

AGENDA

Tuesday, May 8, 2007 12:00 NOON

12:00 Call the meeting to order.

- Invocation to be led by Mark Blevins, Sheriff Department Chaplain.
- Pledge of allegiance to be led by Sandy Hart.
- Request the Board adopt the agenda as to form, along with the additional agenda.

- Request the Board approve the minutes of April 10, 23, 26 and 30, 2007 (pg. 9-31).

- Request the Board approve the appropriations and accounts payable listing (see additional agenda).

12:15 CITIZENS TIME

12:30 New Business

1. Request the Board consider the following Ordinance Committee recommendation (Slemp, Committee Chair, **pg. 32-33**):

The committee reviewed an ordinance presented by Mr. Tate on the amendment to chapter 34 of the county code. This amendment imposes a processing fee not to exceed \$25 for any person admitted to the County or Regional Jail following conviction. The amendment was approved by the Board in September of 2006 but with out the written ordinance.

The committee unanimously agreed to recommend the written ordinance to the full board for approval, a public hearing has already been held.

2. Request the Board consider the following Budget Committee recommendation (Clark, Committee Chair):

The committee first reviewed the official written tax refund request submitted by Coffman Stairs since the meeting held on Monday, April 19. This official request has been reviewed by Mr. Tate. The committee approves and recommends the 2006 personal property tax refund in the amount of \$63,314.69 to the full Board.

3. Request the Board consider the following Water Committee recommendation:

The committee agreed to recommend to the Board that the following balances for warrant in debt be written off. Correct addresses could not be found to serve warrants by mail or in person.

<i>Blanche Thomas</i>	<i>\$334.88</i>
<i>Heather Campbell</i>	<i>\$71.14</i>
<i>Timothy Edwards</i>	<i>\$85.48</i>
<i>Mary Little</i>	<i>\$139.42</i>
<i>Sarah Odham</i>	<i>\$113.46</i>
TOTAL	\$744.38

4. Scott Simpson

a. Water Committee recommendation

Mr. Simpson explained a request from the Town of Marion requesting the County's participation in a water project at Exit 44. After discussion, the committee looked favorably on participating in the project and agreed to recommend to the Board the installation of the 6" line with the 12" casing. They requested that Mr. Simpson appear before the Board at the next regular meeting to explain the request to all Board members before moving forward.

b. Request the Board consider the equipment quotations received April 20, 2007 (**pg. 34**).

5. Request the Board consider the Town of Marion's request in sponsoring the 2007 Independence Day Fireworks Celebration (**pg. 35**).

6. Request the Board consider adopting May 19-26 as Smyth County Clean-up week (**pg. 36**).

7. Request the Board consider a resolution recognizing May 13-19 as business appreciation week in Smyth County (**pg. 37**).

2:00 Virginia Department of Transportation

2:15 Zoning Department - Clegg Williams

The following is a recommendation from the Planning Commission on the joint public hearing held on Thursday, April 26:

Recommendation on the request of Bill Rush for an amendment to the zoning map: Upon motion of Mr. Kalber, seconded by Mr. Davidson, and unanimously carried, the Commission recommends the application submitted by Bill Rush for an amendment to the zoning map based on Mr. Rush's retraction for his request to be conditional. The amendment is located between Old Airport Road and Whitetop Road and is 13.22 acres. It is currently zoned Agricultural/Rural and is recommended it to be rezoned to Residential. The Property is identified as Tax Map Nos. 65-8-5 and 65-8-6.

2:30 PUBLIC HEARING - ON PROPOSED AMENDMENTS TO THE ZONING ORDINANCE (pg. 38)

The Smyth County Board of Supervisors will conduct a public hearing on Tuesday, May 8, 2007, at 2:30 P.M., in the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia, to consider the following proposed amendments to the Zoning Ordinance of Smyth County, Virginia:

- (a) Change the definition of *Group Home* to show that it will be treated as a single-family dwelling in the zoning ordinance provided it complies with Virginia Code §15.2-2291 and to include *Group Home* as a use allowed by right in the Agricultural, Agricultural/Rural, Residential and Conservation/Recreation Districts.
- (b) Add a new definition for *Group Care Facility* and allow this use in Agricultural, Agricultural/Rural, Residential, Conservation/Recreation and Commercial Districts with a Special Use Permit.

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.

A full copy of the text of the proposed amendments are on file at the Office of the County Administrator at the address given above and it may be viewed or a copy secured during regular business hours Monday through Friday.

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

3:00 PUBLIC HEARING - ON PROPOSED USE OF THE CENTRAL ABSENTEE VOTER ELECTION DISTRICT OF SMYTH COUNTY

The Smyth County Board of Supervisors will conduct a public hearing at the office of the Board at 121 Bagley Circle, Suite 100, Marion, Virginia on Tuesday, May 8, 2007, at 3:00 p.m., to receive public comment on one amendment to the Smyth County Code on election issues, and specifically section 26-28 (8), which establishes a Central Absentee Voter Election District for Smyth County, Virginia.

The proposed change will provide this Central Absentee Voter Election District will only be used for absentee voting in the general election in November of each year, and for all other elections, including and special elections, absentee ballots will be delivered to the normal voting place at the proper precinct of the voter, and processed at each of the regular precinct locations for all these other elections.

The Board of Supervisors will convene this public hearing on Tuesday, May 8, 2007 at 3:00 p.m., in order to receive comments from the public about this change in the use of the Central Absentee Voter Election District Precinct.

At this public hearing, and subject to the rules of procedure of the Board of Supervisors, any citizen of the County may appear and give his or her comments.

By order of the Board of Supervisors on April 10, 2007
Edwin B.J. Whitmore, III, County Administrator

3:30 Jeff Richardson - Personal Property

4:00 Tommy Dingus - Wings Air Rescue of Johnson City Medical Center

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.
 - a. Request for tax exempt status for the Lincoln Theatre **(12-13-2005)**
 - b. Request for tax relief status on building improvements **(12-5-2006)**
4. Re-codifying of the Smyth County Code **(1-10-2006)**.
5. Ordinance Committee recommendation to merge the manufactured home ordinance into the zoning ordinance as proposed in the zoning amendments present to the Board in January 2005 **(4-11-2006)**.
6. Proposed revisions from the Planning Commission to the Subdivision Ordinance. (referred to the Ordinance Committee **6-13-2006**).
7.
 - 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).
8. VDH - County partnership for generator **(3-13-2007)**.
9. Request the Board approve the Bryne Justice Assistance Grant (Kenny Lewis, **pg. 39-43**).

Federal funds	\$1,389
Local funds	\$154
Total	\$1,543

Closed Session

Request the Board enter into closed session as allowed by Code of Virginia, Section 2.2-3711(A) 5 for report on business prospect (s) not previously announced publicly and (A) 7 for consultation with legal counsel pertaining to actual or probable litigation.

Continue the meeting

Request the Board continue the meeting until Thursday, May 24 at 7:00 p.m. for a joint public hearing with the Planning Commission and any other issues that may arise.

