

AGENDA

Tuesday, October 9, 2007 12:00 NOON

12:00 Call the meeting to order.

- Invocation to be led by Walter Robinson.
- Pledge of allegiance to be led by Manuel Street.
- Request the Board adopt the agenda as to form, along with the additional agenda.

- Request the Board approve the minutes of September 11 and 27, 2007 (pg. 8-27).

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

12:15 CITIZENS TIME

12:30 New Business

1. Request the Board approve the fiscal year 2008 Community Services Board's annual Performance Contract with the Department of Mental Health, Mental Retardation and Substance Abuse Services (John Tate, see summary **pg. 28-31**, a complete copy of the contract is available in the County Administrator's Office).

2. Request the Board designate a liaison to the local sesquicentennial committee (Ed Whitmore, **pg. 32-34**).

3. Request the Board approve the list of Community Criminal Justice Board members willing to serve another term (**pg. 35-37**).

4. Request the Board approve the fiscal year 2008 Department of Fire Programs allocation as recommended. Disbursement schedule has not altered or changed from previous years. (**pg. 38-39**).

5. Sally Morgan - Request the Board consider the following recommendation from the IDA:

Upon motion of Mr. Fleshman, seconded by Mr. Craig, and unanimously carried, the Authority recommended to the Board of Supervisors that Ralph Price's request for a building permit fee rebate in the amount of \$814 be approved and that this amount be appropriated out of the IDA's incentive fund (#001-081030-8888-1).

6. Scott Simpson - Request the Board consider the following recommendations from the Water and Sewer Committee:

- a. *Upon motion of Mr. Clark, seconded by Mrs. Neitch, and unanimously carried, the committee recommends that the Board accept the bid from Boggs Municipal Services of Wise, VA for the new Dix Well pump. Their submitted bid included permanent pump installation and discharge piping for a total of \$57,950.*

- b. *Upon motion of Mr. Clark, seconded by Mrs. Neitch, and unanimously carried, the committee recommends that the Board accept the bid from Crosspointe Contracting of Abingdon, VA for the White Top Road water line extension. Their submitted bid was a total of \$128,460. The job was estimated to cost \$177,000 and there is \$200,000 in the budget to cover this project.*

- c. *Upon motion of Mrs. Neitch, seconded by Mr. Clark, the committee unanimously recommends that the Board exercise the option to purchase the property that houses the new Dix Well at the total price of \$4,500 (\$100 of this purchase price has already been paid).*

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

Sheriff Bradley and Kenny Lewis explained a request for radios/repeaters needed until the radio system is in place. Mr. Bradley is in need of 38 radios which would cost approximately \$200 to install at \$1,200 each for a total of \$53,200. These radios/repeaters would be compatible with the proposed radio system.

After discussion, the committee would recommend to the Board that the Sheriff proceed with the Request for Proposals (RFP) process to obtain the radios needed. The funds can be taken from the radio system fund (#001-031040-9005).

2:00 Virginia Department of Transportation

- Steve Buston - Discuss the fiscal year 2009-2014 Six-Year Improvement Program hearing on Tuesday, October 23 at 6:00 p.m. at the Southwest Virginia Community College (**pg. 40**).

2:30 Department of Zoning - Clegg Williams

The following are recommendations from the Planning Commission on the joint public hearing held on Thursday, September 27:

Recommendation on the request of Theresa R. L. Ogle for a Special Use Permit: After discussion, upon motion of Mr. Medley, seconded by Ms. Tuell, and unanimously carried, the Commission recommends the application submitted by Theresa R. L. Ogle for a Special Use Permit be approved by the Board of Supervisors. It is zoned Agricultural/Rural and is identified as Tax Map No. 41-A-80A.

Recommendation on the request of Elmer L. Lundy for a Special Use Permit: After lengthy discussion, upon motion of Mr. Blevins, seconded by Mr. Davidson, and unanimously carried, the Commission recommends approval of the application submitted by Elmer L. Lundy for a Special Use Permit with the stipulation that it is only for the placement of one more manufactured home as indicated on his application, should any more changes be made, Mr. Lundy shall be required to submit another application and proposed plan. It is zoned Agricultural/Rural and is identified as Tax Map No. 56-A-87.

3:00 Tom Burkett, Treasurer - Appropriations

3:15 Bill Huber and Joe Ellis - Marion Downtown Proposal

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. 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)**.
9. Request the Board consider the following tax refund requests **(7-10-2007)**:
 - a) BB&T Leasing Corp. on two pieces of equipment assessed incorrectly for a total of \$415.60.
 - b) BB&T Leasing Corp. on a piece of equipment assessed incorrectly for a total of \$774.90.
10. Appropriation request in the amount of \$5,000 from the Smyth County Celebration **(7-10-2007)**.
11. 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)**.

Closed Session

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

- (3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
- (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.

Other Business

- Discuss the option agreement on the former Shanklin Dairy Property.

Continue the meeting

Request the Board continue the meeting until Thursday, October 25 at 7:00 p.m. for a joint public hearing with the Planning Commission and any other issues that may arise.

