



**7-11-2006**

reminded the Board of the opposition present for the public hearing on the special use permit requested by Ed Worley for a group home.

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With the Water Committee's recommendation the Board unanimously approved the following agreement between the Board and the Rye Valley Water Authority for a Virginia Community Development Block Grant (CDBG) not to exceed \$80,000. The Board will act as the fiscal agent for the self help project.

Vote: 6    yea  
      7    absent (Dishner)

Upon motion of Mrs. Neitch, seconded by Mr. Slemp, and unanimously carried, the Board approved the following contract documents which relate to the above CDBG grant between the Board and the Rye Valley Water Authority:

1. Fair Housing Certification
2. Minority & Female Business Notice
3. Local Business & Employment Plan
4. Local Business & Employment Notice
5. Residential Anti-Displacement & Relocation Assistance Plan Certification

Vote: 6     yea  
        1     absent (Dishner)

Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried the Board adopted the following resolution. This resolution is approved contingent upon removing the floodway portion of the land owned by the Smyth County Industrial Authority located in the Deer Valley Industrial Park from the proposed Enterprise Zone amendment:

**WHEREAS**, the current joint Enterprise Zone, including portions of Glade Spring, Chilhowie, Smyth County and Washington County, was established to provide economic incentives to businesses who locate in the zone; and

**WHEREAS**, the Chilhowie Town Council is proposing a boundary amendment to the zone in order to add portions within the Town that were not originally included in the zone; and

**WHEREAS**, the Board of Supervisors of Smyth County recognize the need to make periodic revisions to the current Enterprise Zone and that it may in the future submit zone amendments, but currently the County has no proposed amendment to its portion of the zone; and

**WHEREAS**, no public hearing is required to be held by the Board of Supervisors of Smyth County because there will be no direct impact from this amendment to the County.

**THEREFORE BE IT RESOLVED** that the Board of Supervisors of Smyth County hereby acknowledges the Enterprise Zone amendment application from the Town of Chilhowie and agrees to its submittal (with one requested map revision as specified in the Board minutes).

Vote: 6     yea  
        1     absent (Dishner)

(Note: Mr. Clark handed the gavel over to the Vice Chairman because of conflict of interest; Mr. Tate also stated his interest on the Bank of Marion Board)

Upon motion of Mr. Perry, seconded by Mr. Roberts, and duly carried, the Board authorized the Vice-Chairman to execute a new letter of credit with the Bank of Marion for the Highlands Shell Building Appalachian Regional Commission (ARC) Loan. This letter of credit is in the amount of \$250,000 with the term ending August 7, 2006.

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

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With the recommendation of the Solid Waste Committee, **BE IT RESOLVED** that the Board unanimously approves the following rate change for tire disposal, effective this day, Tuesday, July 11, 2006.

| <u>size</u>    | <u>current fee</u> | <u>NEW fee</u> |
|----------------|--------------------|----------------|
| 16" or smaller | \$1 each           | \$2            |
| 17" – 24.5"    | \$2 each           | \$4            |
| 25" and up     | \$5 each           | \$10           |

Vote: 6 yea  
1 absent (Dishner)

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With the Solid Waste Committee's recommendation, the Board unanimously approved the solid waste transportation rate increase from the current rate of \$174.62/load to \$196.05/load, effective July 11, 2006.

Vote: 6 yea  
1 absent (Dishner)

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Upon motion of Mr. Blevins, seconded by Mr. Slempp, and unanimously carried, the Board approved the low bid of \$319,313.15 from Boring Contractors (of Abingdon, VA) for the East Hungry Mother Water Project.

Vote: 6 yea  
1 absent (Dishner)

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Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board scheduled a public hearing for August 8, 2006 at 4:00 p.m. on the issuance of bonds for the East Hungry Mother Water Project.

Vote: 6 yea  
1 absent (Dishner)

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Upon motion of Mr. Perry, seconded by Mr. Slempp, and unanimously carried, the Board authorized Mr. Simpson to write a letter to Rural Development requesting the outstanding funds from Allison Gap and Cedars/Hall Addition be utilized for the portion of the Cedars/Hall Addition Sewer that was not feasible during the first project. Mr. Roberts inquired about using some of the funds for sewer on Kent Street.

Vote: 6 yea  
1 absent (Dishner)

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Upon motion of Mr. Blevins, seconded by Mr. Perry, and unanimously carried,

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the Board approved the Victim Witness Grant Program for July 1, 2006 – June 30, 2007 (continuation grant #06-19569VW05). Department of Criminal Justice Services (DCJS) funds, 80% federal \$39,479, 20% state \$9,869 for a total of \$49,348.

Vote: 6     yea  
      1     absent (Dishner)

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Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried the Board approved the following fiscal year 2007 Fire Programs Fund Disbursement Agreement:

Vote: 6     yea  
      1     absent (Dishner)

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Upon motion of Mr. Blevins, seconded by Mr. Slemp, and unanimously carried, the Board approved a single festival permit for the Davis Valley Winery event to be held on July 15, 2006.

Vote: 6     yea  
      1     absent (Dishner)

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(Note: Mr. Blevins stated that his wife works for Rouse Oil and he could vote impartially.)

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board approved the gas/diesel bid to Chilhowie Milling Co. (Rouse Oil Service) for fiscal year July 12, 2006 – July 11, 2007. The following bid was accepted:

Net tank delivered wagon price per gallon no-lead cost plus (+) \$.10

Net tank delivered wagon price per gallon diesel cost plus (+) \$.12

Vote: 6     yea  
      1     absent (Dishner)

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With Mr. Tate's recommendation, upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, the Board appropriated \$200 to Virginia Association of Counties for participation in the bankruptcy proceedings against Adelpia Cable.

Vote: 5     yea  
      1     absent (Dishner, Perry stepped out of the room)

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For the Board's information, Mr. Tate distributed a copy of the following Courthouse renovation order:

Mr. Steve Buston and Mr. Robert Hurt of the Virginia Department of Transportation were present to accept maintenance concerns. They took general comments from the Board. Mr. Carter updated the Board and VDOT on the abandonment of a portion of Surber Cove Road which was discussed at the meeting on June 13. The road has been posted and the hearing is scheduled for August 8 at 2:00 p.m.

Upon motion of Mr. Roberts, seconded by Mr. Blevins, and duly carried, the Board accepted the recommendation from the Planning Commission not to approve the application for a special use permit for a group home from Mr. Edward Worley. Mr.

Worley recently placed 1396 Buckeye Hollow Road on the market for sale. On behalf of the prospective buyer he applied for a special use permit to establish a group home. The property is zoned Agricultural/Rural (A/R). The Planning Commission commended Mr. Lowery, the prospective buyer, for his desire to help children and stated that they would entertain any future efforts in another location.

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

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board accepted the recommendation from the Planning Commission to approve the Blach request for a variance to the Airport Zoning Ordinance height restrictions, contingent upon Federal Aviation Administration (FAA) approval.

Vote: 6     yea  
      1     absent (Dishner)

After discussion, upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board authorized the County Attorney and the Zoning Administrator to act on a Zoning Ordinance complaint (automobile graveyard) at 325 Pugh Mountain Road, to bring the property into compliance with the ordinance.

Vote: 6     yea  
      1     absent (Dishner)

At approximately 3:00 p.m. the Board proceeded with a public hearing on the local community development and housing needs in relationship to the Community Development Block grant. Mr. Carter read the advertisement as placed in the Smyth

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County News and Messenger and there were no citizen's present to speak. Mrs. Sally Morgan gave a brief background on the project and informed the Board that the next required public hearing for this project would be held on Thursday, July 20, 2006 at 5:30 p.m. in the Board room. She answered brief questions from the Board before the hearing was closed at approximately 3:07 p.m.

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Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried, the Board forwarded the adoption of a burning ordinance to the Ordinance Committee.

Vote: 6    yea  
      1    absent (Dishner)

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Ms. Paige Boardwine of the Mount Rogers Health District was present to seek approval from the Board for the use of a 100% funded grant which will go toward the purchase of an emergency generator.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board approved the expenditure for an emergency generator for the district headquarters of the Mount Rogers Health District. They have been awarded 100% funding for the purchase and installation of the generator for the Emergency Operations Center at 201 Francis Marion Lane. The building is owned by the County.

Vote: 6    yea  
      1    absent (Dishner)

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**Old Business**

1. Collection of delinquent taxes (Mr. Whitmore has contacted the attorneys **8-10-04**).
2. Marevine Slempp, request for water service on Fox Valley Road (**5-11-04**).
3. Request for tax exempt status for the Smyth County Community Foundation.
4. Courthouse Renovation.
5. Request the Board nominate a Workforce Investment Board Replacement for Joseph Ellis (**7-12-2005**).

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Upon motion of Mr. Perry, seconded by Mr. Slempp, and unanimously carried, the Board appointed Ms. Rhonda Taylor to the New River Workforce Investment Board as the Business representative to replace Joe Ellis.

Vote: 6    yea  
      1    absent (Dishner)

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Upon motion of Mr. Slempp, seconded by Mr. Blevins, and unanimously carried, the Board removed items 4 and 5 from old business. The order for the Courthouse

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Renovation has been signed and the above nomination for the Workforce Investment Board was made.

Vote: 6 yea  
1 absent (Dishner)

- 6. Request the Board vote on the public hearing held Wednesday, November 9, 2005 on imposing a processing fee not to exceed \$25 for any person admitted to the County or Regional Jail following conviction (11-9-2005).
- 7. Geographical Information Systems (GIS) on the Smyth County website (11-9-2005).
- 8. Request for tax exempt status for the Lincoln Theatre (12-13-2005).
- 9. Re-codifying of the Smyth County Code (1-10-2006).
- 10. 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).
- 11. Radio Communications Project (5-9-2006).

Upon motion of Mr. Slemp, seconded by Mr. Blevins and unanimously carried, item #11 was removed from old business. It has been placed in the budget and is under way.

Vote: 6 yea  
1 absent (Dishner)

- 12. Smyth County Fire & Rescue Association request for release of \$50,000 (5-9-2006).
- 13. Request the Board approve a 2004 personal property tax refund to John Timothy Peachey in the amount of \$1,011.19 (6-13-2006).

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board approved a 2004 personal property tax refund request in the amount of \$865.90 to Mr. John timothy Peachy. This item will be removed from old business.

Vote: 6 yea  
1 absent (Dishner)

- 14. Reappointment: (6-13-2006)

**Industrial Development Authority** (4 year term, district specific)  
Jimmie Stamper–591 Cleghorn Valley Road, Marion (646-8670) 6-30-2006

Reappointments sent to Appointment Committee:

**CDI-Community Correction Resource Board** (2 year term)

Michael Roberts 6-30-2006  
Sheriff, R. David Bradley 6-30-2006

**Community Policy Management Team** (1 year term)

Sabrina Rose-2185 Red Stone Road, Marion, 24354 (783-8812) 6-30-2006  
(Parent Representative)  
Penny Dixon–PO Box 305, Marion, 24354 (783-8920) 6-30-2006  
(Private Provider Representative)

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**Marion Downtown Revitalization Committee (1 Year Term)**

Harold Slemp 6-30-2006

**Southwest Virginia Community Corrections (2 year term)**

Sheriff, R. David Bradley 6-30-2006

Michael Roberts 6-30-2006

15. Proposed revisions from the Planning Commission to the Subdivision Ordinance. (referred to the Ordinance Committee **6-13-2006**).

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Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried, at 3:20 p.m., the Board agreed to enter into closed session as allowed by the Code of Virginia, Section 2.2-3711 (A) for (5) report on business prospect, and (7) for pending litigation and legal briefing.

Vote: 6 yea  
1 absent (Dishner)

At 3:33 p.m. the Chairman ended the closed session.

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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 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  
1 absent (Dishner)

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At 4:00 p.m. the Board proceeded with a public hearing to take public comment on the possible disposal of the former school building at 105 East Strother Street,

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Marion. Mr. Whitmore read the advertisement as ran in the Smyth County News and Messenger and the rules and procedures for public hearings. There were approximately 30 citizens present.

The following citizens spoke in favor of the Smyth County Museum remaining in the building at 105 East Strother Street. They mentioned the progress of the museum, how the museum was an asset to the county, and the need for the museum to remain in the historic building. Brenda Gwyn, President of the Historical Society handed a copy of the organizations plan for the future to the Chairman. The plan outlined solicitation of grants for renovations, once the building was in their possession, goals, and their mission.

Clayborne Gwyn  
Marshall Guy  
Sue Thompson

Brenda Gwyn  
Evelyn Lawrence

These citizens spoke in favor of Mr. Joe Ellis' idea to house an Appalachian School of Art in the building:

Joe Ellis

David Fields

Mr. Ellis explained that he wanted to bring prosperity back to the building by putting it back to its original use.

Mr. Earl McClure spoke on the protection of the County and hoped that both interested parties had thoroughly inspected the building.

The hearing was closed at 4:25 p.m.

The Board asked Mrs. Gwyn general questions and briefly discussed the building. The Board agreed to continue voting on the issue until all Board members were present.

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At 5:00 p.m. the Board proceeded with a second public hearing on the proposed School Board Budget for fiscal year 2006-2007. Mr. Carter read the advertisement as placed in the Smyth County News and Messenger. There was one citizen present and School Board members and staff. With the lack of Citizens present, the Board agreed not to read the rules and procedures.

Mrs. Betty Webb spoke on behalf of the Smyth County Education Association. She spoke in favor of the proposed budget.

Mr. Jim Sullivan, Superintendent, briefly answered questions form the Board.

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The hearing was closed at approximately 5:07 p.m. The Board must wait seven days before adopting the budget.

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After briefly discussing the months meetings, at approximately 5:19 p.m., upon motion of Mr. Perry and seconded by Mr. Slemp, Board continued their meeting until Wednesday, July 19, 2006 at 6:00 p.m. for a public hearing on the general county budget and any other issues that may arise.



7-19-2006

| Smyth County, Virginia                    |                      |                      |                      |                      |                              |
|-------------------------------------------|----------------------|----------------------|----------------------|----------------------|------------------------------|
| Proposed School Board Budget              |                      |                      |                      |                      |                              |
| For the Year Ending June 30, 2007         |                      |                      |                      |                      |                              |
| Summary of All Operations Budget Revenues |                      |                      |                      |                      |                              |
|                                           | 2003-2004            | 2004-2005            | 2005-2006            | 2006-2007            | Diff. 2006-07<br>and 2005-06 |
| <b>School Operating Fund</b>              |                      |                      |                      |                      |                              |
| State Funds                               | \$ 20,062,239        | \$ 23,422,023        | \$ 24,258,067        | \$ 28,517,588        | \$ 4,259,521                 |
| Federal Funds                             | \$ 4,059,272         | \$ 4,250,817         | \$ 5,897,142         | \$ 6,161,196         | \$ 264,054                   |
| County Funds                              | \$ 7,876,062         | \$ 8,763,154         | \$ 8,810,220         | \$ 8,844,744         | \$ 34,524                    |
| Sales Tax                                 | \$ 3,541,579         | \$ 3,694,056         | \$ 4,741,237         | \$ 4,515,002         | \$ (226,235)                 |
| Other Funds                               | \$ 373,948           | \$ 470,948           | \$ 706,259           | \$ 470,165           | \$ (236,094)                 |
| <b>Total School Operating</b>             | <b>\$ 35,913,100</b> | <b>\$ 40,600,998</b> | <b>\$ 44,412,925</b> | <b>\$ 48,508,695</b> | <b>\$ 4,095,770</b>          |

| Summary of All Operations Budget Expenditures          |                      |                      |                      |                      |                                       |
|--------------------------------------------------------|----------------------|----------------------|----------------------|----------------------|---------------------------------------|
|                                                        | 2003-2004            | 2004-2005            | 2005-2006            | 2006-2007            | Difference<br>2006-2007,<br>2005-2006 |
| <b>School Operating Fund</b>                           |                      |                      |                      |                      |                                       |
| 61000: Instruction                                     | \$ 28,068,435        | \$ 31,608,986        | \$ 34,187,019        | \$ 36,424,436        | \$ 2,237,417                          |
| 62000: Administration,<br>and Attendance and<br>Health | \$ 1,223,751         | \$ 1,347,171         | \$ 1,486,716         | \$ 1,900,453         | \$ 413,737                            |
| 63000:Pupil<br>Transportation Services                 | \$ 1,554,590         | \$ 2,053,050         | \$ 1,902,843         | \$ 2,200,962         | \$ 298,119                            |
| 64000: Operating and<br>Maintenance Services           | \$ 3,058,459         | \$ 3,408,777         | \$ 3,660,774         | \$ 4,324,651         | \$ 663,877                            |
| 65000: School Food<br>Services                         | \$ 975,000           | \$ 1,120,208         | \$ 1,910,210         | \$ 2,227,690         | \$ 317,480                            |
| 68000: Technology                                      | \$ 1,032,865         | \$ 1,062,806         | \$ 1,265,363         | \$ 1,430,503         | \$ 165,140                            |
| <b>Total School Operating<br/>Fund</b>                 | <b>\$ 35,913,100</b> | <b>\$ 40,600,998</b> | <b>\$ 44,412,925</b> | <b>\$ 48,508,695</b> | <b>\$ 4,095,770</b>                   |

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**School Textbook Fund  
Smyth County, Virginia  
Revenue Estimates  
For the Year Ending June 30, 2007**

|                                    | 2005-2006         | 2006-2007         | Difference        |
|------------------------------------|-------------------|-------------------|-------------------|
| Balance at Beginning of Year       | \$ 252,431        | \$ 329,685        | \$ 77,254         |
| Lost Books, etc.                   | \$ 1,000          | \$ 1,000          | \$ -              |
| Transfer from School Board         | \$ 220,109        | \$ 396,409        | \$ 176,300        |
| Sale of Investments                | \$ -              | \$ -              | \$ -              |
| Interest on Investments            | \$ -              | \$ -              | \$ -              |
| <b>Total School Textbook Fund:</b> | <b>\$ 473,540</b> | <b>\$ 727,094</b> | <b>\$ 253,554</b> |

**School Textbook Fund  
Smyth County, Virginia  
Expenditure Estimates  
For the Year Ending June 30, 2007**

|                                                                            | 2005-2006         | 2006-2007         | Difference       |
|----------------------------------------------------------------------------|-------------------|-------------------|------------------|
| Textbooks                                                                  | \$ 160,720        | \$ 241,000        | \$ 80,280        |
| <b>Total School Textbook Fund:</b>                                         | <b>\$ 160,720</b> | <b>\$ 241,000</b> | <b>\$ 80,280</b> |
| <b>Projected Balance at Beginning of 2007-2008 School Year: \$ 486,094</b> |                   |                   |                  |

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, the Board approved a single festival permit for the Davis Valley Winery, event to be held on Saturday, August 5, 2006.

Mr. Tate informed the Board that the request for a special use permit heard at the last joint public hearing with the Planning Commission on Thursday, June 22 is not required because of state code section 15.2-2291. The Board approved the recommendation from the Planning Commission not to grant the request from Mr. Edward Worley on behalf of Keith Lowery to operate a group home. Mr. Tate has requested that this issue be brought back up before the Planning Commission at there next meeting on Thursday, July 27, 2006.

Mr. Roberts brought up the following questions concerning the proposed 2006-2007 general county budget:

- If the \$25,000 for Celebration in the budget could not be scaled down to \$1,000 and when the project gets going appropriate more funds as requested.
- He requested that the Budget Committee look at a lodging tax.
- Why was the Library budget \$100,000 more? Mr. Atkins will obtain more information before funds are appropriated to the Library.

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- Questioned \$40,000 for equipment in the 911 budget.
- He also suggested that approximately \$1,500 be taken from contingency and be shown for the Jamestown Project as a line item. The Board agreed with the expenditure.

The following changes were made to the proposed budget:

Upon motion of Mr. Roberts, seconded by Mrs. Neitch, and unanimously carried, \$1,000 will be used of contingency for Virginia State Retirement System Study for the deputies.

Upon motion of Mrs. Neitch, seconded by Mr. Slemp, and unanimously carried, the Board approved an additional line item in the budget for the \$80,000 Flat Ridge Self Help Project; this is a flow-through project.

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At approximately 6:51 p.m., upon motion of Mrs. Neitch, seconded by Mr. Blevins, the Board continued the meeting until Wednesday, July 26, 2006 at 6:00 p.m., for adoption of the 2006-2007 county budget, tax levies, and any other issues that may arise.

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Joint public hearing with the Planning Commission Thursday, July 27 at 7:00 p.m.

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C.C. Clark, Jr., Chairman

**Virginia:** At a continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Wednesday, July 26, 2006, at 6:00 P.M.

|                               |                                                                                            |                                                             |
|-------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| <b>Board Members Present:</b> | Mr. Charlie Clark, Chairman<br>Mr. Harold Slemp<br>Mr. Michael Roberts<br>Mr. Wade Blevins | Mr. Todd Dishner<br>Mrs. Darlene Neitch<br>Mr. Marvin Perry |
|-------------------------------|--------------------------------------------------------------------------------------------|-------------------------------------------------------------|

|                               |                                                                       |                                     |
|-------------------------------|-----------------------------------------------------------------------|-------------------------------------|
| <b>Staff Members Present:</b> | Mr. Edwin B. J. Whitmore, III<br>Miss Amber Tilson<br>Mr. Mike Carter | Mr. Charlie Atkins<br>Mr. John Tate |
|-------------------------------|-----------------------------------------------------------------------|-------------------------------------|

Charlie Atkins, Chief Financial Officer, updated the Board on the following requested changes made to the budget since the last meeting on July 19:

- Moved \$1,000 from contingency and created a line item for LEORS (retirement system study for the deputies).
- A line item of \$80,000 was also created in revenue and expenditures for the Rye Valley Self Help Water Project.

With the above changes the budget total is \$77,760,975.

He also addressed the following questions from the last meeting:

- The \$40,000 in the E-911 is for normal repair and maintenance.
- He presented information on the Library's budget and what was restricted and what wasn't restricted. He also explained cash and bank balances.

The board discussed the Library's budgeting process, Mr. Atkins and 3 representatives for the library answered questions. Mr. Perry suggested that the CFO and County Administrator get the County's auditor involved.

Upon motion of Mr. Roberts, seconded by Mr. Slemp, and unanimously carried, the Board authorized Mr. Atkins to incorporate a Terrorism Grant into the 2006-2007 proposed budget in the amount of \$75,440, which would be a flow through project and appear under the Sheriff Department budget.

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Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the Board approved the recommendation from the Budget Committee to raise the current mileage rate from .325/mile to .385/mile.

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Mr. Perry inquired about the salary study. Mr. Atkins is currently trying to contact the person for the study.

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Upon motion of Mr. Slemp, seconded by Mr. Dishner, and unanimously carried, the Board adopted the 2006-2007 fiscal year budget in the amount of \$77,836,415, with the changes incorporated earlier in the meeting.

Mr. Roberts and Mr. Perry thanked the Budget Committee and staff for their work on this years budget.

7-26-2006

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Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried the Board approved a Real Estate levy on all taxable real estate located in Smyth County, Virginia, including equalized real estate, where applicable, a unit levy of \$.63 per \$100.00 of assessed valuation; Tax on tangible personal property and the tangible personal property of service corporation, except rolling stock of corporations operating railroads, a unit levy of \$2.25 per \$100.00 of assessed valuation; Machinery & Tools \$1.20 per \$100.00 of assessed valuation; Tax on Category 23 items (trucks used in Interstate Commerce over 10,000 pounds) a unit levy of \$1.20 per \$100.00 of assessed valuation; Tax on Merchants Capitol a unit levy of \$.40 per \$100.00 of assessed valuation.

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**Note:** Mr. Slemp left at 6:45.

Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried, the Board scheduled a public hearing on Tuesday, September 12, 2006 at 4:00 p.m. to take comment on the request from the School Board for additional funds which would amend the 2006-2007 budget.

Vote: 6      yea  
      1      absent (Slemp)

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The Board reviewed information on the VACo Conference which will be held November 12-14, 2006 at the Homestead. Those wishing to attend should let Amber know by Friday, July 28.

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At approximately 6:51 p.m., the meeting was continued until Thursday, July 27, 2006 at 7:00 p.m. for a joint public hearing with the Planning Commission and any other issues that may arise.

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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, July 27, 2006, at 7:00 P.M.

|                               |                                                                        |                                                             |
|-------------------------------|------------------------------------------------------------------------|-------------------------------------------------------------|
| <b>Board Members Present:</b> | Mr. Charlie Clark, Chairman<br>Mr. Marvin Perry<br>Mrs. Darlene Neitch | Mr. Wade Blevins<br>Mr. Todd Dishner<br>Mr. Michael Roberts |
|-------------------------------|------------------------------------------------------------------------|-------------------------------------------------------------|

**Board Members Absent:** Mr. Harold Slempp

|                               |                                                                                                 |                                                        |
|-------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <b>Staff Members Present:</b> | Mr. Edwin B. J. Whitmore, III<br>Miss Amber Tilson<br>Ms. Shirley Spencer<br>Mr. Charlie Atkins | Mr. Clegg Williams<br>Mr. John Tate<br>Mr. Mike Carter |
|-------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------------------------|

|                                             |                                                                     |                                                               |
|---------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------|
| <b>Planning Commission Members Present:</b> | Mr. Dennis Blevins, Chairman<br>Mr. Earl McClure<br>Mr. Karl Kalber | Mr. Wayne Venable<br>Mr. Graham Davidson<br>Mr. Archie Atwell |
|---------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------|

**Planning commission Members Absent:** Ms. Amy Tuell

At 7:00 p.m. the Chairman of the Board and Chairman of the Planning Commission called the joint public hearing to order. There were approximately 5 citizens present. Ms. Shirley Spencer read the advertisement as placed in the Smyth County News and Messenger.

Mr. Clegg Williams, Zoning Administrator, summarized the first application he received from Mr. W. A. Weaver who applied for a zoning permit to install a manufactured home on a lot he owns in Konnarock. The property is just over 2 acres in size with the majority of the tract zoned Commercial. The tract currently contains a convenience store, an abandoned car wash, and possibly one manufactured home. Because considering the proposed location was zoned commercial, Mr. Williams was unable to issue a zoning permit. As a result, Mr. Weaver applied to have a small portion of the tract rezoned from commercial to agricultural/rural. Mr. Williams stated that adjoining property owners were notified by mail and received comments on the application. He also pointed out the following sections of the ordinance: Section 3-4 which are the district regulations for the Commercial District (the district regulations that currently apply), Section 3-2 which covers the district regulations for the Agricultural/Rural district (the district regulations that would apply if the property is rezoned), and Article IX which covers Amendments to the Ordinance.

Mr. Weaver answered general questions from the Board and Planning Commission concerning the mobile home he plans to move on to the lot, lot size, and

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surrounding areas. Mr. Williams also helped clarify some questions.

Mr. Williams summarized the second application received from Mr. Greg Deel. who six years ago purchased 14.8 acres in Davis Valley. In a short time he established three manufactured home lots on the property. He now wishes to deed one of the home sites to his brother. Since the property is accessed by a private right-of-way, Mr. Deel made a variance request to the Planning Commission which was heard at their 6:00 p.m. meeting and approved. He is now left with 13.3 acres and two home sites and would like to establish a third home site on the property. Section 10-45 defines a manufactured home park as *a site equipped to accommodate three or more manufactured homes*. As a result, Mr. Deel has applied for a special use permit. Mr. Williams stated that adjoining property owners were notified by mail and he had not received any comments on this application.

Mr. Williams pointed out the following sections of the ordinance: Section 3-2.2 q) which allows a manufactured home park in the A/R district by special use, Section 10-45 which defines manufactured home parks and Article VI which contains the standards that must be met before a special use permit may be approved.

Mr. Deel answered questions from the Board, Attorney, and Planning Commission. He explained that he hoped to move a new doublewide home onto the lot for his mother in law and father in law to live close by. He and Mr. Williams clarified other questions such as if the current homes were grandfathered into the zoning ordinance.

The public hearing was closed at approximately 7:25 p.m. and the Planning Commission recessed while the Board completed the following items.

The appropriations below were approved at the last regular meeting on July 11, 2006 which at that time there was not an adopted budget. With the fiscal year 2006-2007 budget adopted on July 26, the County Attorney advised to do so again. After discussion, the Board appropriated the following:

**Appropriations**

|                                                  |             |
|--------------------------------------------------|-------------|
| General County                                   | \$1,500,000 |
| Department of Social Services (July 12-31, 2006) | \$310,000   |
| (August 1-8, 2006)                               | \$45,000    |

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|         |                            |             |
|---------|----------------------------|-------------|
| Schools | Operating Fund             | \$2,100,000 |
|         | Textbook Fund              | \$35,000    |
|         | Debt & Capital Outlay Fund | \$900,000   |

**Accounts payable listing** \$697,530.08

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Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried, the Board, approved the following appropriation:

|                |           |
|----------------|-----------|
| General County | \$130,000 |
|----------------|-----------|

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Upon motion of Mr. Perry, seconded by Mr. Dishner, and unanimously carried, the Board approved the accounts payable listing in the amount of \$258,359.45.

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The Chairman reminded the Board that those wishing to attend the VACo conference in November should notify Amber as soon as possible.

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Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the meeting was adjourned at approximately 7:35 p.m.

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C.C. Clark, Jr., Chairman

