

## AGENDA

Tuesday, September 11, 2007 12:00 NOON

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

- Invocation to be led by Denton Staley.
- Pledge of allegiance to be led by Charlie Atkins.
- Request the Board adopt the agenda as to form, along with the additional agenda.
  
- Request the Board approve the minutes of August 14 and 23, 2007 (**pg. 7-23**).
  
- Request the Board approve appropriations and accounts payable (see additional agenda).

**12:15 CITIZENS TIME**

**12:30 New Business**

1. Request the Chairman obtain a list of who will be attending the Virginia Association of Counties Conference to be held Sunday, November 11 - Tuesday, November 13.
  
2. Mike Carter
  - a. Request the Board approve the Annual Smyth County Employee Wellness Day, Friday, September 21, 2007. Total cost for routine services is \$30 per participant (**pg. 24**).
  
  - b. Request the Board approve the Sugar Grove AEP contract for the radio system (**pg. 25**).
  
4. Kenny Lewis - Request the Board approve accepting the funds for the Highway Safety Grant Agreement in the amount of \$38,850 (**pg. 26-47**).
  
5. Sally Morgan - Enterprise Zone Local Incentives - Discussion on administrative process and proposed changes to County Code.
  
6. Scott Simpson - Request the Board consider the following Water and Sewer Committee recommendation:

*Upon motion of Mrs. Neitch, seconded by Mr. Clark, the committee will recommend the water rate study from Draper Aden to the full Board if a better price is not available with any other reliable agency.*

## 2:00 Virginia Department of Transportation

## 2:15 Department of Zoning - Clegg Williams

The following are recommendations from the Planning Commission on the joint public hearing held on Thursday, August 23:

**Recommendation on the request of Mountain City Lumber for a Special Use Permit:** After lengthy discussion, upon motion of Mr. Kalber, seconded by Mr. Blevins, and duly carried (yea: Kalber, Blevins and Davidson; nay: Sparks), the Commission recommends the application submitted by Mountain City Lumber for a Special Use Permit on the condition that an 8 foot chain link fence be placed along Market Street and any other portion of the property to restrict access for safety measures and that the entrances be secured by gates at nighttime and during non-operational hours. The property is located across from 1123 Highway 16 in Marion. It is zoned Commercial and is identified as Tax Map Nos. 57-A-69A, 57-A-68, and 57-A-69A.

**Recommendation on the request of Robert Wilson and Richard Bolling on behalf of Premier Rentals for an amendment to the zoning map:** Upon motion of Mr. Sparks, seconded by Mr. Davidson, and unanimously carried, the Commission recommends the application submitted by Robert Wilson and Richard Bolling on behalf of Premier Rentals for an amendment to the zoning map. The amendment is located on Napoleon Street and is approximately 5 acres. It is currently zoned Agricultural/Rural and is recommended it to be rezoned to Residential. The property is identified as Tax Map No. 45-A-115C.

**2:30 NOTICE OF PUBLIC HEARING** on Amending the Smyth County School Budget for Fiscal year July 1, 2007 thru June 30, 2008 (**pg. 48-49**).

**3:00 Bobby Ingle** - Request the Board adopt a resolution requesting the Virginia Department of Forestry to leave the fire tower atop Clinch Mountain as it now exists (**pg. 50**).

**3:15 Sheriff Bradley and Alan Slagle** - Request the Board consider implementing the Senior Navigation program (**pg. 51**, information included in the packet)

## **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. Request the Board appoint a Board representative to the Community Policy Management Team (CPMT). At the request of Mr. Perry he was removed from the CPMT at the 6-12-2007 meeting. Code requires a Board member to serve on the Team. **(6-12-2007)**.
12. 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 (John Tate).
- (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 (Sally Morgan).
- (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 (John Tate).

## **Continue the meeting**

Request the Board continue the meeting until Thursday, September 27 at 7:00 p.m. for a joint public hearing with the Planning Commission and any other issues that may arise.



