

Note from the Clerk: These minutes are written as the agenda was presented. Some votes may appear out of order.

Virginia: At the regular meeting of the Smyth County Board of Supervisors held at the County Office Building on Tuesday, January 9, 2007 at 12:00 noon.

Board Members Present: Mr. Harold Slemp Mrs. Darlene R. Neitch
Mr. Todd Dishner
Mr. Michael Roberts (arrived approximately 1:45 p.m.)
Mr. Charlie Clark (arrived approximately 2:13 p.m.)
Mr. Marvin Perry (arrived approximately 2:25 p.m.)

Board Members Absent: Mr. Wade Blevins

Staff Members Present: Mr. Michael Carter Mr. Charlie Atkins
Mrs. Amber Johnson Mr. John H. Tate, Jr.
Mr. Ed Whitmore

At 12:00 noon, with only Mr. Slemp, Mr. Dishner, and Mrs. Neitch present, the meeting was delayed because of a lack of a quorum, due to bad weather.

Once Mr. Roberts arrived at approximately 1:45 p.m., the meeting was called to order. Mr. Slemp served as Chairman.

Upon motion of Mrs. Neitch, seconded by Mr. Dishner, and unanimously carried, the agenda was adopted along with the additional agenda.

Vote: 4 yea (Roberts, Dishner, Slemp, Neitch)
3 absent (Clark, Perry, Blevins)

Mr. Carter, Deputy Clerk opened up the floor for nominations of Chairman for calendar year 2007.

Mr. Perry nominated Mr. Clark and made remarks on the progress made while he has served as Chair. Mr. Slemp seconded Mr. Perry's nomination and also remarked on Mr. Clark's leadership as Chairman.

With no other nominations for Chairman, Mr. Carter closed the nominations.

By a unanimous vote, Mr. Charlie Clark was selected as Chairman for calendar year 2007.

Vote: 5 yea (Roberts, Dishner, Slemp, Neitch, Perry)
1 absent (Blevins)
1 abstention (Clark)

Mr. Clark resumed as Chairman and took nominations for the Vice Chairman.

Mr. Dishner nominated Mr. Slemp as Vice Chairman and remarked on his leadership as Vice Chair the past year. Mr. Perry seconded the motion.

With no other nominations for Vice Chairman, Mr. Clark closed the nominations.

By a unanimous vote, Mr. Harold Slemp was selected as Vice Chairman for

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calendar year 2007.

Vote: 5 yea (Roberts, Dishner, Clark, Neitch, Perry)
1 absent (Blevins)
1 abstention (Slemp)

Upon motion of Mr. Slemp, seconded by Mr. Dishner, and unanimously carried, Mr. Ed Whitmore was selected as Clerk and Mr. Michael Carter was selected as Deputy Clerk for calendar year 2007.

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

Upon motion of Mr. Slemp, seconded by Mr. Dishner, and unanimously carried, the Rules of Procedures was adopted for Board meetings. These rules were officially adopted by the Board September 9, 2003.

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

Upon motion of Mr. Roberts, seconded by Mr. Dishner, and unanimously carried, the minutes of December 12, 2006 were approved with two corrections made by Mr. Tate concerning Mr. Daniel Blevins' BZA term and Mr. Dishner's appointment to the District Three Cooperative Board.

Vote: 4 yea (Roberts, Dishner, Slemp, Neitch)
3 absent (Clark, Perry, Blevins)

Upon motion of Mrs. Neitch, seconded by Mr. Dishner, and unanimously carried, the following appropriations were approved:

General County	\$1,675,000
Animal Control (office supplies)	\$21.87
Department of Social Services (January 10-31, 2007)	\$300,000
(February 1-13, 2007)	\$40,000
Schools Operating Fund	\$3,850,000
Debt & capital Outlay	\$100,000

Vote: 4 yea (Roberts, Dishner, Slemp, Neitch)
3 absent (Clark, Perry, Blevins)

Upon motion of Mr. Dishner, seconded by Mrs. Neitch, and unanimously carried, the accounts payable listing in the amount of \$1,128,482.89 was approved.

Vote: 4 yea (Roberts, Dishner, Slemp, Neitch)
3 absent (Clark, Perry, Blevins)

CITIZEN'S TIME

Mr. Ernie Sullins was present to speak for citizen's time at 12:15; it was delayed due to a lack of a quorum. When the meeting resumed at 1:45 p.m. he was not present.

NEW BUSINESS

Upon motion of Mrs. Neitch, seconded by Mr. Dishner, and unanimously carried, regular Board meetings for 2007, were scheduled for the second Tuesday, of each month at 12:00 noon.

In the month of November, the meeting will be held on Wednesday, November 14, 2007 due the Virginia Association of Counties Annual meeting which will be held Sunday, November 11-Tuesday, November 13, 2007.

Vote: 4 yea (Roberts, Dishner, Slemp, Neitch)
 3 absent (Clark, Perry, Blevins)

Note: Mr. Roberts stated that he was an employee of the Town of Marion and could vote impartially.

Mrs. Diane Spence requested that the Board approve a grant awarded in the amount of \$67,736 from the Department of Criminal Justice Services Board. She explained that the grant award includes a 25% local cash match. If divided with the County and the three Towns agree to contribute, each location's match would be as follows:

County:	\$5,577	Marion:	\$3,965
Chilhowie	\$3,427	Saltville:	\$3,965

Grant funds would be used to purchase wireless communications for the Sheriff and Police Departments. Mrs. Spence explained that there are funds in her budget to cover the County's portion of the match.

Mr. Roberts motioned to accept the grant award; Mr. Tate questioned whether the issue should be referred to the budget Committee. Mr. Roberts then motioned that the request be sent to the Budget Committee. Mrs. Spence stated she would get more information for the Budget Committee. With that information the Budget Committee can make a formal recommendation to the Board. There was no second to the above motions and votes were not taken.

Upon motion of Mr. Slemp, seconded by Mr. Dishner, and unanimously carried, the Board approved the following easement with the Department of Conservation for a water main in Hungry Mother State Park (easement will be included in official minutes):

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Vote: 5 yea (Roberts, Dishner, Slemp, Clark, Neitch)
 2 absent (Blevins, Perry)

Upon motion of Mr. Slemp, seconded by Mrs. Neitch, the Board unanimously supports the Groseclose Sewer grant application. This motion authorizes the submission of the grant application to the Economic Development Administration in the amount of \$2,000,000. Mount Rogers Planning District Commission will be assisting with the application.

Vote: 5 yea (Roberts, Dishner, Slemp, Clark, Neitch)
 2 absent (Perry, Blevins)

Upon motion of Mrs. Neitch, seconded by Mr. Slemp, and unanimously carried, the Board approved the following personal property tax refund. With legal counsel's recommendation, the refund will be made to Ms. Jennifer Lynn Jones since research shows she paid the taxes, not Joseph Don Delp who filed the refund request.

Jennifer Lynn Jones
Personal property tax refund request in the amount of \$85.77

Vote: 5 yea (Roberts, Dishner, Slemp, Clark, Neitch)
 2 absent (Perry, Blevins)

Upon motion of Mr. Slemp, seconded by Mrs. Neitch, and unanimously carried, the Board approved the following personal property tax refund. Upon legal counsel's recommendation, interest is not being refunded as requested.

General Motors Acceptance Corporation
Personal property tax refund request in the amount of \$153

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

Upon motion of Mr. Slemp, seconded by Mr. Dishner, and duly carried, the Board approved the recommendation from the Appointment Committee and appointed Clegg Williams as the Subdivision Ordinance Agent.

Vote: 5 yea (Roberts, Dishner, Slemp, Clark, Perry)
 1 nay (Neitch)
 1 absent (Blevins)

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board agreed with the Appointment Committee's decision to reappoint Mr. Clarence Smith to the Smyth-Washington Regional Industrial Facilities Authority. This four year term will expire December 31, 2010.

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

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Mr. Roberts requested that the vacancy for the Saltville District on the Smyth-Bland Regional Library Board created by Mrs. Helen Barbrow's passing, be continued.

Upon motion of Mr. Clark, seconded by Mr. Slemp, and unanimously carried, the Board appointed Mrs. Kay Perkins to the Smyth-Bland Regional Library Board, as the North Fork District representative. This four year term will expire December 31, 2010 and replaces Rita Frye.

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

Mr. Slemp nominated Mavis Williams, his Atkins representative for the Chamber of Commerce, Area Beautification Committee. Mr. Perry nominated Gay Hart, his Royal Oak representative for the Area Beautification Committee. Mr. Dishner seconded both these nominations and they were unanimously reappointed for calendar year 2007.

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

Mr. Roberts nominated Norma Marsh, his Saltville Representative for the Area Beautification Committee. Mr. Perry seconded his motion and she was unanimously reappointed for calendar year 2007.

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

The following four remaining members not addresses will be continued:

Phyllis Griffith (Rye Valley District)	Sandy Davenport (Chilhowie District)
Alice Freeman (Park District)	Debbie Ogle (North Fork District)

Upon motion of Mr. Perry, seconded by Mr. Roberts, and unanimously carried, the Board would reappoint Mr. Robert Dix to the Smyth-Wythe Joint Airport Commission, contingent upon the decision of the Town of Marion. If appointed by both the Town of Marion and the County, this Joint Member's four year term will expire January 31, 2011.

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

The Evergreen Soil & Water Conservation District will hold their annual brunch at the New Pioneer Restaurant on Tuesday, March 13 at 10:30 a.m. The Conservation District requested the Board's presence and if this would be a suitable time to meet. The Board agreed to on the date and time.

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The request from Dr. Craig Smith of the Virginia Department of Health District for partnership with the County was continued with a motion by Mrs. Neitch, seconded by Mr. Slemp, and unanimously carried.

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

Upon motion of Mrs. Neitch, seconded by Mr. Slemp, and unanimously carried, pursuant to section 2.2-4303 (f), of the Code of Virginia, the Board here by declares an emergency to secure professional services for addressing comments in the 2005 County Audit. Due to time constraints and to assist the County Treasurer, the Board authorizes the employment of Hicok Fern Brown & Garcia, CPAS. Hicok Fern Brown & Garcia will implement the audit recommendations to address a material weakness and reportable conditions outlined in the management letter in the 2005 audit report, delivered October 2006. This contract will be awarded on or about Wednesday, January 17, 2007.

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

Steve Buston of the Virginia Department of Transportation first explained that the Broadford and Sugar Grove facilities would remain open. He thanked the Board for their interest in those facilities which aided in the department's decision to keep them open. On behalf of the Board, Mrs. Neitch asked that Mr. Buston thank the commissioner and others involved in keeping these local shops open.

Mr. Buston also briefly discussed Exit 47 and what the Board can expect in the future on that project. At some point there may be a public hearing on the change in the highway system, which will be held by VDOT for the developers. He also mentioned Exit 35 and the changes that may occur there due to development.

Mr. Buston explained that they are ready to hold the public hearing for the Six Year Plan, 2007/2008 through 2012/2013.

Upon motion of Mrs. Neitch, seconded by Mr. Dishner, and unanimously carried, the Board will hold a joint public hearing with the Virginia Department of Transportation to take comments on the proposed Secondary Six-Year Plan for Fiscal Years 2007/2008 through 2012/2013. The hearing is scheduled for the next regular Board

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meeting on Tuesday, February 13, 2007 at 2:00 p.m.

Vote: 4 yea (Roberts, Dishner, Slemp, Neitch)
 3 absent (Clark, Perry, Blevins)

Mr. Slemp inquired about parked, non-tagged cars on state roads. Mr.

Whitmore briefly inquired about Exit 47.

At 3:30 p.m. the Board proceeded with a public hearing on the Community Development Block Grant (CDBG) funding. Mr. Whitmore read the advertisement and there was one citizen present for the hearing. Mrs. Morgan explained the possible funding. There are approximately \$2,100,000 federal funds available for grants which must benefit at least 51% low to moderate income persons. Smyth County is eligible because all of the county's past projects have been closed out.

The only person to speak at the hearing was Mr. Phil Collins, who identified himself as the president of the Allison's Gap development association. He requested the Board's support of the plans to convert the former Allison Gap School to elderly housing (a report of which was heard at last month's Board meeting).

The hearing was closed at 3:35 p.m.

Mrs. Morgan answered questions and the Board discussed other areas of concern that may benefit from these funds.

Upon motion of Mr. Roberts, seconded by Mrs. Neitch, and unanimously carried, the Board authorized staff to proceed with the application process for CDBG funds for the Allison Gap project.

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

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.
 - 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)**.
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**).

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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. Request from Commissioner of Revenue for the following tax refund request (12-12-2006):
 - Ford Motor Credit Co.
 2006 Personal Property Tax refund in the amount of \$195.75 plus interest

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board approved the following personal property tax refund. Upon legal counsel's recommendation, interest is not being refunded as requested.

Ford Motor Credit Co.
2006 Personal Property Tax refund in the amount of \$195.75

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

Upon motion of Mrs. Neitch, seconded by Mr. Slemp, item #8 was removed from old business.

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

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9. Planning Commission appointment for the Rye Valley District (12-12-2006).

CLOSED SESSION

Note: Mr. Perry left during closed session.

Upon motion of Mr. Dishner, seconded by Mrs. Neitch, and unanimously carried, at 4:00 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)

At 5:30 p.m. the Chairman ended the closed session.

Upon motion of Mrs. Neitch, seconded by Mr. Slemp, 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

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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: 5 yea (Roberts, Dishner, Slemp, Clark, Neitch)
 2 absent (Blevins, Perry)

MEETING CONTINUED

At approximately 5:30 p.m., upon motion of Mrs. Neitch, seconded by Mr. Dishner, and unanimously carried, the meeting was continued until Thursday, January 25, 2007 at 7:00 for a joint public hearing with the Planning Commission and any other issues that may arise.

Vote: 5 yea (Roberts, Dishner, Slemp, Clark, Neitch)
 2 absent (Blevins, Perry)

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, January 25, 2007, at 7:00 P.M.

Board Members Present: Mr. Charlie Clark, Chairman Mr. Wade Blevins
Mr. Marvin Perry Mr. Harold Slemm
Mrs. Darlene Neitch Mr. Michael Roberts

Board Members Absent: Mr. Todd Dishner

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

Planning Commission Members Present: Mr. Dennis Blevins, Chairman Mr. Norman Sparks
Mr. Wayne Venable Mr. Graham Davidson
Mr. Karl Kalber

Planning Commission Members Absent: Ms. Amy Tuell
Rye Valley appointment vacant

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 on January 13 and 20, 2007. With only one citizen present, reading of the rules for public hearings was forgone.

Mr. Williams summarized the only application submitted by Susan Hamm for a special use permit. Ms. Hamm would like to establish a mini-warehouse business near her residence on Green Mountain Road in Rural Retreat. The structure she is proposing will be approximately 24' x 100' with approximately 30-40 units. The structure will be located on a tract of land she owns adjoining Green Mountain Road, which is identified by tax map #38-A-110 and zoned Agricultural/Rural. Mr. Williams sent notice to all adjoining property owners. He received no comments on this application. He also pointed out the following sections of the ordinance: Section 3-2.2 bb) which allows Mini-warehouses in the A/R district by issuance of a SUP, Article 6 which contains the provisions for Special Use Permits, and 10-46 which defines Mini-warehouse businesses.

Mr. Tate clarified where the proposed structure will go. Only Mr. Josh Hamm, Ms. Susan Hamm's son was present to answer any questions. With no further questions or comments, the hearing was closed at approximately 7:06 p.m. by both Mr. Clark, Chairman of the Board and Mr. Blevins, Chairman of the Commission.

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The Board then recessed to the 4th floor Boardroom and reconvened at approximately 7:11 p.m.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board appointed Mr. Don Medley to the Smyth County Planning Commission, as the Rye Valley District representative. Mr. Medley's four (4) year term will expire December 31, 2010.

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

After discussion, upon motion of Mr. Slemp, seconded by Mr. Perry, and unanimously carried, the Board agreed to create the Smyth County Tourism Association under Virginia Code section 15.2-1303, in cooperation with the Town of Marion, Chilhowie, and Saltville.

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

Upon motion of Mr. Roberts, seconded by Mrs. Neitch, and unanimously carried, the Board budgeted up to \$3,500 to supplement a new position recently created in the Commissioner of Revenue's Office.

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

The Water and Sewer Committee recommended that the County assist the Town of Marion by funding fifty percent of each of the three meters in question (Atkins, Hungry Mother, and Staley Creek).

Note: Michael Roberts stated he was a Town of Marion employee and could vote impartially.

After discussion, upon motion of Mr. Slemp, seconded by Mr. Blevins and unanimously carried, the Board agreed with the Water and Sewer Committee's recommendation. The Board authorized the staff, and both Mr. Tate and Mr. Campbell, Water and Sewer Attorney, to proceed with the Town in the agreement between the Town and the County.

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

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, at approximately 7:40 p.m., the Board agreed to enter into closed session as

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allowed by the Code of Virginia, Section 2.2-3711 (A) (5) report on business prospect (s), and (7) for pending litigation and legal briefing.

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

At approximately 8:30 p.m. the Chairman ended the closed session.

Upon motion of Mr. Slemp, seconded by Mr. Blevins, 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 Supervisors.

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

At approximately 8:35 p.m., the Chairman continued the meeting until Friday, February 2, 2007 at 1:00 p.m.

C.C. Clark, Jr., Chairman

Virginia: At a continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Friday, February 2, 2007, at 1:00 P.M.

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

Board Members Absent: Mr. Marvin Perry Mr. Michael Roberts

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

Mr. Clark called the meeting to order at 1:00 p.m.

Mr. Jeff Richardson, Commissioner of Revenue, expanded upon his request approved at the previous Board meeting Thursday, January 25. At that meeting the Board budgeted up to \$3,500 to supplement a new position recently filled in his office. Mr. Richardson clarified that only \$1,836 is needed for this request in the current year.

Upon motion of Mr. Slemp, seconded by Mr. Dishner, and unanimously carried, the Board supports a resolution to amend section 2.2-4344 of the Code of Virginia, to include the Regional Facilities Authorities under the same exemption that currently exists for Industrial Development Authorities.

Vote: 5 yea (Dishner, Slemp, Clark, Neitch, Blevins)
 2 absent (Perry, Roberts)

Upon motion of Mrs. Neitch, seconded by Mr. Slemp, and unanimously carried, the Board scheduled a public hearing for budget amendments to the School Board budget in the amount of \$571,356. The public hearing is scheduled for Tuesday, February 20, 2007 at 1:00 p.m.

Vote: 5 yea (Dishner, Slemp, Clark, Neitch, Blevins)
 2 absent (Perry, Roberts)

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, at approximately 1:32 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 (s), and (7) for pending litigation and legal briefing.

Vote: 5 yea (Dishner, Slemp, Clark, Neitch, Blevins)
 2 absent (Perry, Roberts)

At approximately 1:49 p.m. the Chairman ended the closed session.

Upon motion of Mr. Slemp, seconded by Mr. Dishner, 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: 5 yea (Dishner, Slemp, Clark, Neitch, Blevins)
 2 absent (Perry, Roberts)

Upon motion of Mr. Slemp, seconded by Mr. Dishner, and unanimously carried, the Board approved \$170,000 in funds from the IDA budget to match the same amount from Washington County to provide toward Smyth Washington Regional Industrial Facilities Authority (SWIFA) for completion of the shell building for an un-named prospect.

Vote: 4 yea (Dishner, Slemp, Clark, Blevins)
 2 absent (Perry, Roberts)
 1 abstention (Neitch)

The Chairman adjourned the meeting at 1:51 p.m.

C.C. Clark, Jr., Chairman

