

Virginia: A continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Thursday, April 7, 2005 at 1:00 pm.

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

Note: Mr. Dishner left at approximately 2:30pm, Mr. Slemp left at approximately 3:03pm.

Staff Members Present: Mr. Edwin B.J. Whitmore, III Mr. John H. Tate, Jr.
Mr. Michael Carter Ms. Amber Tilson
Mr. Charlie Atkins Mr. Scott Simpson
Mr. Shannon Williams Mrs. Diane Spence
Ms. Heather Gillespie

The Chairman called the meeting to order at 1:04pm.

The Board of Supervisors met to discuss the renovation of the Courthouse and to decided where to go from this point. Each Board member voiced their concerns with the courthouse. The Board also took comments from the audience, which consisted of approximately 20 people including staff members, constitutional officers and judges.

With discussion, Mr. Perry motioned that the Building and Grounds Committee devise a plan to provide adequate security for the Courthouse until the Board decides which direction to take with the renovation. Mr. Slemp seconded the motion and it was unanimously carried.

Vote: 6 yea
 1 absent (Dishner)

Upon motion of Mr. Perry, seconded by Mr. Roberts, and unanimously carried, the Board approved the recommendation from the budget committee to advertise a public hearing on the school board's 2005-2006 fiscal year budget, as presented to the budget committee on Wednesday, April 6 and adopted by the school board on March 31. Public hearing is scheduled for Wednesday, April 20, 2005 at 5:00pm.

Vote: 5 yea
 2 absent (Slemp, Dishner)

The Chairman adjourned the meeting at 3:21 pm.

C.C. Clark, Jr., Chairman

Virginia: At the regular meeting of the Smyth County Board of Supervisors held at the County Office Building on Tuesday, April 12, 2005 at 12:00 noon.

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

Note: Mr. Dishner left at approximately 2:15pm.

Staff Members Present: Mr. Edwin B.J. Whitmore, III Mr. John H. Tate, Jr.
Mr. Michael Carter Ms. Amber Tilson
Mr. Scott Simpson Mr. Charlie Atkins
Mrs. Sally Morgan

The chairman called the meeting to order at 11:58 a.m. Mr. Michael Carter led the pledge of allegiance. Invocation was given by Rev. Neville Mozingo.

Mr. Mozingo commented on the amount of trash along the roads through out the County.

Upon motion of Mr. Slemp, seconded by Mrs. Neitch, and unanimously carried, the Board adopted the following resolution as requested by the Smyth County Chamber of Commerce:

WHEREAS, April 2005 has been selected in order to correspond with the month of Earth Day, Arbor Day and other clean-up activities scheduled throughout the state, and

WHEREAS, the Area Beautification Committee of the Chamber of Commerce of Smyth County, Inc. is encouraging all Adopt-A-Highway program participants, churches, clubs and organizations to schedule a clean up, and

WHEREAS, the Virginia Department of Transportation is arranging special pickups to support the efforts of volunteers throughout the Smyth County area.

NOW, THEREFORE BE IT RESOLVED, That the Board of Supervisors of Smyth County acknowledges the importance of encouraging area residents to work together to maintain the appearance of Smyth County, and declares April 2005 as "Smyth County Clean-up Month."

Mr. Slemp expressed thanks for Mr. Mozingo's contribution to this community.

Mr. Roberts thanked the Board for flowers, cards, thought, and prayers, during the loss of his grandfather.

Upon motion of Mrs. Neitch, seconded by Mr. Slemp, and unanimously carried the Board adopted the agenda as to form, with the additional agenda.

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously

4/12/2005

carried, the Board approved the minutes of March 8, 24 and April 7, 2005, with a few grammatical changes.

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

Appropriations

- General County \$1,050,000.00
- Social Security Funds (Sheriff's Dept.) \$606.81
- Animal Control \$130.00
- Allison Gap Sewer Project \$270,994.93
- Groseclose Water Project \$5,158.24
- Cedars/Hall Addition Sewer Project \$497,474.00
- Department of Social Services (April 13-30, 2005) \$315,000.00
(May 1-10, 2005) \$35,000.00
- Schools Operating Fund \$3,300,000.00
 Debt & Capital Outlay Fund \$350,000.00
 Textbook Fund \$1,000.00

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board approved the accounts payable listing in the amount of \$1,420,103.12.

During citizen's time the following citizens spoke:

Mr. James Davidson discussed the amount of deer carcass thrown on the sides of the roads, in the fall. He asked the Board if anything could be done about this problem. He suggested placing a container at the convenience stations for the carcasses. Mr. Carter explained that a container at the convenience stations for carcass violates state law but carcasses are accepted at the transfer station.

John Taminger, Sandy Stoots, Bonnie Murry, and Betty Hall, residents from the East Hungry Mother water project questioned the progress of the water for that area. Scott Simpson explained his recommendation to remove \$200,000.00 from the Thomas Bridge Interconnect project to make up the short falls of the East Hungry Mother funding package. This would assist in getting the

project moving. The Board would vote on this recommendation later in the
4/12/2005

meeting, the citizen's stayed to hear the Board's decision.

Mrs. Kitty Cox thanked the Board for their continuous work in the community and support for the Museum of the Middle Appalachians. She hopes they will continue their support in the future.

Mr. James and Jennie Haulsee of Shuler Hollow Road expressed their concerns with a neighbor who continues to operate a junkyard. She explained that the junkyard was decreasing the value of their home and was not something they wished to see on a daily basis.

Upon motion of Mr. Slemp, seconded by Mr. Perry, and unanimously carried, the Board appropriated \$12,180.00 from the 911 Communications budget to pay license frequencies for five (5) tower sites for the radio system.

Upon motion of Mr. Dishner, seconded by Mr. Slemp, and duly carried, the Board approved the Water Committee's recommendation that \$200,000.00 be reallocated from the Thomas Bridge Interconnect budget to the 502 funds projects budget to cover the shortfall of the East Hungry Mother funding package. This motion also removes Pleasant Heights and North Holston from the East Hungry Mother funding package.

Vote: 6 yea
 1 nay (Perry)

Upon motion of Mr. Roberts, seconded by Mr. Dishner, and duly carried, the Board requested that the staff work with the next two (2) year budget cycles to come up with \$900,000.00 needed to upgrade the North Holston and Pleasant Heights water lines.

Vote: 6 yea
 1 nay (Perry)

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board adopted the following resolution:

WHEREAS, the Girl Scouts of the Appalachian Council have announced the names of the Girl Scouts that have achieved the 2005 Gold Award, and

WHEREAS, the Gold Award symbolizes outstanding accomplishments in the areas of leadership, community service, career planning, and personal development, and

4/12/2005

WHEREAS, Meghan Thompson is a resident of Smyth County and has accomplished this major award.

THEREFORE BE IT RESOLVED that the Smyth County Board of Supervisors recognizes this young lady on the occasion of receiving the Gold Award and extends its congratulations to her for her hard work and dedication to the Girl Scouts.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board adopted the following resolution:

WHEREAS, 45 million Americans, equal to the combined population of 24 states, do not have health care coverage;

WHEREAS, eight out of 10 people who are uninsured are in working families;

WHEREAS, there are more than 8 million children in America without health coverage;

WHEREAS, uninsured Americans live sicker and die younger than those who are covered and suffer needlessly because they go without the health care they need;

WHEREAS, the price of health care continues to rise, and fewer, individuals and families can afford to pay coverage, and fewer businesses are able to provide coverage for their employees;

NOW, THEREFORE BE IT RESOLVED, we recognize the urgency of seeking solutions to one of America's biggest problems, and hereby declare May 1-8, 2005, Cover the Uninsured Week in Smyth County, Virginia.

Upon motion of Mr. Roberts, seconded by Mr. Slemp, and unanimously carried, the Board approved a real estate tax refund in the amount of \$315.00 (\$157.50 for 2003 and \$157.50 for 2004) to L & O Services, Roland Petroleum as recommended by the County Attorney.

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, the Board approved the renewal of the lease for the Rich Valley Convenience station. The lease shall be for five (5) years beginning on May 1, 2005 and ending at midnight on April 30, 2010, with the option to renew for an additional five (5) years. The lease is on file at the County Administrators office.

The Board briefly discussed the courthouse renovation.

Upon motion of Mr. Roberts, seconded by Mr. Slemp, and unanimously carried, the Board approved the following list of appointees to the Community Criminal Justice Board:

William H. Price – Chief of Police Representative
Chuck McHugh – Community Services Board Representative
Ida Ashbrook – Education Representative
Kevin Tiller – Attorney Representative
Honorable Birg E. Sergent – Circuit Court Judge Representative
Honorable Elizabeth S. Wills – Juvenile & Domestic Relations Judge
Representative
Honorable Suzanne K. Fulton – General District Judge Representative

Upon motion of Mr. Blevins, seconded by Mrs. Neitch, and unanimously carried, the Board approved a 100% Gangs in Virginia grant in the amount of \$39,199.00 for the Sheriff's Department. Mr. Carter informed the Board of grammatical changes and changing the finance officer from Tom Burkett to Charlie Atkins.

Mr. Dishner left at approximately 2:15pm.

Upon motion of Mr. Perry, seconded by Mr. Slempp, and unanimously carried, the Board approved the following actions in order to comply with contract requirements for a \$200,000.00 demonstration grant received from Department of Housing and Community Development (DHCD):

1. Adoption of the following program income plan.

4/12/2005

2. Adoption of the following Local Business and Employment Plan.

4/12/2005

3. Authorization to publish Minority and Female Business Notice in newspaper as follows:

4/12/2005

The Chairman was authorized to appoint two (2) persons to serve on the housing board. Mount Rogers Planning District Commission recommends using the current three (3) members of the Indoor Plumbing Board – Mike Roberts, Sally Morgan, and Charlie Harrington and add two (2) additional members (do not have to be Board members). Meetings anticipated would be approximately four (4) over the course of one year (project will last only one year).

Mr. Slemp volunteered to attend the Fair Housing Workshop on Thursday, May 12, 2005 in Abingdon at the Higher Education Center. The Board appointed Mr. Dishner in the event that Mr. Slemp is unable to attend.

Mr. Robert Hurt of the Virginia Department of Transportation (VDOT) informed the Board of the new traffic pattern at the intersection of Highway 11 and Highway 107 is in place. Traffic Engineering asked for any feed back from the Board.

Mr. Clark inquired about paving on Route 644.

Mr. Slemp inquired about Atkins drainage problems. Ditches were dug and cleaned brush was removed. Mr. Hurt returned the written concern to Mr. Slemp.

Mr. Whitmore asked for clarification about a letter received concerning the commonwealth continuing transportation revenue sharing modifications. Mr. Hurt informed Mr. Whitmore that the County would need to apply again with the same application sent March 31, 2005, requesting \$150,000.00. On this application, the County can ask for more money and must be submitted by July 22, 2005.

The fiscal year 2006-2011 Six-Year Improvement Program final public hearing will be on Tuesday, April 19 at 5:00 p.m. in the VDOT Bristol District Auditorium. Mr. Perry who was scheduled to attend; is now unable to do so. Another representative must be appointed to attend.

Mr. Hurt inquired about rural rustic projects, giving Mr. Whitmore information from Mr. Steve Buston explaining that three projects were fully

funded and removed from the 6-year plan. These projects should remain on the

4/12/2005

plan until after completion. Mr. Whitmore is to relay this message to Richmond.

Mr. Hurt responded to Mr. Roberts on an Allison Gap Incidental Project. VDOT had removed buildings and \$30,000 was set aside for that project. Due to funding the walls could not be replaced as requested by the property owner, another project would have to be set up to do that work.

Mr. Roberts inquired about the rocks that used to be in Old Quarry that prevented parking and discarding of trash. Mr. Hurt informed Mr. Roberts that it was not possible to replace the rocks because of safety hazards, however a guardrail may be possible.

Mr. Roberts requested a paving schedule and mentioned other concerns such as a mud hole on Shey Lane and a ditch on the Lowary property.

Mr. Slemp mentioned that the sign for the industrial park in Nicks Creek Road does not seem to be noticeable, the truck drivers are going past the park and then not able to turn around. He asked if a bigger sign was possible.

Mr. Carter asked how VDOT would coordinate the month long April clean up month project. In the past the clean up had been scheduled for a single day and trash was brought into the transfer station free of charge. Mr. Hurt asked that VDOT be notified where the trash is and they will pick it up through out the month of April.

Upon motion of Mr. Roberts, seconded by Mr. Blevins, and duly carried, the Board would add Mr. Charlie Harrington, Smyth County Emergency Services Coordinator to the Building and Grounds Committee as an ex officio member without voting rights, and look into the cost of the following items to be purchased with homeland security funds allocated for Smyth County:

- metal detectors for the courthouse
- more computers (tuff books) for the police vehicles
- mobile communications vehicle
- portable cascade system
- hazmat trailer
- back up communication system

Vote: 5 yea
 1 nay (Slemp)
 1 absent (Dishner)

4/12/2005

Mr. Stephen Campbell of the Town of Saltville explained plans for Saltfest 2005 and plans for future events.

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board appropriated \$2,000.00 to donate to the Town of Saltville for the 2005 Saltfest.

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board agreed to hold a public hearing on requested budget amendments to the 2004-2005 school board budget.

At 3:00 p.m. the Board proceeded with a public hearing, as advertised, on the Town of Chilhowie boundary adjustment. There were approximately 15 citizens in attendance. Mr. Earl McClure (the only citizen to speak) questioned who is covering the expenses for this adjustment such as advertisements, reprinting of maps.

With discussion, the Board agreed to continue voting on this issue until the Chilhowie Town Council would cast their vote.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board approved advertising for construction bids on the Thomas Bridge Interconnect Project, bids to be received the first week of May.

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board approved advertising a Request for Proposal (RFP) for general engineering services.

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board authorized execution of a water contract with Wolfe Brothers to install the last portion of the Groseclose Water Project. Subject to the Water and Sewer Attorney review, the chairman is authorized to sign the contract.

Upon motion of Mr. Perry, seconded by, Mrs. Neitch, and unanimously carried, the Board agreed to enter into a professional services agreement with Lane Engineering for assistance with the operations permit for the Hutton Branch Water Treatment Plant. The estimate is not to exceed \$3,000.00. The county

engineer is authorized to execute the proposal and any other paperwork

4/12/2005

necessary such as permit applications. The agreement is on file at the County Administrator's office in the Engineering Department.

Mrs. Morgan distributed the 2004 annual report of the Smyth-Washington Regional Industrial Facilities Authority. Mr. Clarence Smith is scheduled to review the report with the Board at the May meeting.

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, the Board agreed to enter into closed session at approximately 4:20 p.m. to discuss disposition and possible acquisition of real estate, prospective business or industry, and legal briefing, as outlined in Section 2.2-3711 (A) (3), (5), and (7) of the Code of Virginia, as amended.

Vote:	6	yea
	1	nay
	2	absent (Dishner)

At 5:13 p.m. the chairman ended the closed session and the doors were opened to the public.

Upon motion of Mr. Perry, 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 an executive 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 executive 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 executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in

the motion convening the executive meeting were heard, discussed or

4/12/2005

considered by the Smyth County Board of Supervisors.

Vote: 6 yea
 1 nay
 2 absent (Dishner)

Upon motion of Mr. Perry, seconded by Mr. Slemp, and duly carried, the Board agreed that the Barnfield Estates Mobile Home Park does not possess a valid mobile home park permit. The Board asked that the owner be notified of this decision. The owner may begin the process to obtain a valid mobile home park permit.

Upon motion of Mr. Perry, seconded by Mr. Slemp, and duly carried, the Board will refund those on Longleaf Lane and Axum Lane who have paid for water meters (\$50 each). The Board has decided that this portion of water line is not feasible at this time.

Old Business

1. Matter of collection of delinquent taxes.

Mr. Tate informed the Board that local attorneys had been appointed by the judge to complete this work but they have yet to do so. Mrs. Neitch requested that we continue pushing getting this item complete. Mr. Roberts discussed taxes owed on burned homes and asked if money could be collected on those properties. Mr. Tate stated that it was a long and costly process.

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2. Request from Nebo Community Center Board to become owners of the old Nebo School either by lease or donation (Building and Grounds Committee).
 3. Ken Heath's request concerning establishment of local tax abatement ordinance (referred to County Attorney, 7-1-03).
 4. East County Spring Source Study (8-1-03).
 5. Green Hill/Shuler Hollow Sewer Project complaints (Water/Sewer Committee):
 - Bob Mason's request concerning road repairs on a privately owned road (10-1-03).
 - Roger Blevins of Needmore Road needs road repaired back to the way it was before the project.
 - Stephen Lewis of Green Hill Circle – damage to home due to blasting.
 - Rhonda Taylor of Green Hill Circle – damage to home due to blasting.
 - Bruce Blevins of Shuler Hollow Road – road needs repairing and bushes have been removed. The Water and Sewer Committee has requested that the Board review an estimate for a culvert on Mr. Blevins' property.

- J.B. Haga of Shuler Hollow Road – repairs needed on his property.

4/12/2005

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board agreed to remove item #5 of old business. These claims have been resolved and/or being settled by the homeowners.

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6. Manufactured home park ordinance referred to the Planning Commission, the remainder of proposed changes to the zoning ordinance referred to the Ordinance Committee (3/8/05).
 7. Request concerning 911 contracts with the towns (911 Committee, 2-1-04).

Upon motion of Mr. Slemp, seconded by Mrs. Neitch, and unanimously carried, the Board removed item #7 from old business. These contracts have been completed and executed.

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8. Marevine Slemp, request for water service on Fox Valley Road (5-11-04).
 9. The Water and Sewer Committee has requested the full Board review and discuss the estimate for the culvert on Shannon Gap Road (Water and Sewer Committee 8-10-04).
 10. The Building and Grounds Committee recommends that up to \$200,000.00 be spent on remodeling the outside of the old school board building.

Mr. Slemp and Mrs. Neitch are presently serving on a committee with the Museum Board, they are currently looking at other sites.

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11. Approval of the Smyth County Emergency Operations Plan (11-10-04).
 12. Attorney fees on the County warrants. As of December 31, 2004 the State will no longer pay appointed attorney fees for local warrants (11-10-04).

Mr. Tate discussed the attorney fees on the County warrants. The County has been in the program by default since the first of the year. He suggested that the County remain in the program because the local fines for warrants will continue to come to the County. No action is needed at this time.

Upon motion of Mr. Blevins, seconded by Mr. Perry, and unanimously carried, the Board removed item #12 from old business.

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13. Request for tax-exempt status for the Smyth County Community Foundation.
 1. Courthouse renovation.
 15. Request the Board approve a permit submitted by Rusty Cox to hold a "music or entertainment" festival at the Davis Valley Winery.
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Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously

4/12/2005

carried, the Board approved the permit submitted by Rusty Cox to hold a “music or entertainment” festival at the Davis Valley Winery on June 11, 2005, 1:00-4:00p.m. The ordinance committee will decide on how to handle the remainder of the events Mr. Cox has planned for 2005 and how to change the ordinance to suit more than one event a year.

Note: Mr. Slemp made it known that his wife has worked for Mr. Cox.

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board continued the meeting until April 20, 2005 at 5:00pm for a public hearing on the 2005-2005 proposed school budget.

C.C. Clark, Jr., Chairman

Virginia: A continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Tuesday, April 20, 2005 at 5:00 p.m.

Board Members Present: Mr. Charlie Clark, Chairman Mr. Michael Roberts
Mr. Todd Dishner Mr. Marvin Perry
Mrs. Darlene R. Neitch

Upon motion of Mr. Dishner, seconded by Mrs. Neitch, and unanimously carried, the Board agreed to advertise a public hearing for the requested budget amendments to the 2004-2005 school board budget in the amount of \$1,100,000.00. Public hearing will be held on Tuesday, May 10 at 3:00 p.m. (regular scheduled board meeting day).

Vote: 4 yea
 3 absent (Perry, Blevins, Slemp)

Note: Charlie Clark and Michael Roberts stated that they have family members who work for the Smyth County School System and that they could vote impartially.

At approximately 6:32 p.m., the Chairman continued the meeting until Monday, April 25, 2005 at 6:00 p.m. to discuss the 2005-2006 proposed school budget. The school board and the school board staff will be on hand to answer questions.

C.C. Clark, Jr., Chairman

Virginia: A continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Monday, April 25, 2005 at 6:00 p.m.

Board Members Present: Mr. Charlie Clark, Chairman Mr. Michael Roberts
Mr. Todd Dishner Mrs. Darlene R. Neitch
Mr. Wade Blevins, Jr.

Staff Members Present: Mr. Edwin B.J. Whitmore, III Mr. John H. Tate, Jr.
Mr. Michael Carter Ms. Amber Tilson
Mr. Charlie Atkins

The Board met to discuss and answer questions concerning the proposed 2005-2006 fiscal year budget. School board members and staff were on hand to answer questions. The Chairman called the meeting to order at 6:04 p.m.

After discussion the Board scheduled a budget committee meeting with the school board budget committee for Wednesday, April 27 at 1 p.m., to discuss suggested changes. The public will be notified by radio and local newspapers will be notified of the meeting.

Note: Michael Roberts stated that they have family members who work for the Smyth County School System and that they could vote impartially.

Upon motion of Mr. Dishner, seconded by Mr. Blevins, and unanimously carried, the Board scheduled an appeal hearing for Mr. Arnold Sexton on May 10, 2005 at 3:45 p.m. (regular scheduled board meeting day).

The Chairman made the Board aware of the following:

- Wednesday, April 27, 2005 at 1:00 p.m. – Budget committee with the school board budget committee.
- Thursday, April 28, 2005 at 7:00 p.m. – joint public hearing with the Planning Commission.
-Following the public hearing, the Board will vote on the 2005-2006 school board budget and the Town of Chilhowie boundary adjustment.
- Tuesday, May 10, 2005 – 3:00 p.m. (regular scheduled Board meeting) - public hearing on the requested budget amendments to the 2004-2005 school board budget.
- Tuesday, May 10, 2005 - 3:45 p.m. (regular scheduled Board meeting) - appeal hearing for Mr. Arnold Sexton.

Upon motion of Mr. Blevins, seconded by Mrs. Neitch, and unanimously carried, the Board continued the meeting until Thursday, April 28, at 7:00 p.m. for a joint public hearing with the planning commission and any other agenda items, along with those listed above.

C.C. Clark, Jr., Chairman

Virginia: A continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Monday, April 28, 2005 at 6:00 p.m.

Board Members Present: Mr. Charlie Clark, Chairman Mr. Michael Roberts
Mr. Todd Dishner Mrs. Darlene R. Neitch
Mr. Wade Blevins, Jr. Mr. Marvin Perry

Staff Members Present: Mr. Edwin B.J. Whitmore, III Mr. John H. Tate, Jr.
Mr. Michael Carter Ms. Amber Tilson
Mr. Charlie Atkins

The Board of Supervisors met to conduct a joint public hearing with the Smyth County Planning Commission. Mr. Whitmore read the ad as placed in the local newspaper and the rules and procedures for the hearing. There were approximately 35 citizens in attendance.

Clegg Williams summarized the following cases:

1. An application from Wade Shepherd for a Special Use Permit to establish a retail store in an existing building owned by Jack Billings at 8408 Lee Highway. The lot is zoned Agricultural/ Rural and is identified by Tax Map Number 38-A-73.

Mr. Shepherd answered questions from the Board and Planning Commission. No citizen spoke concerning this case.

2. An application from The MCH Group LLC to amend the zoning map at the corner of Whitetop Road and Loves Mill Road from Agricultural/Rural to Residential in order to develop a subdivision. The Tax Map Numbers of the property are 65-10-4 through 65-10-15.

Ms. Hamilton of the MCH Group answered questions from the Board and Planning Commission. She also listed restrictions for the planned subdivision and explained they would be providing underground utilities and will also have the land prepared for sewer and water.

Vicki Stamper, realtor who has the property listed spoke on behalf of the MCH group.

Sam Catron, William St. John, Dwayne Heath, Doug Sexton, James Bonham (on behalf of the St. James Lutheran Church), and William Grinstead spoke opposing to the rezoning of the property. They were not in favor of the plans to build a subdivision.

Alton Cato spoke in favor of the rezoning and hoped the subdivision would help him in the future.

Mr. Williams explained that the following case had been withdrawn and did not need to be discussed:

An application from Premier Rentals LLC to amend the zoning map at the end of Napoleon Street from Agricultural/Rural to Residential in order to develop a subdivision. The Tax Map Numbers of the property are 45-A-115C and 46B-5-9A.

The Chairman of the Board and Planning Commission closed the public hearing at 7:48 p.m.

4/28/2005

After discussing the Town of Chilhowie boundary adjustment, the following motions were made:

Mr. Blevins motioned not to grant the request for a boundary adjustment with the Town of Chilhowie. The motion was seconded by Mrs. Neitch and did not carry.

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

Upon motion of Mr. Roberts, seconded by Mr. Dishner, and duly carried, the Board adopted the following resolution granting the requested boundary adjustment with the Town of Chilhowie:

WHEREAS, the Town of Chilhowie and the County of Smyth have entered into negotiations to relocate the boundary line between them; and

WHEREAS, the Town and the County are now prepared to enter into an "Agreement to Relocate Boundary Line Between the Town of Chilhowie and the County of Smyth," which provides that certain territory which is currently within the boundaries of Smyth County will be incorporated into the boundaries of the Town of Chilhowie; and

WHEREAS, Section 15.2-3106 of the Code of Virginia (1950), as amended, provides a procedure for the Circuit Court of Smyth County to accept evidence regarding the relocation and by order to designate and establish the new boundary line;

NOW, THEREFORE, BE IT RESOLVED by the Smyth County Board of Supervisors, in a meeting assembled on the 28th day of April, 2005;

1. That the Smyth County Board of Supervisors hereby approves the agreement, the Town of Chilhowie is responsible for all costs, to Relocate Boundary Line Between the Town of Chilhowie and the County of Smyth (hereinafter the "Agreement"), a copy of which is attached hereto, and hereby authorizes and directs its Chairman to execute the Agreement on the County's behalf;
2. That the Chairman is directed to refer the Agreement, together with all other necessary data and materials, to legal counsel and to instruct legal counsel to petition the Circuit Court of Smyth County pursuant to Section 15.2-3108 of the Code of Virginia (1950), as amended, to order that relocation of the boundary line between the Town of Chilhowie and the County of Smyth as set forth in the Agreement.

IN WITNESS WHEREOF, the Smyth County Board of Supervisors has caused this resolution to be duly executed on its behalf by its Chairman.

Vote: 3 yea (Dishner, Roberts, Clark)
 1 nay (Neitch, Blevins)
 1 absent (Slemp)
 1 abstention (Perry)
 4/28/2005

Note: Charlie Clark and Michael Roberts stated that they have family members who work for the Smyth County School System and that they could vote impartially.

After discussions with the School Board and staff the following decision was made:

Upon motion of Mr. Blevins, seconded by Mr. Perry, and duly carried, the Board adopted the following fiscal year 2005-2006 school board budget:

Operation Budget	\$42,226,481.00
Debt and Capital Outlay Fund	\$1,493,121.00
Textbook Fund	\$811,180.00
TOTAL:	\$44,530,782.00

Vote: 5 yes
 1 nay (Roberts)
 1 absent (Slemp)

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board agreed to move the appeal hearing on May 10 from 3:45 p.m.

to 4:15 p.m.

The Chairman informed the Board that the deadline for the courthouse renovation has been moved to May 10, 2005.

Upon motion of Mr. Perry and carried by the Board, the Chairman adjourned the meeting at approximately 9:03 p.m.

C.C. Clark, Jr., Chairman