

## **AGENDA**

Tuesday, January 13, 2009

12:00 Noon

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

- Invocation to be led by Rev. Jonathan Jonas, of the First United Methodist Church in Marion.
- Pledge of allegiance to be led by Sally Morgan.
- Request the Board adopt the agenda as to form, along with the additional agenda.

- Calendar year 2009

Appointment of officers:

Chairman

Vice Chairman

Clerk

Deputy Clerk

Adopt Rules of Procedures

Adopt meeting schedule

Adopt holiday schedule as approved by the Governor

- Request the adoption of the Tuesday, December 9, 2008 minutes (**pg. 6-17**).

## 12:15 CITIZENS TIME

## 12:30 NEW BUSINESS

1. Request the Board approve the appointment of Mayor Jeff Campbell to the Mount Rogers Planning District Commission. Mr. Campbell is nominated by the Town of Saltville to continue to serve as their representative on the Commission **(pg. 18)**.
  
2. John Tate - Request an appropriation in the amount of \$500 to the City of Charlottesville in reference to the death of Wesley Joseph Harris **(pg. 19-25)**.
  
3. Scott Simpson - Requesting approval of the following documents:
  - a. Resolution of Governing Body for Greenwood-Pioneer project **(pg. 26)**
  
  - b. Loan Resolution for Greenwood-Pioneer project **(pg. 27-29)**
  
  - c. Second Amended Resolution Authorizing the Issuance and Sale Of The Water Facility Bond, Series 2009A **(pg. 30-36)**
  
  - d. Engineering Contracts for Groseclose Sewer **(pg. 37-51)**
  
  - e. Engineering Amendment for Long Hollow Water **(pg. 52-55)**

**2:00 Virginia Department of Transportation**

**2:15 Brian Cregger, Treasurer of the Smyth County Celebration Association  
(pg. 56-57)**

To address a request that was continued from the last meeting. The Celebration Association submitted a written request to the Budget Committee for the county to disburse the \$20,000 approved in the current budget to be used for the 2009 Song of the Mountains - Smyth County Celebration Bluegrass Festival.

**2:30 PUBLIC HEARING (pg. 58-71)**

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, January 13, 2009 at 2:30 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](mailto: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 **6-13-06**).
5. Disposal of former school building at 105 East Strother Street **(7-11-06)**.
6. Appointments: Board of Zoning Appeals **(2-12-08)**  
One Alternate - VACANT

### Area Beautification Committee Judges **(12-9-08)**

(Chamber of Commerce, 1 year term each calendar year)

Rye Valley District - Phyllis Griffith

Royal Oak District - Gay Hart

Saltville District - Norma Marsh

Atkins District - Mavis Williams

Park District - Alice Freeman

North Fork District - Debbie Ogle

7. Recommendation from the Budget Committee to discuss reconciliations with the Treasurer **(5-13-08)**.
8. Radio System Project **(6-26-08)**.
9. Staff is authorized 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 **(8-12-08)**.
10. The remaining appropriation request from the School Board was continued for 120 days so that more information will be known on the status of the state budgets **(10-14-08)**.
  - 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
11. Request referred from the Budget Committee for a full Board discussion:

In reference to a written request from the Commonwealth Attorney, Treasurer, and the Sheriff. Mr. Roy Evans, Commonwealth Attorney appeared before the Budget Committee on November 7 to explain the request on behalf of his office. He requested that the Board consider a raise for the Constitutional Offices equal with the raises of the county employees that was approved for fiscal year 2009. He stated that the requested raise would be from December 1, 2008 through June 30, 2009. The state has deferred their 2% raise for December 2008 to July 2009 **(11-12-08)**.

12. Consider amendments to the Smyth County Code, regarding **Section 6, Article III** pertaining to *Musical or Entertainment Festivals*. The various proposed changes to this section of the Smyth County Code offers a more updated version for those events being held throughout the county at various times each year. Public hearing was held Tuesday, December 9 and was continued until January 13, 2009 to render a decision.

## **CLOSED SESSION**

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

\*(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.

\*The Water Committee has a recommendation for discussion during closed session.

## **CONTINUE THE MEETING**

Request the Board continue the meeting until Thursday, January 22, 2009 at 7:00 p.m. for a joint public hearing with the Planning Commission.