

AGENDA
Tuesday, June 10, 2008 12:00 NOON

12:00 Call the meeting to order.

- Invocation to be led by Mark Blevins, Sheriff Department Chaplin.
- Pledge of allegiance to be led by Kim Vanhoy of the Information Systems Dept.
- Request the Board adopt the agenda as to form, along with the additional agenda.

- Request the Board approve the minutes of May 13 and 22, 2008 (**pg. 10-33**).

- Request the Board approve appropriations and accounts payable.

Appropriations

General County \$1,075,000

Animal Control (office supplies) \$6,103.61

Department of Social Services (June 11-30, 2008) \$300,000
(July 1-8, 2008) \$65,000

Schools Operating Fund \$9,605,367
 Debt & Capital Outlay \$180,705

Accounts payable listing \$430,194.97

12:15 CITIZENS TIME

12:30 New Business

1. Request the Board consider the Damage Stamp recommendation to pay claims in the amount of \$4,827.36 (Blevins, Committee Chair, **pg. 34-35**).

2. Request the Board consider the following Budget Committee recommendations (Neitch, Committee Chair):
 - a. *Following a brief discussion, the committee agreed to recommend to the Board that the state would bill the county for the 3.9% reduction of the budget in January 2009. At that time the County will pay its portion back to the state.*

 - b. *The committee recommends to the Board that a resolution be adopted naming Shannon Williams, E-911 Coordinator the project administrator for the Public Safety Interoperability Coordination grant (PSIC). This will allow Mr. Williams to perform drawdowns from the grant.*

 - c. *Shannon Williams first informed the committee that the consultant for the radio system has terminated his contract and left the company. He requested that the committee make the recommendation to the Board that this be declared an emergency and that staff find a new consultant as soon as possible. Mr. Tate has been consulted on this issue which he stated that this was an instance that the emergency procurement could be exercised. The committee agreed to make this recommendation to the Board.*

3. Request the Board consider the following district specific appointments that expire June 30, 2008.

Department of Social Services Board

(4 year term)

Park District

Kelly M. Blevins (*eligible for another term*)

677 Fowler Street

Marion VA 24354 (783-3545)

Expires 6-30-2008

Saltville District

Tom Hess (*not eligible for another term*)

201 Upper Poore Valley Road

Saltville VA 24370 (496-7210)

Expires 6-30-2008

Industrial Development Authority

(4 year term)

Royal Oak District

Harry L. Dean

2053 Scratch Gravel Road

Marion VA 24354 (783-2991)

Expires 6-30-2008

Rye Valley District

Montie S. Fleshman

506 Slemp Creek Road

Sugar Grove, 24375 (677-3152)

Expires 6-30-2008

4. Request the Board consider recommendations from the Appointment Committee on those non-district specific appointments that expire June 30, 2008 (Dishner, Committee Chair, **pg. 37-40**).

5. The following are topics discussed at the Ordinance Committee meeting on 6-16-08 and were referred to the Board for review (Roberts, Committee Chair):

- a. *The committee considered amending section 10-57 of the county code, pertaining to aggressive dogs.*

Mr. Bill Turman, Chief Animal Control Officer was present for this discussion. Mr. Tate reviewed the Virginia State Code on this issue, section 3.1-796.93. The committee discussed this change with Mr. Turman and Mr. Tate. Mr. Tate will draft a change to Section 10-57 - Vicious or destructive dogs running at large; dogs and cats to be inoculated or vaccinated, of the Smyth County Code. The committee asked him to bring this draft to the Board for consideration, at the next regular meeting on June 10, 2008.

- b. *The committee then began discussing the possibility of a meals tax. Mr. Tate read from the state code that the Board of Supervisors could place this on referendum by resolution. Mr. Tate will look closer at who is eligible to vote on the issue. Mr. Whitmore was asked to contact VACo to see what information they can offer on the issue. Staff will get a count of hotels, motels, campgrounds, etc. that are in the county. Mr. Carter was asked to give a briefing on the committee's discussion. Once the committee has all their information, the Board may be asked to vote on a resolution at their meeting in July.*

6. Request the Board consider a festival permit from Davis Valley Winery for two (2) events to be held June 26-28 and July 25-26, 2008 (pg. 41-47).

2:30 Zoning Department - Clegg Williams

The following are recommendations from the Planning Commission on the joint public hearing held on Thursday, May 22:

1. **Recommendation on the request of Barbara T. Hall for a Map Amendment:** After discussion, Mr. Blevins made a motion, which was seconded by Mr. Davidson and unanimously carried, to recommend the Board of Supervisors approve the application for a Map Amendment. The property is currently zoned A/R and is recommended to be rezoned R. The property is identified as being approximately 3.2 acres of Tax Map No. 56-A-89.

2. **Recommendation on the request of Bill Rush for a Map Amendment:** After discussion 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 zoned A/R and is recommended to be rezoned R. The property is identified as being approximately 6.2 acres in total and being all of Tax Map No. 56-A-48L & 56-A-48M.

3. **Recommendation on Sheridan Ridge Private Reserve's applications: (1) Map Amendment from A/R to R; (2) Special Use Permit for Townhouses; and (3) Special Use Permit for Two and/or Multi Family Dwelling Units:** After discussion Ms. Tuell made a motion, which was seconded by Mr. Sparks, and duly carried, to recommend the Board of Supervisors approve all three applications as presented. The property is identified as being a portion of Tax Map No. 35-A-12 12C and all of Tax Map No. 35-A-11C.

Vote: 5 yea (Tuell, Sparks, Venable, Kalber, and Blevins)
1 nay (Davidson)
1 absent (Medley)

3:00 PUBLIC HEARING - Proposed changes to the Smyth County Code - Appendix A
Erosion and Sedimentation Control

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, June 10, 2008 at 3:00 p.m., or soon thereafter, as it may be convened, 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 - Appendix A - Erosion and Sedimentation Control. These proposed changes are a reflection of amendments made to the Code of Virginia.

The full text of the proposed amendments is on file and can be viewed at the County Administrator's Office at 121 Bagley Circle, Marion, Virginia, during business hours, Monday - Friday. Any questions regarding the proposed changes can be directed to Clegg Williams, Zoning Administrator at 276-783-3298, Ext. 277, or zoning@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. Re-codifying of the Smyth County Code **(1-10-2006)**.
4. Proposed revisions from the Planning Commission to the Subdivision Ordinance. (referred to the Ordinance Committee **6-13-2006**).
5. Disposal of former school building at 105 East Strother Street **(7-11-2006)**
6. 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)**.
7. Appointments:
 - Board of Zoning Appeals **(2-12-2008)**
One Alternate - VACANT
8. Request the Board consider a resolution in support of the Tennessee Valley Authority 75th anniversary **(4-8-2008)**.
9. Recommendation from the Budget Committee to discuss reconciliations with the Treasurer **(5-13-2008)**.

Closed Session

Request the Board enter into closed session as allowed by Code of Virginia, Section 2.2-3711(A) (1), (5) and (7) as described below.

(1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any 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.

Continue the Meeting

Request the Board continue the meeting until Monday, June 16, 2008 at 7:00 p.m. for the public hearing on the proposed general county budget for fiscal year 2008-2009, along with any other issues that may arise. (note: budget advertisement is in the Saturday, June 7 edition of the Smyth County News and Messenger)

Followed by a continued meeting Thursday, June 26, 2008 at 7:00 p.m. to adopt the general county budget and the tax levies, along with any other issues that may arise.

