

A G E N D A
Tuesday, October 14, 2008
12:00 NOON

12:00 Call meeting to order.

- Invocation to be led by Rev. Mike Sage.
- Pledge of allegiance to be led by Ed Whitmore.
- Request the Board adopt the agenda as to form, along with the additional agenda.

- Request the Board approve the minutes of September 9 & 25, 2008 (**pg. 12-30**).

- Request the Board approve the following:

Appropriations

General County		\$1,740,000
Animal Control		\$6,073.56
Department of Social Services (Oct. 15-31, 2008)		\$320,000
(Nov. 1-11, 2008)		\$85,000
Schools	Operating Fund	\$4,150,000
	Debt and Capital Outlay Fund	\$75,000
<u>Accounts payable listing</u>		\$1,131,131.68

12:15 Citizens Time

- Mount Rogers Planning District Commission presentation of a ceremonial check for the \$30,000 of grant funds from the Southwest Virginia Regional Water/Wastewater Construction Fund for the Kent Street Sanitary Sewer Extension.

2:00 Public Hearing Proposed Increase in Water and Sewer Rates (pg. 31)

Pursuant to Section 15.2-5136 of the Code of Virginia, The Smyth County Board of Supervisors proposes to increase the rates charged for Water and Sewer services within the Smyth County systems.

A Public Hearing will be conducted by the Smyth County Board of Supervisors on Tuesday, October 14, 2008 beginning at 2:00 p.m. in the Board of Supervisors meeting room, 121 Bagley Circle, Marion, Virginia.

A copy of the present and proposed rate schedule is on file at the Smyth County Administrators Office, 121 Bagley Circle, Marion, Virginia and may be viewed during normal business hours.

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

2:30 Clegg Williams - Zoning Department

- a. Discussion of Nuisance Complaint - Ruby Eller, Estate (pg. 32-38).

- b. The following are recommendations from the Planning Commission on the joint public hearing held on Thursday, September 25:

Recommendation on the request of Konnarock Retreat House for a Map Amendment: After discussion, Mr. Blevins made a motion, which was seconded by Mr. Medley and unanimously carried, to recommend the Board of Supervisors approve the application for a Map Amendment. The property is currently zoned C/R-P and is recommended to be rezoned A/R. The property is identified as being located in the Konnarock Community, addressed as 6402 and 6404 Whitetop Road, in Troutdale, and further identified as being Tax Map No. 86-A-90.

Recommendation on the request of Hobert Widener for a Special Use Permit: Mr. Widener explained to the Commission that his main business goal is to operate a vehicle detailing shop. Mr. Williams explained that Mr. Widener's business proposal falls under the definition of Automotive Sales and Service business in the Zoning Ordinance. Mr. Medley made a motion, which was seconded by Mr. Davidson and unanimously carried, to recommend the Board of Supervisors approve the application for a Special Use Permit to establish an Automotive Sales and Service business beside Mr. Widener's residence at 296 Belle Hollow Road, Chilhowie. The property is zoned A/R and is identified as being Tax Map No. 77-A-70C.

Mark J. Caudill: Mr. Williams reviewed the two applications from Mr. Caudill (1) site development plan for more than two dwelling units on a lot; and (2) Special Use Permit for the establishment of 30 mini-storage units. Mr. Caudill's request for approval of a site development plan was for the installation of three 16' x 80' manufactured homes on his aunt's property addressed as 6011 Lee Highway in Atkins. The 30 unit mini-storage facility is proposed for his father and aunt's property located at 6015 Lee Highway in Atkins. There was a lengthy inquisitive and debate session among all in attendance regarding (1) entrance concerns; (2) the same entrance for egress and ingress for two

different uses (residential and commercial); and (3) the entrance for egress and ingress sits entirely on 6011 Lee Highway and minimal, if any, on 6015 Lee Highway. In light of both applications and all of the discussion on both applications the following motions were recorded:

Site Development Plan—More than two dwelling units on a lot: Mr. Blevins made a motion to approve Mr. Caudill's site development plan, which was seconded by Mr. Medley and unanimously carried. The property is zoned A/R and is identified as being Tax Map No. 49-A-8

Recommendation on Special Use Permit for Mini-Storage: Mr. Sparks made a motion, which was seconded by Mr. Medley, and unanimously carried, to recommend the Board of Supervisors deny Mr. Caudill's application for a Special Use Permit to establish mini-storage units behind 6015 Lee Highway in Atkins. The property is identified as being Tax Map No. 49-A-7.

3:00 Roger Sturgill - Riverside School Renovations

3:15 Dr. Michael Robinson - School Superintendent

Request the Board consider a Budget Committee recommendation that an appropriation be made to the School Board in the amount of \$772,340, to be used for the capital expenditure plan as outlined below. This plan requests that a portion of the remaining balance of \$855,314 from the 2007-2008 operating budget be approved for these expenditures. Estimated cost of the proposed expenditures is \$772,340.

- Reduce debt service by paying off two (2) high interest loans - \$171,340
- Establish a school renovation and construction fund - \$250,000
- Replace roof at Smyth Career and Technology center - \$200,000
- Continue replacement of student desks at all schools \$100,000
- Upgrade fire alarm systems - \$50,000

3:30 Bill Turman, Chief Animal Control Officer - Ordinance Committee recommendation (pg. 39-42).

Request the Board consider the following recommendation from the Ordinance Committee regarding the Animal Control - Sterilization Compliance Process.

Mr. Turman discussed his proposed process that would bring the county into compliance to ensure sterilization of adopted animals. Mr. Tate reviewed Mr. Turman's pet adoption agreement, sterilization certificate, and the transfer procedure with the committee to better understand the proposed procedure.

With the committee's recommendation, this process is recommended to the Board for implementation. Mr. Tate will make minor modifications to the documents provided by Mr. Turman before being presented to the Board.

New Business

1. Sally Morgan

- a. Economic Development Strategic Planning Session – Oct. 30 (pg. 43)**

- b. Consideration of appropriation (as approved by the IDA) for Rt. 11 Drainage Project for Highlands Business Park (pg. 44-46).**

2. Scott Simpson

- a.** Request permission to approve Mount Rogers Planning District Commission Kent Street Agreement (**pg. 47-50**).

- b.** Request permission to execute the Kent Street Engineering Agreement with Anderson & Associates (**pg. 51-54**).

- c.** Request consideration of the adoption of the resolution for North Holston Bond Financing (**pg. 55-64**).

- d.** Execute North Holston Construction Contracts – Funding Agency Edition.

- e.** Execute North Holston Engineering Amendment (**pg. 65**).

- f.** Approve Application to Rural Development for Groseclose Sewer loan in the approximate amount of \$855,000 (23.16% of total project) (**pg. 66-80**).

- g.** Execute Pioneer, Shale Bank (Greenwood), Fox Valley Road Engineering Agreement - Funding Agency Edition (**pg. 81-85**).

3. Request the Board consider the following schedule for the upcoming holiday season, these dates are those posted by the State:

Wednesday, November 26 - Close at Noon
Thursday, November 27 - Closed - Thanksgiving Day
Friday, November 28 - Closed - Day after Thanksgiving
Wednesday, December 24 - Close at Noon
Thursday, December 25 - Closed - Christmas Day
Friday, December 26 - Closed - Day after Christmas
Thursday, January 1 - Closed - New Years Day
Friday, January 2 - Closed - Day after New Years

4. Request the Board consider the following disbursement schedule for the Department of Fire Programs FY2009 Aid to Localities (**pg. 86-91**):

Town of Chilhowie	\$5,083
Town of Saltville	\$5,083
Nebo Fire Dept.	\$13,083
Atkins Fire Dept.	\$13,083
Sugar Grove Fire Dept.	\$13,083
Adwolfe Fire Dept.	\$13,083

5. Request the Board approve the contract with Waste Management for the solid waste transportation and disposal services (Mike Carter).

6. Consideration of the following re-appointments:

- a. Board of Zoning Appeals (5 year term, nominations by the Board of Supervisors, Appointed by Judge of Circuit Court)
Rye Valley District
Phillip Michael May
Expires 12-31-2008
- b. Board of Appeals to the Virginia Uniform Statewide Building Code
(Non-District Specific, 4 year term)
David Schwartz (*willing to be re-appointed*)
2000 Lee Highway
Marion VA 24354 (783-3883)
Expires 9-30-2008
- c. Smyth-Bland Regional Library Board
(Current unfilled 4 year term will expire 12-31-2010)
North Fork District - VACANT

7. Request the Board consider the following Budget Committee recommendations (Neitch, Committee Chair):

a. *September 18 meeting* - The committee recommends renewing the additional one year option with Brown Edwards & Company for the Audit period ending June 30, 2008.

b. *October 7 meeting* - After discussion, the committee agreed to recommend to the Board, as a standing recommendation, that on a case by case basis the over all county budget be amended and funds be appropriated for the clean up of properties brought to the courts level, under the Nuisance Ordinance.

c. *October 7 meeting* - The committee recommends the \$50,002 placed in the budget, be appropriated from the Animal Control line item (#001-035010-9005 - Specific Use) to make necessary improvements in the air handling and circulation system for the Smyth County Animal Shelter.

8. Request the Board consider the following Surplus Property Committee recommendation (Dishner, Committee Chair, **pg. 92**)

The committee recommends to the Board that the attached list of items be declared surplus property and authorize staff to decide which would be the best option to disposed of these items.

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
 - Department of Social Services Board **(6-10-2008)**
Park District (4 year term) - VACANT
 - Community Policy Management Team **(6-10-2008)**
Private Provider Representative (1 year term) - VACANT
8. Recommendation from the Budget Committee to discuss reconciliations with the Treasurer **(5-13-2008)**.
9. Gas bids **(6-26-2008)**.
10. Radio System Project **(6-26-2008)**.
11. Staff is authorization to work with Mr. Tate on a property by the Allison Gap First Church of God. The Church is interested in purchasing this lot; the owners have failed to pay taxes on the property for quite sometime **(8-12-2008)**.
12. A recommendation from the Planning Commission on the joint public hearing held on Thursday, August 28 **(9-9-2008)**:

Recommendation on the request of Kenneth R. Hall for a Map Amendment: After discussion, Mr. Davidson made a motion, which was seconded by Mr. Medley and Mr. Sparks and unanimously carried, to recommend the Board of Supervisors approve the application for a Map Amendment as presented. The property is currently zoned A/R and is recommended to be rezoned R. The property is identified as being the remaining portion of Tax Map No. 56-A-89.

Closed Session

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

(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.

Continue the Meeting

Request the Board continue the meeting until Thursday, October 23, 2008 at 7:00 p.m. for a joint public hearing with the Planning Commission, along with any other issues that may arise.

