

Virginia: At the regular meeting of the Smyth County Board of Supervisors held at the County Office Building on Tuesday, September 13, 2005 at 12:00 noon.

Board Members Present: Mr. Harold Slemp, Vice Chairman Mr. Wade Blevins, Jr.
Mr. Michael Roberts Mr. Marvin Perry
Mrs. Darlene R. Neitch
(**Note:** Mr. Perry left at approximately 3:00 p.m.)

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

The vice chairman called the meeting to order at 11:59 a.m. Mrs. Pam Testerman led the pledge of allegiance and Mr. Steve Eller gave the invocation.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board adopted the agenda as to form, with the additional agenda items, adding disposition of property to closed session, and citizens to VDOT and Zoning time.

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

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board approved the minutes of August 9, and 25, 2005.

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

The Board unanimously approved the following:

<u>Appropriations</u>	
General County	\$1,500,000
Animal Damage (animal control office supplies)	\$442.00
On-Site Sewer	\$24.50
Allison Gap Sewer Project	\$3,768.76
Groseclose Water Project	\$12,308.90
Cedars/Hall Addition Sewer Project	\$37,783.93
Department of Social Services (Sept. 14-30, 2005)	\$310,000
(October 1-11, 2005)	\$35,000
Schools Operating Fund	\$2,900,000
Accounts payable listing	\$945,628.26

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

During citizen's time the following citizens spoke:

Rhea Lawrence of Park Boulevard explained that he wishes to keep his

9/13/2005

road a private road. There are neighbors who want to use the road to access property beyond his property. Charles Dalton, a neighbor of Mr. Lawrence, spoke on his behalf.

Betty Testerman inquired about the funding for water on Axum Lane.

Mary Ann Buchanan of the Nebo Community Center informed the Board that they had obtained their 501(C) 3. Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried, the Board scheduled a public hearing to take public comment on donating the old Nebo School to the Nebo Community Center. Hearing will be held on Tuesday, October 11, 2005 at 3:00 p.m.

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

Sandy Stoots and Bonnie Murray inquired about the status of the East Hungry Mother Water project.

Barbara Debord introduced herself as the new Director of the Chamber of Commerce.

Tom Burkett was present to request information from the Chairman he had requested. Mr. Whitmore was asked to remind the Chairman of his request. At the request of Mr. Tate, Mr. Burkett discussed the car tax relief to begin January 2006. Mr. Tate suggested that the budget committee be given the authority to act on the car tax relief.

Upon motion of Mr. Roberts, seconded by Mrs. Neitch, and unanimously carried, the Board rescheduled a public hearing for comment on proposed changes to the senior citizen relief package. Hearing is scheduled for Tuesday, October 11, 2005 at 3:15 p.m.

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

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and duly carried, the Board agreed to write off \$11,004.91 from the landfill charge accounts. This total is from accounts older than 3 (three) years.

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

9/13/2005

Upon motion of Mr. Blevins, seconded by Mrs. Neitch, and unanimously carried, the Board approved the use of the Courthouse for Halloween Madness/Mountain Dew Day festivities on October 29, 2005.

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

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board agreed to allow the Sheriff to correspond with Mr. Harry Howell of Project Crossroads to dispose of personal hygiene items from the jail to those affected by hurricane Katrina.

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

Mr. Perry explained that the Budget Committee is in process of purchasing defibrillators, the money was not placed in the budget. Mr. Mike Carter explained that he has spoken to Mr. Robert Taylor (who requested the Board purchase the machines) and he is looking into other models and prices.

Mrs. Neitch updated the Board on a public hearing scheduled by the Ordinance Committee to take comment on adult uses ordinance. The joint public hearing with the Planning Commission is scheduled for Thursday, September 22, 2005 at 7:15 p.m.

Upon motion of Mr. Roberts, seconded by Mrs. Neitch, and unanimously carried, the Board scheduled a public hearing for the next regular Board meeting, Tuesday, October 11 at 4:00 p.m. Public hearing will be to take comments on the proposed ordinance to the County Code concerning nuisances. A copy of the proposed ordinance is on file in the County Administrator's office.

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

Upon motion of Mr. Roberts, seconded by Mrs. Neitch and duly carried, the Board approved the following disbursement of the 2004 and 2005 Homeland Security funds. Mr. Roberts expressed concern on how the high band repeater for the Sheriff's department would affect other agencies.

- 1) Purchase three (3) Zetron consoles with two (2) being paid for with Homeland Security funds in the amount of \$81,867, the third being

9/13/2005

purchased with 911 funds in the amount of \$40,933 for a total of \$122,800.

- 2) Purchase two (2) portable metal detectors and two (2) detector wands for courthouse security at a cost of \$6,300.
- 3) Purchase and install a high band repeater which will enable the Sheriff's Department to utilize a high band frequency. The equipment will be located on Walker Mountain and will cost \$5,000.
- 4) Use the balance of \$24,241 to purchase mobile radios for the county public works department.

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

Upon motion of Mr. Blevins, seconded by Mrs. Neitch, and unanimously carried, the Board approved appropriations in the amount of \$1,315 for the following animal control claims not caused by coyote:

Johnny White	\$400
Virginia Ross	\$125
Kim Gallehan	\$400
Dempsey Olinger	\$75
Rose Dean	\$80
Melissa Mitchell	\$60
<u>Joseph Copenhaver</u>	<u>\$175</u>
Total:	\$1,315

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

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board reappointed Mr. Shannon Williams to the Southwest Virginia Emergency Medical Services Council, Inc. Term to expire September 30, 2008.

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

The Board continued the reappointment of Charles Smith to the Southwest Virginia Emergency Medical Services Council.

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board reappointed Mr. David Schwartz to the Board of Appeals Virginia Statewide Uniform Building Code. Term to expire September 30, 2008.

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

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board appropriated \$500.00 to the Rye Valley Self Help project. Money will be used for materials needed to supply water to seven houses that

9/13/2005

CDBG funds will not cover.

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

Upon motion of Mr. Roberts, seconded by Mr. Blevins, and unanimously carried, the Board approved the Community Services Board's annual Performance Contract with the Department of Mental Health, Mental Retardation and Substances Abuse Services. A summary of the contract follows (to be in official minutes) and a full copy of the contract is on file at the County Administrator's Office.

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

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board removed the Virginia Department of Transportation local project cost estimating to be held on October 6, 2005. This does not apply to Smyth County.

At the request of the Virginia Department of Health, Ms. Lavonda Carson, Mr. Perry motioned that the Board agree to fund the advertisements in the Smyth County News and Messenger (\$261.84) and the Saltville Progress (\$90) for the annual rabies clinic. Mr. Blevins seconded the motioned and it was unanimously carried.

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

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board approved payment to the Mountain Empire Airport in the amount of \$4,314.00, for the county's portion of the Capital Improvement project. Mr. Perry stated that Smyth County contribute their portion on the condition that all other participating jurisdictions pay their share.

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

Mr. Slemp thanked Mr. Bob Dix for his work with the Airport.

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board upheld the Planning Commission's recommendation to deny a special use permit for a golf course from Michael and Vicki Osborne.

9/13/2005

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

Upon motion of Mr. Roberts, seconded by Mr. Blevins, and duly carried, the Board agreed to hold a joint public hearing with the Planning Commission to take comments on the proposed rezoning of a subdivision located in the McCready area, just outside the Town of Saltville limits, from Residential to Agricultural Rural. The Planning Commission can set the public hearing at the appropriate time.

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

Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried, the Board approved an engineering contract with Lane Engineering for Hutton Branch Well Specifications, not to exceed \$3,000.

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

Upon motion of Mr. Roberts, seconded by Mr. Blevins, and unanimously carried, the Board authorized Scott Simpson to request proposals (RFP) for Pleasant Heights Water Replacement, Long Hollow Water Project Phase 1 and 2.

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

Upon motion of Mr. Roberts, seconded by Mr. Blevins, and unanimously carried, the Board accepted and authorized an appropriation for final payment to Frizzell Construction Co. for the Allison Gap Sewer Project, Division II (wastewater treatment plant), in the amount of \$168,585.76.

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

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board authorized Scott Simpson to execute a contract with Thompson & Litton for the Watson Gap Interconnect Tank and Specifications, not to exceed \$1,000.

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

9/13/2005

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.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board approved a budget amendment request to increase revenue and expenditures, for the School Board, in the amount of \$422,210.60.

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

Upon motion of Mrs. Neitch and unanimously carried, the Board scheduled a public hearing for Tuesday, October 11, 2005 at 3:00 p.m. on the remainder of requested School Board budget amendments.

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

Upon motion of Mr. Blevins, seconded by Mr. Roberts, and unanimously carried, the Board approved a journal entry between the Instruction category and the food Services category in the amount of \$1,222.13. This will correct an expenditure coding error.

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

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board agreed to support the application for the Virginia Works grant, in the form of a resolution.

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

Old Business

1. Collection of delinquent taxes (Mr. Whitmore has contacted the attorneys **8-10-04**).
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.
4. East County Spring Source Study (**8-1-03**).
5. 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**).
6. Marevine Slemp, request for water service on Fox Valley Road (**5-11-04**).

9/13/2005

7. The Water and Sewer Committee has requested the full Board review and discuss the estimate for the culvert on Shannon Gap Road.
8. The Building and Grounds Committee recommends that up to \$200,000.00 be spent on remodeling the outside of the old school board building.
9. Approval of the Smyth County Emergency Operations Plan **(11-10-04)**.
10. Request for tax-exempt status for the Smyth County Community Foundation.
11. Courthouse Renovation.
12. Request the Board consider a recommendation from Jimmy Warren concerning Virginia Code Section 15.2-1613.1 **(6-14-05)**.
13. Request the Board nominate a Workforce Investment Board Replacement for Joseph Ellis **(7-12-2005)**.
14. Request the Board approve the requested portion of the Capital Improvement project at the Mountain Empire Airport in the amount of \$4,314 **(7-12-2005)**.
15. Request the Board approve payment of animal control claims in the amount of \$270, for damages by coyote **(8-25-2005)**.

Upon motion of Mr. Blevins, seconded by Mrs. Neitch, and unanimously carried, the Board removed items 2, 3, and 14 from the old business. The Board requested that the ordinance committee meet to discuss items 9 and 12.

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

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board agreed to enter into closed session at approximately 4:12 p.m., to discuss disposition of property and prospective business or industry, as outlined in Section 2.2-3711 (A) (3) and (5), of the Code of Virginia, as amended.

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

At approximately 4:22 p.m. the chairman ended the closed session.

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

9/13/2005

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 considered by the Smyth County Board of Supervisors.

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

Mr. Steve Buston of the Virginia Department of Transportation explained the procedure for the public hearing scheduled for 5:00 p.m. on the Six –Year plan, they hope to add approximately \$150,000 in projects to the list. Mr. Buston also informed the Board of a public hearing to be held by the Commonwealth Transportation Board on September 26, 2005. The public hearing will be to review and provide comments on projects and programs that are candidates for inclusion on the Fiscal year 2007-2012 Six-year Improvement Program, including highway, rail, and public transportation initiatives. Mr. Buston suggested that someone be there to represent Smyth County.

Mr. Buston also took the following maintenance concerns:

- 1) Installing a guardrail at the Old Quarry to prevent dumping, Mr. Roberts.
- 2) Grading of Hurricane Road, Mrs. Neitch.
- 3) Sight distance at exit ramp 47 turning onto Highway 11, Mr. Slemp.

At 5:05 p.m. the Board proceeded with a joint public hearing with the Virginia Department of Transportation on the proposed Secondary Six-Year Plan for Fiscal years 2006-2007 through 2011-2012 and on the Secondary System Construction Budget for fiscal year 2006/2007. Mr. Whitmore read the advertisement as placed in the Smyth County News and Messenger and the rules for procedure. There were approximately 5 citizens present.

9/13/2005

- 1) Mrs. Page Coulthard requested at least a coating of Cave Ridge Road, route 677.
- 2) Mr. Billy Bowman expressed safety concerns on Horseshoe Bend Road, route 617.
- 3) Mike Roberts requested that the walls in Allison Gap be looked at again and the ditch problem in North Holston at the Lowery property be addressed.

VDOT will be present to answer questions from the public after the hearing. Mr. Slemp thanked VDOT for their cooperation and help. The public hearing was closed at 5:12 p.m.

At 5:22 p.m., upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the meeting was continued until Thursday, September 22, 2005 at 7:00 p.m. for a joint public hearing with the Planning Commission. A second hearing is scheduled for 7:15 p.m.

Vote: 4 yea (Slemp, Roberts, Neitch, Blevins)
 3 absent (Clark, Dishner, 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, September 22, 2005, at 7:00 P.M.

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

Staff Members Present:	Mr. Edwin B. J. Whitmore, III Mr. John Tate	Mr. Michael Carter Miss Amber Tilson
-------------------------------	--	---

At approximately 7:00 p.m. the chairmen of the Board and Planning Commission (Commission members present were Dennis Blevins Blevins, Chairman, Graham Davidson, Karl Kalber, Earl McClure, Amy Tuell, and Wayne Venable) called the first joint public hearing to order. Mr. Whitmore read the rules for procedure and the notice as published in the Smyth County News and Messenger on September 10 and 17, 2005, on the Central Motors, Mike Hayes, and Eva J. Jackson applications to the zoning ordinance. There were approximately 7 citizens present.

Central Motors Application: Clegg Williams summarized an application from Central Motors for a Special Use Permit for automobile sales and service at 104 Williamsburg Drive. The lot is zoned Agricultural/ Rural and is identified by Tax Map Number 54-A-67. Mr. Widener is requesting a special use permit to establish an Automotive Sales and Service business near his residence. Letters were sent to all of the adjoining property owners for which an affidavit is on file. He did not receive any comments on this case other than general questions.

Mr. Widener spoke on behalf of his application and said that he had his business in Middlefork previously and had moved it to Atkins in 2001. He said he had never received a complaint about his business. He now wanted to return to Middlefork for health reasons. Mr. Widener said he had talked to his neighbors about the business.

Mike Hayes Application: Mr. Williams summarized an application from David Michael Hayes to amend the zoning map at 932 Southfork Road from Agricultural/Rural to Commercial. The property is identified as Tax Map Number 67-A-113A. Mike Hayes was operating a retail store at 932 South Fork Road when Smyth County adopted the zoning ordinance. He recently closed the business and has plans of remodeling the space into mini-storage units. Since the use of the property would be changing, Mr. Williams informed Mr. Hayes that he would need to comply with the Zoning Ordinance. Because mini-storage units are not allowed in the A/R District either by right or by Special Use and in order to bring his project into compliance, he would need to get the property rezoned to Commercial, the only district in which district mini-storage units are permitted. Mr. Williams sent a first class mailing to all adjoining property owners and an affidavit to that affect is on file.

Mr. Hayes spoke on behalf of his application and stated that he had operated a business in the building since 1968, but had recently relocated

9/22/2005

the business to Marion. He proposed to use the building for interior climate-controlled storage.

At approximately 7:19 p.m. the Chairman opened the floor for comments from the Board and Commissioners on the proposed Adult Use text amendment to the zoning ordinance. Mr. Perry offered comments in support of the amendment, Mr. McClure made comments in opposition to the amendment, and Mr. John Tate, County Attorney, explained the legal ramifications of complete prohibition of adult uses and of the proposed amendment. Mr. Williams demonstrated on the projector the areas of the County that would allow this type of establishment, with setback from schools, churches, and residential districts.

At 7:39 p.m. the chairmen opened the joint public hearing on the proposed Adult Use text amendment. Mr. Whitmore read the rules for procedure and the notice as published in the Smyth County News and Messenger on September 10 and 17, 2005. There were approximately 125 citizens present.

The following citizens spoke in opposition of the proposed Adult Use text amendment:

Wanda Fisher	Walter Robinson
Gary Trout	Johnny Rouse
Roy Hayes	Barbara Hollinsworth
Lawrence Holman	Carolyn Barr
Jeff Pageant	John L. Blevins
Jerry Creasy	Everett Buchanan
Steven Farris	John Price
Otis Barker	Denise Williams
Michael L. Halsey	Martha Larmer
Ada Carrico	Betty Heath
Bill Haymaker	Tony Wagoner
Stuart Orr	Carolyn Widener
Norma McClure	Brian Karriker
Mary Price	

Reasons for opposition included secondary effects, exposure of porno literature to children, sex crimes, increased expenses for social service agencies and institutions, and health hazards of sexual activities.

The hearing closed at 8:39 p.m. and the Board and Commission took a break.

At 8:48 p.m. the Chairmen reopened the 7:00 p.m. joint public hearing to hear the last case.

9/22/2005

Eve Jane Jackson application: Mr. Williams summarized an application from Eva Jane Jackson to amend the zoning map at 108 and 116 Fan Lane from Residential to Agricultural/Rural. The property is identified as Tax Map Number 54A-1-2. He explained that Ms. Eva Jane Jackson owns a tract of land located at the intersection of Apple Valley Road and Venice Lane. When Smyth County adopted the zoning ordinance, Ms Jackson's land was zoned Residential and had two homes on it (a single-wide and a double-wide manufactured home). Recently, Ms. Jackson applied for a permit to place a single-wide manufactured home on the site where the double-wide was once located. Mr. Williams said he determined that the property was zoned residential and then reviewed §3-3.1 of the Ordinance and concluded that single-wide manufactured homes are not allowed in the Residential district. At that point, Ms. Jackson requested that she be allowed to install the home on another part of the property and stated that she had always planned to place a third home on the property. To support her claim, she stated that the county installed a third water meter on the property many years ago. The home, however, was never installed and after reviewing §1-4.4 Vested Rights, Mr. Williams concluded that she did not have a vested right for the third home. Ms. Jackson elected to appeal the decision, and the BZA voted to affirm the decision. As a result of their decision, Ms. Jackson opted to apply for a map amendment. She is requesting that her property be rezoned to Agricultural/Rural. A first class mailing was sent to all of Ms. Jackson's neighbors for which an affidavit is on file. Mr. Williams did not receive any comments on this case.

Ms. Jackson spoke on behalf of her application and said she needed a place to live and could not afford to buy a double-wide home.

Mrs. Carolyn Barr spoke against the Jackson application and referred to maintenance of the private street, the survey markers, and nearby houses.

Mr. Tim Barr spoke against the Jackson application and said he wanted the lot to remain Residential.

The public hearing was closed at 9:04 p.m.

The Board recessed until the Planning Commission voted on a recommendation concerning the Adult Use proposed text amendment.

The Board reconvened at 9:27 p.m., Mr. Williams informed the Board that the Planning Commission recommended, by majority vote, the adoption of the Adult Use text amendment to the zoning ordinance.

Upon motion of Mr. Perry, seconded by Mr. Roberts, and duly carried, the Board approved the recommendation from the Planning Commission to adopt the Adult Use text amendment to the zoning ordinance.

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

Mr. Tate requested that the Courthouse be added to closed session of the next regular meeting.

9/22/2005

Upon motion of Mr. Perry, seconded by Mr. Slemm, and unanimously carried, the Chairman adjourned the meeting at 9:40 p.m.

C.C. Clark, Jr., Chairman