

Virginia: At the regular meeting of the Smyth County Board of Supervisors held at the County Office Building on Tuesday, February 13, 2007 at 12:00 noon.

Board Members Present:	Mr. Harold Slempp Mr. Todd Dishner Mr. Michael Roberts Mr. Marvin Perry	Mrs. Darlene R. Neitch Mr. Wade Blevins Mr. Charlie Clark
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Staff Members Present:	Mr. Michael Carter Mrs. Amber Johnson Mr. Ed Whitmore	Mr. Charlie Atkins Mr. John H. Tate, Jr.
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Mr. Clark called the meeting to order at 12:00 noon.

Mrs. Amber Johnson led the pledge of allegiance.

Upon motion of Mr. Roberts, seconded by Mr. Perry, and unanimously carried the Board adopted the following resolution in memory of Mrs. Catherine Cox:

WHEREAS, Catherine M. "Kitty" Cox was a lifelong resident of Smyth County, Virginia, and throughout her life was active in her church, her community, and in public service; and

WHEREAS, Catherine M. "Kitty" Cox served with concern and dedication as a member of the Smyth County Board of Supervisors from 1995 to 1996 as an active Democratic Representative; and

WHEREAS, Catherine M. "Kitty" Cox was recognized as a great asset to Smyth County, as an entrepreneur, a real estate developer, and a beloved teacher in our school system; and

WHEREAS, Catherine M. "Kitty" Cox represented Smyth County with dignity while working closely with the Madam Russell United Methodist Church, and as president of the Museum of the Middle Appalachians,

THEREFORE BE IT RESOLVED that the Smyth County Board of Supervisors celebrates the life of Catherine M. "Kitty" Cox and recognizes her public service and her dedication to her community, her church and her friends and neighbors and her outstanding contributions to her community and Smyth County; and

BE IT FURTHER RESOLVED that the Smyth County Board of Supervisors joins many others in expressing its sympathy to her family in the loss to all of us by the passing of Catherine M. "Kitty" Cox.

Mr. Tate presented the resolution to Mr. Jim Cox, son of Mrs. Cox. Mr. Cox thanked the Board for their honoring his mother.

Mr. Matt Herrell, Chilhowie Baptist Church Youth Minister led invocation.

Upon motion of Mr. Slempp, seconded by Mr. Blevins, and unanimously carried, the agenda was adopted along with the additional agenda.

Upon motion of Mr. Blevins, seconded by Mr. Slempp, and unanimously carried, the minutes of January 9, 25, and February 2, 2007 were approved. During discussion Mr. Perry commented on a decision made at the January 25 meeting concerning budgeted funds for a position in the Commissioner of Revenue's Office. He also mentioned the requested salary study. Mr. Roberts stated that he was absent from the

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February 2 meeting due to County business out of town.

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, the following appropriations were approved:

General County		\$1,475,000
Cedars/Hall Addition Sewer Project		\$48,750
Animal Control (office supplies)		\$420
Department of Social Services (February 14-28, 2007)		\$300,000
(March 1-13, 2007)		\$40,000
Schools	Operating Fund	\$4,000,000
	Debt & capital Outlay	\$130,000

Upon motion of Mr. Blevins, seconded by Mr. Slemp, and unanimously carried, the accounts payable listing in the amount of \$904,492.28 was approved. This accounts payable included \$12,555 to Closed Networks, Fredrick G. Griffin Engineering for the radio system project and \$8,339.50 to Mosley Architects for Courthouse Renovation Study.

CITIZEN'S TIME

Mr. William Allen of Walker's Creek Road explained that he intends to place a third home on his private driveway (for an elderly family member). Mr. Shannon Williams, 911 Coordinator explained that County policy states that placing a third home on a private drive constitutes naming and re-addressing the driveway. Mr. Williams also explained that there is no house number available to give the new structure based on where it will be placed.

After discussion, upon motion of Mr. Roberts, seconded by Mrs. Neitch, and unanimously carried, Mr. Williams is to address the new structure 500A Walkers Creek Road.

Vote: 6 yea (Roberts, Dishner, Slemp, Neitch, Blevins, Perry)
1 nay (Clark)

Mr. Joseph Shirey of the Sugar Grove Fire and Rescue Squad spoke for their junior department. Recently that department had to be closed due to the lack of a county ordinance. This program effectively recruits young members of good character in the community. Mr. Shirey requested that the Board consider adopting an ordinance to keep the program active which helps replace senior members.

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Upon motion of Mrs. Neitch, seconded by Mr. Slemp, and unanimously carried, this issue was referred to the Ordinance Committee for study.

Representatives from the Konnarock Community Center were present to inquire about dumpsites that have recently been charged by the Sheriff's Department, in violation of the state code. The two owners of the dumpsites were fined and convicted. Time has elapsed and the sites have not been cleaned up. The County will now pursue with action in violation of the Zoning Ordinance.

NEW BUSINESS

With the Budget Committee's recommendation, the Board unanimously accepted the awarded funds in the amount of \$67,736 from the Department of Criminal Justice Services Board. The budget adjustment of the total amount (\$67,736) will be budgeted out of the Board's supplemental appropriations (#11010-8888). The local match of \$16,934 will be divided by the towns and the sheriff department. Grant funds will be used to purchase wireless communications for the Sheriff and Police Departments.

Dr. Craig Smith and Mrs. Paige Bordwine of the Mount Rogers Health District were present during the discussion concerning their request for partnership for the purchase of a generator. This purchase would need to be made before the Emergency Operations Center and possibly the 911 center could be housed in the health department building. Dr. Smith explained that they are asking that the Board serve as the fiscal agent and make up the difference of the total cost of the generator.

After discussion, the Board unanimously agreed with the Budget Committee's recommendation to act as the fiscal agent for the acquisition of the generator. This also includes soliciting Request for Proposals (RFP) for the generator.

The Board discussed the Budget Committee's recommendation concerning the grant application to be submitted to the Rescue Squad Assistance Fund.

The Board agreed with the Budget Committee's recommendation that grant applications be submitted in March, to the Rescue Squad Assistance Funds on behalf of all Fire and EMS agencies to aid in the purchase of new radios. The remaining funds needed, will come from the Fire & Rescue Funds.

Vote: 6 yea (Dishner, Slemp, Clark, Neitch, Blevins, Perry)
 1 nay (Roberts)

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With the Budget Committee's recommendation, the Board agreed to allow Mr. Carter to hire part time help as an Assign-A-Highway coordinator who would work with the judges, coordinate which roads need to be cleaned, work with VDOT, and organize when roads would be cleaned.

With the Budget Committee's recommendation to approve hiring part time help for the Assign-A-Highway program, the following resolution was unanimously adopted:

WHEREAS, the Smyth County Board of Supervisors have made it a priority to clean up Smyth County's highways, streets and roads;

WHEREAS, Smyth County believes that the Assign-A-Highway Program will improve tourism and the natural beauty of our region and that the proposed Assign-A-Highway Program will protect the health, safety and welfare of the citizens of Smyth County;

WHEREAS, the Smyth County Circuit Court based upon its constitutional and statutory powers and authority may assign criminal defendants and probationers to pick up litter along Smyth County's highways, streets and roads as part of the court's probation powers;

WHEREAS, the Smyth County Board of Supervisors strongly believes that the Smyth County Assign-A-Highway Coordinator working in conjunction with the Circuit Court of Smyth County can develop a program to abate litter on the Smyth County's highways, streets and roads.

NOW THEREFORE BE IT RESOLVED, that the Smyth County Board of Supervisors hereby establishes the Smyth County's Assign-A-Highway Program for the health, safety, and welfare of its citizens and as outlined in a court order to be entered by the Smyth County Circuit Court;

IT IS FURTHER RESOLVED, that the Assign-A-Highway Program shall be modeled and authorized pursuant to the prospective court order and that the prospective court order shall be incorporated into this resolution by reference.

The Board unanimously approved the Water and Sewer Committee's recommendation to solicit quotes for the following items:

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|---|--|---|----------------------------|
| 1 | trench box/shield 8x16 | 4 | metal/line detectors |
| 1 | hammerhead mole - 4" | 2 | pickup trucks |
| 1 | skid steer w/attachments | 1 | pick up truck - heavy duty |
| 1 | portable generator | 1 | sewer camera |
| 2 | pipe saws 14" cut-off | 1 | manhole pick |
| 2 | safety kits including - blower/ventilators | | |
| | hoisting tripod | | |
| | safety harness | | |
| | air quality tester | | |

Payment for these items will come from the remaining funds of the Allison Gap project. Mr. Roberts reminded the Board of sewer service on Kent Street in Saltville.

The Board unanimously approved the Water and Sewer Committee's recommendation that an RFP be issued for a water tank maintenance contract.

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The Board unanimously approved the Water and Sewer Committee's recommendation to accept the Fox Valley Road Water Project Design Grant from the Virginia Department of Health. They also approved the execution of the contract with Anderson and Associates for the Fox Valley Road Water Project Design work.

The Board unanimously approved the Water and Sewer Committee's recommendation to accept the Lucky Lane Water and Sewer Project Design Grant from the Virginia Department of Health. They also approved the execution of the contract with Anderson and Associates for the Lucky Lane Water and Sewer Project PER and Design work.

The Board unanimously approved the Water and Sewer Committee's recommendation to accept the Dix Well #2 treatment Design Grant from the Virginia Department of Health. They also approved the execution of the contract with Lane Engineering for the Dix Well #2 treatment Design work.

With the Water and Sewer Committee's recommendation, the Board unanimously appropriated \$500 more for the Kelly settlement on the Hungry Mother Water Project. Funds to be budgeted out of the Board's supplemental appropriations (#11010-8888) fund.

With the Water and Sewer Committee's recommendation, the Board unanimously approved an offer of \$2,500 in the Overbay settlement on the Cedars/Hall Addition Sewer Project.

Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried, the Board released 2 deeds of trust under the names of W. Gordon and Madonna S. Echols. These two parcels were encumbered by a deed of trust securing the performance of certain covenants for a period of 10 years under a Rental Rehabilitation Grant Agreement between the Echols and the County. The Rental Rehabilitation Grant Agreement is dated September 25, 1989 and is between the County and the Virginia Housing Development Authority (VHDA). The VHDA provided federal grant funds to the County for the rehabilitation of the rental property.

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After discussion, the Board continued the Southwest Virginia Emergency Medical Services Council appointment update. Further information of the Council's rules is needed before removing one of the appointees.

Upon motion of Mr. Slemp, seconded by Mrs. Neitch, and unanimously carried, the Board appropriated \$13,922.20 (from account #11010-8888.20) to be paid to the Rye Valley Water Authority for drawdown #2 on the Flat Ridge Road Self-Help Project.

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, the Board gave Mr. Whitmore the authority to sign a resolution in support of a grant application for funds in the amount of \$250,000 to be submitted to the Tobacco Commission. If received, funds will be used on the Groseclose Sewer Project.

Mrs. Morgan briefly discussed a request from TEDS, Inc. concerning a grant application to the Tobacco Commission. This request will be forwarded to the Industrial Development Authority who is better suited for this type of request.

Mrs. Morgan updated the Board on the Community Development Block Grant (CDBG) funding for the Allison Gap Elderly Housing project. There is a possible \$700,000 available through CDBG. Currently that is all the funding that has originated. Additional matching funds are needed to apply for the \$700,000 CDBG funds. Mrs. Morgan and the Community organization are currently searching for other loan sources and grants.

Upon motion of Mr. Blevins, seconded by Mr. Slemp, and duly carried, the Board approved a sport utility vehicle bid from Family Ford of Marion for the County Administration. This motion appropriates \$21,058 from the County Administration, Motorized Equipment Fund (# 001-012010-9003) for the purchase of the 2007 Ford Explorer.

Vote: 6 yea (Roberts, Dishner, Slemp, Clark, Neitch, Blevins)
 1 nay (Perry)

At 2:00 p.m. the Board proceeded with a joint public hearing with the Virginia Department of Transportation (VDOT) on the proposed Secondary Six-Year Plan for Fiscal Years 2007/2008 through 2012/2013.

Mr. Whitmore read the advertisement as placed in the Smyth County News and Messenger. There were no citizens present to speak.

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Mr. Steve Buston, Residency Administrator explained the following information:

Projects to be completed in 2007
Route 610-Rich Valley Road

Projects moved from Plan to Storage List
Route 617-Walker's Creek Road
Route 689-Snider Branch Road

This action of moving routes from the plan to the storage list is due to Federal funding obligations requiring funding to be put on federal eligible routes. This creates a significant shortage of available state funds. The revised storage list dated February 2007 is as follows:

REGULAR CONSTRUCTION

<u>Name</u> <u>Route</u>	<u>ID#</u>	<u>From</u>	<u>To</u>	<u>Priority</u>	<u>Added To</u> <u>Plan</u>	<u>Est. Cost.</u>
WALKERS CREEK RD Rt. 617	16875	Rt. 16 E	Rt. 665	6	July 1995	\$587,000
SNIDER BRANCH RD Rt. 689	16259	0.4 mi N Rt. 11	Rt. 617	7	July 1996	\$3,062,000
OLD LAKE ROAD Rt. 700	18382	INT Rt. 617	NCL Marion	8	July 1998	\$705,967
GRUBMORE ROAD Rt. 657	56769	INT Rt. 645	1.3 mi E 645	9	July 2000	\$1,900,000
SLAB TOWN ROAD Rt. 672		0.2 Mi N Rt. 701	Rt. 670	10	July 2002	\$700,000

Mr. Buston explained that when final county allocations are available, it can be determined if any new road projects can be added.

Mr. Perry inquired about Grubmore Road and Mr. Buston answered other general questions concerning funding and priority lists. Mr. Buston did introduce Jeff Jones, Chilhowie Maintenance Supervisor, Doug Boiling, Marion Maintenance Supervisor, and John Bolling, who works on unpaved roads contracts. Mr. Slemper mentioned the continuing problem on Nicks Creek Road of truck drivers (18 wheelers) missing the turn into the industrial park and mistakenly going too far up the mountain with no place to turn around.

Mr. Buston stated that a final six year plan would be presented in March for approval.

The hearing was closed at approximately 2:00 p.m.

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Mr. Robert Hurt referred to a no passing zone requested by Mrs. Neitch, he explained that it would be painted as no passing when the road was repaved.

Mr. Dishner thanked the maintenance department present, stating that they are always quick to satisfy requests and problems. Mr. Roberts also expressed his thanks.

Upon motion of Mr. Blevins, seconded by Mr. Slempp, and unanimously carried, the Board approved the Planning Commission's recommendation to grant Susan Hamm's application for a special use permit to establish a mini-warehouse near her residence on Green Mountain Road in Rural Retreat.

Dr. David Wilkin, President, Virginia Highlands Community College presented the college's 2005-2006 Annual Report. He explained completed projects in the past year and new projects for the coming year. He also presented Virginia's Community Colleges 2005-2006 Annual Report.

OLD BUSINESS

1. Collection of delinquent taxes (**8-10-04**).
2. Marevine Slempp, 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**).

Mr. Tate briefly commented on the re-codifying of the County Code. The company has been contacted and stated that it could take 12 to 18 months for the project.

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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. Appointments

Area Beautification Committee Judges (1 year term, beginning each January)
Phyllis Griffith-225 Red Hill Road, Marion (783-7672) *Rye Valley District*
Alice Freeman-135 West Strother Street, Marion (783-5959) *Park District*
Sandy Davenport-126 Scenic View Drive, Chilhowie (646-8002) *Chilhowie District*
Debbie Ogle-290 North Drive, Marion (783-2606) *North Fork District*

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Smyth-Bland Regional Library Board (4 year term, district specific)
Saltville District Vacancy

Mr. Clark nominated Debbie Ogle for the Chamber of Commerce Area

Beautification Committee Judges. Mr. Slemp seconded his motion.

Mrs. Neitch nominated Phyllis Griffith for the Area Beautification Committee and Mr. Blevins seconded that motion.

Mr. Blevins nominated Sandy Davenport for the Area Beautification Committee and Mr. Slemp seconded the motion.

With one vote, the Board unanimously reappointed the above three members to the Area Beautification Committee.

Vote: 6 yea (Roberts, Dishner, Slemp, Clark, Neitch, Blevins)
 1 absent (Perry, stepped out of the room)

The Chairman covered the following reminders:

- All standing committees will remain as they were for 2006.
- Quarterly Meeting with the Town of Chilhowie at the Town House Grill, Tuesday, Feb. 27 at 6pm, RSVP by Feb. 22 at 2pm.
- Evergreen Soil & Water Conservation District Brunch at the New Pioneer, Tuesday, March 13 at 10:30am, RSVP by March 2.
- Continued Board meeting Thursday, Feb. 22 at 7pm for a joint public hearing with the Planning Commission.

The Chairman also mentioned the need of Ordinance Committee meetings.

Mr. Whitmore mentioned the National Association of Counties Conference to be held in Virginia, July 15-17. One activity is requesting a representative from each County to speak on their perspective area while on a bus tour from James town to Richmond.

Mr. Carter distributed Juvenile Detention Center information.

CLOSED SESSION

Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried, at 3:29 p.m., the Board agreed to enter into closed session as allowed by the Code of Virginia, Section 2.2-3711 (A) (5) report on business prospect and (7) for pending litigation and legal briefing.

Vote: 6 yea (Roberts, Dishner, Slemp, Clark, Neitch, Perry)
 1 absent (Blevins, out of the room)

At 4:18 p.m. the Chairman ended the closed session.

Upon motion of Mr. Perry, seconded by Mr. Slemp, BE IT RESOLVED that the Smyth County Board of Supervisors unanimously adopts the following resolution:

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WHEREAS, the Smyth County Board of Supervisors has convened in a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Smyth County Board of Supervisors.

Vote: 7 yea
 0 nay

MEETING CONTINUED

At approximately 4:19 p.m., the Chairman continued the meeting until Tuesday, February 20, 2007 at 1:00 for a public hearing on budget amendments request by the School Board and any other issues that may arise.

C.C. Clark, Jr., Chairman

Virginia: At a continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Tuesday, February 20, 2007, at 1:00 p.m.

Board Members Present:	Mr. Charlie Clark, Chairman Mr. Marvin Perry Mrs. Darlene Neitch Mr. Todd Dishner	Mr. Wade Blevins Mr. Harold Slemp Mr. Michael Roberts
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Staff Members Present:	Mr. Ed Whitmore Mrs. Amber Johnson	Mr. Mike Carter Mr. Charlie Atkins
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At 1:00 p.m. the Chairman opened the meeting to a public hearing on proposed amendments to the School Board budget and the Smyth County budget for fiscal year 2006-2007. Mr. Whitmore read the advertisement as placed in the Smyth County News and Messenger. There were no citizens present to speak and the hearing was closed at approximately 1:03 p.m.

Dr. Michael Robinson, Superintendent of Schools was present and answered questions concerning the budget request. This amendment would allow for unexpected funds received.

Note: Michael Roberts stated he has family members who work for the School system and could vote impartially.

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, contingent upon legal guidance, the Board approved the School Board 2006-2007 budget amendments in the amount of \$571,356, in the Operations Fund only, as outlined in the public hearing notice (see below). An amount of \$38,671 is included in the total above which was approved by the Board on December 12, 2006.

The categorical amendments have been made as the School Board has requested.

Smyth County, Virginia			
Proposed School Board Budget			
For the Year Ending June 30, 2007			
Summary of All Operations Budget Revenues			
	2006-2007 Original	2006-2007 Proposed	Difference
School Operating Fund			
*State Funds	\$ 28,517,588	\$ 28,626,736	\$ 109,148
Federal Funds	\$ 6,161,196	\$ 6,612,347	\$ 451,151
County Funds	\$ 9,794,744	\$ 9,794,744	\$ -
Sales Tax	\$ 4,515,002	\$ 4,515,002	\$ -
Other Funds	\$ 470,165	\$ 481,222	\$ 11,057
Total School Operating Fund	\$ 49,458,695	\$ 50,030,051	\$ 571,356
Summary of All Operations Budget Expenditures			
	2006-2007 Original	2006-2007 Proposed	Difference
School Operating Fund			
*61000: Instruction	\$ 36,424,436	\$ 36,990,957	\$ 566,521
62000: Administration, and Attendance and Health	\$ 1,900,453	\$ 1,900,453	\$ -
63000:Pupil Transportation Services	\$ 2,200,962	\$ 2,200,962	\$ -
64000: Operating and Maintenance Services	\$ 5,274,651	\$ 5,279,486	\$ 4,835
65000: School Food Services	\$ 2,227,690	\$ 2,227,690	\$ -
68000: Technology	\$ 1,430,503	\$ 1,430,503	\$ -
Total School Operating Fund	\$ 49,458,695	\$ 50,030,051	\$ 571,356
*Note: A total of \$38,671 in these lines were already approved by the Board of Supervisors on December 12, 2006.			

**Smyth County School Board Budget
Proposed County School Debt and Capital Outlay Fund
For the Year Ending June 30, 2007**

	2006-2007 Original	2006-2007 Proposed	Difference
School Debt and Capital Outlay Fund Revenues			
County Funds	\$ 855,139	\$ 855,139	\$ -
State School Construction	\$ 180,338	\$ 180,338	\$ -
Lottery	\$ 453,276	\$ 453,276	\$ -
Trigon	\$ -	\$ -	\$ -
Literary Fund	\$ -	\$ -	\$ -
Total School Debt and Capital Outlay Fund Revenues:	\$ 1,488,753	\$ 1,488,753	\$ -
School Debt and Capital Outlay Fund Expenditures			
Capital Facilities	\$ 185,355	\$ 185,355	\$ -
Debt Service	\$ 1,303,398	\$ 1,303,398	\$ -
Total School Debt and Capital Outlay Fund Expenditures:	\$ 1,488,753	\$ 1,488,753	\$ -

With the Budget Committee's recommendation, the Board unanimously appropriated \$12,659 from the Board's Supplemental Appropriations (#011010-8888). These funds are to be transferred to the Water and Sewer Salary Fund (#085010-1001) for promoting and rehiring positions created by a retiring employee.

Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried, the Board nominated Ms. Rhonda Taylor (replacing Doug Jackson) and reappointed Mr. Ed Stringer to the New River Workforce Investment Board. Their three (3) year terms will expire March 31, 2010.

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Upon motion of Mr. Dishner, seconded by Mr. Blevins, and unanimously carried, Mrs. Alice Freeman was reappointed to the Chamber of Commerce Area Beautification Committee Judges.

Mr. Roberts stated that he would not be present for the next continued meeting on February 22.

At 1:24 pm the Chairman recessed the meeting until 2:00 pm for closed session with Washington County Board of Supervisors and Smyth Washington Regional Industrial Facilities Authority (SWIFA).

At approximately 2:00 p.m. Mr. Clark called the meeting back to order. He welcomed Washington County Board of Supervisors and Smyth Washington Regional Industrial Facility Authority (SWIFA) Board of Directors to the joint meeting.

Those present on the Washington County Board of Supervisors were Ken Reynolds, Chairman, Tony Rector, Paul Price, Dulcie Mumpower, Odell Owens, Jack McCrady, and Phillip McCall. Also present from Washington County were Christianne Parker, Assistant County Administrator, and Lucy Phillips, County Attorney.

Those present on the Smyth Washington Regional Industrial Facility Authority (SWIFA) Board of Directors were, Washington County members, Russell Owens, Chairman, and Tony Rector (Bobby Ingle, was absent). Smyth County SWIFA members present were Mack Blevins, Clarence Smith, and Marvin Perry. Other members present on behalf of SWIFA were David Barrett, Coordinator, as well as Tom Elliott, Executive Director of Virginia's aCorridor and Sam Kiser of Thompson & Litton.

Both Washington County and SWIFA were called to order by their Chairmen. Chairman Reynolds led the invocation and the Pledge of Allegiance.

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, the agenda presented by Washington County was adopted by the Smyth County Board of Supervisors.

Washington County Board of Supervisors and the SWIFA Board also unanimously approved the agenda as presented.

Upon motion of Mr. Slemp, seconded by Mrs. Neitch, and unanimously carried, at approximately 2:13 p.m., the Board agreed to enter into closed session, with

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Washington County Board of Supervisors and SWIFA Board of Directors, as allowed by the Code of Virginia, Section 2.2-3711 (A) (5) for discussion concerning 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.

Ed Whitmore, County Administrator, Mike Carter, Assistant County Administrator, Sally Morgan, Economic Development Planner, and Amber Johnson, Clerk, were invited to attend the closed session on behalf of Smyth County.

Vote: 7 yea
 0 nay

Washington County Board of Supervisors and SWIFA Board of Directors also unanimously entered closed session with those listed above as present being permitted to participate in the closed session.

Upon motion of Mr. Blevins, seconded by Mr. Roberts, and unanimously carried, at approximately 4:30 p.m. the Board reconvened in an open meeting and ended the closed session.

SWIFA Board of Directors also reconvened in an open meeting.

Upon motion of Mr. Roberts, seconded by Mr. Perry, BE IT RESOLVED that the Smyth County Board of Supervisors unanimously adopts the following resolution:

WHEREAS, the Smyth County Board of Supervisors has convened in a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the Smyth County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Smyth County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Smyth County Board of

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Supervisors.

This motion acknowledges that Mike Lehmkuhler of the Virginia Economic Development Partnership was included during closed session by teleconference.

Vote: 7 yea
 0 nay

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board continued the meeting until Thursday, February 22, 2007 at 7:00 p.m. for a joint public hearing with the Planning Commission and any other issues that may arise.

SWIFA Board of Directors also followed with the above motion certifying the closed meeting. SWIFA Board of Directors was then adjourned.

Washington County Board of Supervisors continued their meeting under closed session, in the Smyth County Board of Supervisors meeting room, pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion regarding a prospective industry's interest.

C.C. Clark, Jr., Chairman

Virginia: At a continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Thursday, February 22, 2007, at 7:00 P.M.

Board Members Present: Mr. Charlie Clark, Chairman Mr. Wade Blevins
Mr. Marvin Perry Mr. Harold Slemp
Mrs. Darlene Neitch Mr. Todd Dishner

Board Members Absent: Mr. Michael Roberts

Staff Members Present: Mr. Clegg Williams Mr. Ed Whitmore
Mrs. Amber Johnson Mr. John Tate
Mr. Mike Carter Mrs. Sally Morgan

Planning Commission Members Present: Mr. Dennis Blevins, Chairman Mr. Norman Sparks
Mr. Wayne Venable Mr. Graham Davidson
Mr. Karl Kalber Mr. Don Medley
Ms. Amy Tuell

At 7:00 p.m. the Chairman of the Board of Supervisors and Chairman of the Planning Commission called the joint public hearing to order. Mr. Whitmore read the advertisement as placed in the Smyth County News and Messenger. Mr. Whitmore also read the rules of procedures for public hearings, there were approximately 90 citizen's present.

With legal advice, the Board of Supervisors voted to hear all three (3) applications submitted by Sheridan Ridge Private Reserve at once, therefore allowing four (4) minutes for each citizen to speak.

Upon motion of Mr. Sparks, seconded by Mr. Kalber, and duly carried, the Commission also voted to allow four (4) minutes for each citizen to speak on the Sheridan Ridge Private Reserve applications (Mr. Davidson voted in opposition).

Mr. Williams, Zoning Administrator, summarized the first application submitted by Newton Miller who recently purchased 2338 Riverside Road and the surrounding 12.59 acres from Ryan Hall. Mr. Miller is requesting an amendment to the zoning map to rezone approximately 12.6 acres from Residential to Agricultural/Rural. This is the same tract was rezoned to Residential in December 2005, at the request of Mr. Hall, for a subdivision he was proposing at the time.

Mr. Williams advertised notice of the public hearing in the Smyth County News and Messenger on February 10 and 17. Notification was also sent to the adjoining property owners. Mr. Williams stated that he has only taken general questions regarding this application.

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The Zoning Administrator highlighted §3-3 of the Zoning Ordinance which contains the district regulation for the Residential district (the current zoning classification for the property), §3-2 the district regulations for the Agricultural/Rural (the proposed zoning classification for the property), and Article 9 which covers amendments to the ordinance and map.

Mr. Miller was present and briefly explained that they planned on living on the property with a small farm. They would not be going back into the meat processing business (this property houses the former Adwolfe Meat Processing Plant). No one else spoke on Mr. Miller's application.

Next, Mr. Williams explained the three applications submitted by Sheridan Ridge Private Reserve, LLC and summarized their plans for the development. Sheridan Ridge Private Reserve LLC is proposing a 1400 acre development that is to include both residential and commercial uses.

Included in the developers plans are:

- A residential subdivision for single family dwellings and townhouses covering approximately 512 acres.
- A recreational development containing 90 large lots for which a variance to the subdivision ordinance was approved by the planning commission last year.
- A second recreational development on smaller lots for homes that are to be used on a part time basis.
- A lodge
- A hotel/conference center
- An activity center
- An amphitheater
- A Heli-stop
- A shooting range
- Ball fields
- An equestrian center
- Trout pond
- the remaining portion of the property will be dedicated to hiking, biking, and ATV trails

Other improvements to the property include:

- Public water and sewer is proposed for each of the lots.
- Internal roads for the subdivision are to be designed and built to state standards.

A press release made by the company which explains the project in greater detail was included in meeting information packets sent to each Board member and Commission member.

Mr. Williams went on to state that Sheridan Ridge has begun the process for approval by making three applications to the zoning ordinance. The first application

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involves a 310 acre tract of land currently owned by the Mt. Joe Company and Valley Oak Company. The property is identified by tax map number 35-A-12 and is zoned agricultural/rural. Sheridan Ridge is proposing to congregate all of the commercial uses on a 53 acre portion of the tract and as a result, they have requested that it be rezoned to Commercial. Along with the application, Sheridan Ridge submitted the owner consent forms. Mr. Williams pointed out that the current property owners have requested that if the Board is inclined to approve their application that it not be made effective until after the property is transferred to Sheridan Ridge Private Reserve LLC or its assigns. They have made this request under §9-3 of the Zoning Ordinance.

For all three applications, Mr. Williams advertised notice of the public hearing in the Smyth County News and Messenger on February 10 and 17. In addition, each adjoining property owner of the tracts was notified by mail of the public hearing.

Mr. Williams affirmed that he had received an abundance of questions regarding these applications but only three (3) requested that their comments be read for the record. The first was a letter from Mr. Bill Thompson and due to its length; Mr. Williams distributed copies to the Commissioners and the Board members. The second was an e-mail from Mr. Jeff Hammond, a participating partner of Sheridan Ridge. Mr. Hammond expressed his support for the project and asked for Board's support also. Finally, a letter from the Mount Rogers National Recreational Area pointed out the close proximity of the development to the headwaters of Hungry Mother Creek. The Department of Environmental Quality should be contacted for permits when water resources could be affected. Secondly, the letter pointed out the recreational uses of national forest lands and private lands. Next, the letter touched on the commercial stables and the use of national forest trails. Lastly, the letter states that federal regulations prohibit granting any road access rights across national forest.

While considering the first request, Mr. Williams highlighted §3-2 of the Zoning Ordinance which contains the district regulations for the current zoning designation (Agricultural/Rural). Also, §3-4 which contains the regulation for the proposed designation (Commercial), and Article 9 which covers the requirements for any amendment to the ordinance or map.

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Mr. Williams went on to explain Sheridan Ridge Private Reserve's second request which is an application to rezone approximately 511 acres from agricultural/rural to residential. The property is part of two tracts of land currently owned by Fred and Charles Conner. The two tracts in question are identified by tax map numbers 35-A-11B and 36-A-3B. Both of the tracts are currently zoned Agricultural/Rural. Like the previous request, he pointed out §3-2 but specifically 3-2.3 b), which requires that any "subdivision" proposed in the A/R district be rezoned to Residential, §3-3 which contains the regulations for the Residential District, and also Article 9.

The third and final request from Sheridan Ridge Private Reserve is one for a special use permit. Mr. Williams stated that the developer is requesting a special use permit to construct a commercial stable on a part of the Mt. Joe/Valley Oak tract (35-A-12) that is planned to remain Agricultural/Rural. Commercial stables are allowed in the A/R district by issuance of a special use permit under §3-2.2 i). Mr. Williams pointed out Article 6 and specifically §6-2.3 which contains the standards that must be met before any special use permit be approved.

The Zoning Administrator emphasized that this is only the first of many approvals needed for this development to gain final approval. If these applications are successful, the following would still apply:

- Design and construction of most internal roads must meet state standards and a bond equal to the total cost of the road project must be posted.
- Design and construction of water and sewer lines must meet county requirements and gain Health Department approval.
- An Erosion and Sediment Control (E&S) plan must be submitted and approved for the entire project.
- A bond must be posted covering the total cost of all E&S measures.
- A storm water permit must be applied for and be approved by Department of Conservation and Recreation.
- Any work in streams or wetlands must be reviewed and approved by Virginia Marine Resource Commission, Army Corp of Engineers, Department of Environmental Quality, and any other regulatory agency having jurisdiction.
- A final plat will need approval from the Planning Commission.
- All structures must comply with the Virginia Uniform Building Code and permits for each obtained.

Mr. Williams also mentioned that if this project progresses, there would probably be more applications to the zoning ordinance.

On behalf of Sheridan Ridge Private Reserve, LLC, Mark Martin, CEO, explained their plans in further detail. The concept of the idea was to have a place close to race

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tracks for Nascar and their affiliates to "get away". The development would create jobs part time and full time. He also stated that local labor would be used to construct the homes. Mr. Martin addressed the Lodge and explained that it would be open for public use and only closed at certain times. Mr. Martin expressed their interest in being a partner with the community not a hindrance.

Next, Steve Semones of Balzer & Associates engineering firm of Christiansburg, spoke on behalf of the project. Mr. Semones address the environmental issues and how those would be addressed. He mentioned how the plan avoids the Hungry Mother Creek, controlling of water erosion, building bridges and not installing culverts, and the they plan to preserve as much of the forest as possible. Trees will only be cut for roads and homes. Mr. Semones also referred to the County's Comprehensive Plan and how it states the need for housing.

Andrew Woody, financial partner and contractor, touched on how he would be involved with the building and construction of the project. He mentioned the advantages of long term tax revenues for the county. He also mentioned the environmental issues and stated that local, state, and federal agencies will strictly govern those environmental standards.

The following citizens spoke in opposition of the three (3) requests submitted by Sheridan Ridge Private Reserve and against the proposed development:

Earl McClure	Neal Kilgore
Merle Obregon	John Taminger
Joe Ellis, Jr.	Frank Detwiller
Nichole Franks	Anna Johnston
Mike Nichols	Brandy Nichols
Irwin Rowland	David Rowland

Some of the above citizens stated their support for development. However, their reasons for opposition included: the kind of people it would attract, destroying the beauty and the view of the area, the disadvantages of gated communities, conflicting information and the fact that more information was needed from the developer regarding congestion, noise, preservation of the land, and environmental impact.

The citizens below spoke in favor of the applications submitted by Sheridan Ridge. Some of the reasons for support were: economic growth, asset to the County, the need for housing, trust should be placed in the state and federal agencies to govern

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the environmental issues, progress and change, the community will be open for public use, long term benefits, upscale housing needed for executives who live outside the county, population growth, and increase in County tax revenue.

Mark Warren
Joel Pugh
Ron Thomason
David Berg
Casey Hart
Ken Heath
Charlie Berg
Doug Sexton
Kris Gandhi

Fred Conner
Ralph Price
Sarah Fields
Dorinda Atkins
Herbert Clay
Sharon Hart
Jim Frank
C.W. Pratt

After all had spoken, the Chairman of both the Board and the Planning Commission closed the public hearing at approximately 9:21 p.m.

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board appropriated \$17,517.50 from the Allison Gap Sewer Project fund.

At approximately 9:23 p.m., the Chairman adjourned the meeting.

C.C. Clark, Jr., Chairman

