of Wright County to ban the use of plastic bags, it was continued until Mr. Whitmore is present to explain more on this request **(11-14-2007)**.

## **Reminders/Information:**

- VACo/VML Legislative Day, February 7, 2008. Please notify Amber by December 17, if you wish to attend.

## **Closed Session**

Request the Board enter into closed session as allowed by Code of Virginia, Section 2.2-3711(A)

(5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

(7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

## **Adjourn the meeting**

**Merry Christmas**



