

## **AGENDA**

Tuesday, March 10, 2009  
12:00 Noon

### **12:00 CALL MEETING TO ORDER**

Invocation and Pledge of Allegiance

### **ADOPTION OF AGENDA**

Adopt the agenda and the additional agenda as presented

### **MINUTES OF PREVIOUS MEETINGS**

Request adoption of the February 10, 2009 minutes **(pg. 7-21)**.

### **PAYMENT OF INVOICES**

Consideration of appropriations and accounts payable as listed on the additional agenda

### **12:15 CITIZENS TIME**

### **12:30 NEW BUSINESS**

1. Adoption of a resolution honoring Mr. Larry Davis **(pg. 22)**.
2. Mountain States Health Alliance - Stacy O'Quinn, Resolution of Support.

**COMMITTEE RECOMMENDATIONS**

1. **Budget Committee (Clark, Committee Chair, pg. 23)**
  - a. Governmental Accounting Standard Board (GASB) 45.
  - b. Appropriation for the Rich Valley Fair Association.
  - c. Current year budget adjustments within the Maintenance Department budget.
  
2. **Animal Control Committee (Blevins, Committee Chair, pg. 24)**

Recommendation to pay claims totaling \$1,499.
  
3. **Ordinance Committee (Roberts, Committee Chair, pg. 25-28)**

The committee recommends a public hearing for the April 14 Board meeting at 3pm, to amend Section 8-127 under the present Code Section 10-65.1

**2:00 VIRGINIA DEPARTMENT OF TRANSPORTATION**

**2:15 Chris Gilley of Mount Rogers Planning District Commission** - Consideration of the following documents in relation to the Groseclose Sewer Project:

1. Local Business and Employment Plan **(pg. 29-30)**
2. Resolution Adopting Residential and Anti-Displacement and Relocation Assistance Plan **(pg. 31-32)**
3. Resolution - Fair Housing Certification in Compliance with Title VIII of the Civil Rights Act 1968 **(pg. 33)**
4. Non-Discrimination Policy **(pg. 34)**
5. Resolution Adopting Section 504 Grievance Procedure **(pg. 35-36)**
6. Self-Evaluation Site Accessibility Checklist **(pg. 37-38)**

**2:30 David Barrett, Executive Director Mount Rogers Planning District Commission** - Update of the Commission and their area services.

**2:45 Public Hearing (as authorized by the Ordinance Committee, pg. 39-41)** - Considering an amendment to the Smyth County Code, §34-77, authorized under §53.1-120 of the Code of Virginia, as amended. The purpose is to increase the current fee imposed by §34-77 by an additional Five Dollars (\$5.00) to a total of Ten Dollars (\$10.00) on each conviction of a criminal and traffic case in the District and Circuit Courts.

**3:00 Public Hearing** - Proposed Solid Waste Disposal Fees **(pg. 42)**

**3:30 Rees Shearer, Rail Solutions** - Request for Support of Resolution on Federal Funding for 21<sup>st</sup> Century "Steel Interstate" Project (Rail Improvements) **pg. 43-47**

**OLD BUSINESS** \*\*These items have updates\*\*

1. Collection of delinquent taxes **(8-10-04)**.

*\*\*At the January 13 meeting, the Board requested the Treasurer to provide the complete delinquent tax list of all tax payers, both real estate and personal property. The Board requested that this list be made available the meeting on March 10.*

2. Marevine Slempp, 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)

Saltville District - Norma Marsh

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)**.

*\*\*Pending legal review, the 911 Coordinator requests action for the award of the Radio Contract.*

9. 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)**.

10. Possibility of changing the tax reassessment schedule from every six (6) years to every four (4) years, referred to Budget Committee **(1-13-09)**.

11. Possibility of no longer selling car decals but adding that cost to tax tickets. The Ordinance Committee was asked to look at this for the end of 2009 **(1-13-09)**.

12. Referred to the Water and Sewer Counsel, proceed with legal documents to provide uncollectable names and accounts from the Water and Sewer Department to other water providers in the county **(2-10-09)**.

13. Nuisance complaint against a property owned by Joseph F. Ellis, Jr. Before declaring this property a nuisance, the Board voted to allow 28 days until the March 10 meeting. The extension is time for the proper paper work to be filed with the Circuit Court to begin resolving a right of way issue with the Hearrell's (who filed the complaint) **(2-10-09)**.

*\*\*Zoning Administrator will update the Board on the status of this case.*

#### **CLOSED SESSION**

Code of Virginia, Section 2.2-3711 - A.7, Counsel and staff consultation pertaining to actual or probable litigation where such consultation in open meeting would affect the litigating posture of the public body.

**PLEASE NOTE UPCOMING MEETINGS:**

Industrial Development Authority - Wednesday, March 18 at 3:30 p.m.

Ordinance Committee - Thursday, March 19 at 2:00 p.m.

Thursday, April 16 at 2:00 p.m.

Water and Sewer Committee - Thursday, March 26 at 4:30 p.m.

Planning Commission - Thursday, March 26 at 6:00 p.m.

Continued Board meeting - Thursday, March 26 at 7:00 p.m.

**CONTINUE**

Continue the meeting until Thursday, March 26 at 7:00 p.m. for a joint public hearing with the Planning Commission and any other issues that may come up before that time.