

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

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

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

Mr. Clark called the meeting to order at 12:00 noon.

Mr. Walter Robinson led invocation and Mr. Michael Carter led the pledge of allegiance.

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

Upon motion of Mr. Blevins, seconded by Mr. Slempp, and unanimously carried, the minutes of February 13, 20, and 22, 2007 were approved.

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

General County		\$950,000
Animal Control (office supplies)		\$132
Department of Social Services (March 14-31, 2007)		\$300,000
(April 1-10, 2007)		\$40,000
Schools	Operating Fund	\$3,800,000
	Debt & capital Outlay	\$90,000

Upon motion of Mr. Blevins, seconded by Mr. Slempp, and unanimously carried, the accounts payable listing in the amount of \$363,919.93 was approved. This accounts payable includes \$10,156.29 to Closed Networks, Fredrick G. Griffin Engineering for the radio system project.

CITIZEN'S TIME

Ronnie Harrington gave a 2006 annual report on the Smyth County Museum and Historical Society. Some of the highlights were; more than 532 artifacts have been obtained by the museum, and the museum has an original farewell document of Robert E. Lee. They participated in several community functions such as the Arbor Day Celebration, Kiwanis Club, Discovery Day and Pioneer Day at Marion Primary School, 70th Anniversary of Hungry Mother State Park, and the 2nd Annual Sherwood

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Anderson Festival, to name a few. The Museum logged approximately 8,310 volunteer hours. There were approximately 3,128 visitors to the museum and the museum functions coming from 43 states and 9 foreign countries. Mr. Harrington expressed that the Historical Society continues to have interests in obtaining the 1908 school house which would help in their growth in the future.

NEW BUSINESS

With the Budget Committee's recommendation, the Board unanimously voted to continue participating in the Damage Stamp program.

With the recommendation of the Budget Committee, the Board unanimously appropriated \$2,200 (\$100 for each member) to donate to the Smyth County 4-H Honor Club to assist in the Interstate 4-H Exchange program. This year the 4-H Honor Club will travel to Cascade County, Montana. This appropriation will come from the Board's Supplemental Appropriations fund (#4-001-011010-8888).

Upon motion of Mr. Perry, seconded by Mr. Blevins, and unanimously carried, the following resolution was adopted:

WHEREAS, the potential developer of land near Exit 47 has completed a traffic impact analysis of the interchange area; and

WHEREAS, the developer, through its consultant, is in the final discussion stages with the Virginia Department of Transportation (VDOT) and the Federal Highway Administration (FHWA) regarding the traffic impact analysis; and

WHEREAS, the developer has asked for the initial support from the local governing body for the project before proceeding into more detailed engineering that will be required.

THEREFORE, Be It Resolved that the Smyth County Board of Supervisors supports the limited access modification and the interchange modifications of Exit 47.

BE IT FURTHER RESOLVED, that the Smyth County Board of Supervisors supports the proposed development and urges both VDOT and the FHWA to expedite the approval of this application.

Upon motion of Mr. Perry seconded by Mr. Blevins, seconded by Mr. Blevins, and unanimously carried, the following resolution was adopted. It will be forwarded to Congressman Rick Boucher, Senator John Warner, and Senator Jim Webb.

WHEREAS, the Smyth County Board of Supervisors has been notified that the President's Fiscal Year 2008 budget will cut the Resource Conservation & Development Program to \$14.6 million; and this cut would eliminate 325 of the 375 RC&D coordinator positions; and

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WHEREAS, Resource Conservation and Development Councils play an important role in rural development and natural resource conservation; and it will require \$56 million in funding for the RC&D Program in Fiscal Year 2008 to keep the program at level funding; and

THEREFORE BE IT RESOLVED, that the Smyth County Board of Supervisors requests that the Chair and ranking Members of the Agriculture Appropriations Subcommittee insert the following into the Agriculture Appropriations Bill:

“Resource Conservation and Development Councils play an important role in rural development and natural resource conservation. USDA has indicated that on an average it takes \$190,500 to fully support a RC& D Council. There are currently 375 existing Councils and 37 pending applications. The Committee provides \$56 million to move the existing Councils toward full funding.”

THEREFORE BE IT FURTHER RESOLVED that the Smyth County Board of Supervisors strongly opposes the budget cuts to the RC& D Program, as the County highly benefits from its services.

Upon motion of Mr. Roberts, seconded by Mr. Blevins, and unanimously carried, the Board agreed to donate \$1,000 to Chilhowie High School for Project Graduation 2007 and donate \$1,000 to Northwood High School for NHS After Prom 2007. The same amount will be donated to Marion Senior High School upon receipt of their request. This appropriation will come from the Board's Supplemental Appropriations fund (#4-001-011010-8888).

Upon motion of Mr. Blevins, seconded by Mr. Slemp, and unanimously carried, the Board approved the personal property tax refund request from Lisa Marie Bauman in the amount of \$450.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the personal property tax refund request from US Bank Leasing was continued.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board appointed Mr. Jay Hubble to the Resource Conservation and Development (RC&D) Council, as the Smyth County representative. This two year term will expire January 31, 2009.

Upon motion of Mr. Slemp, seconded by Mrs. Neitch, and unanimously carried, the Board nominated Mr. E.P. Ogle to the Smyth County Board of Zoning Appeals as the North Fork representative. If approved by the Judge of Circuit Court, Mr. Ogle's five (5) year term will expire December 31, 2011.

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board approved a request from the Smyth Wythe Airport Commission for the donation

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of an old Sheriff's Department car. The Board agreed that the value of the car would be deducted from the total amount donated to the airport in the up coming 2007-2008 budget.

Following discussion, the Board duly approved the Budget Committee's recommendation that the 911 center be relocated to the Health Department in the space outlined in the floorplan below.

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



The Budget Committee also recommended that Mr. Williams seek the assistance of a professional grant writer for the up coming Homeland Security Grant "Assistance to Fire Fighters" application process. Once the grant is open, applicants have 30 days to submit the grant application. The committee intends for the Board to fund this grant writer with an undetermined cost amount at this time.

Upon motion of Mr. Perry, seconded by Mrs. Neitch, and unanimously carried the Board approved the Budget Committee's recommendation and will allow the hiring of a

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professional grant writer. The assistance will be hired under Emergency Procurement pursuant to section 2.2-4303 (f) of the Code of Virginia. The up coming Homeland Security Grant "Assistance to Fire Fighters" application process allows applicants 30 days to submit the grant application. Upon notification of the grant opening, the notice of emergency procurement will be posted in the Smyth County Office Building and in the Smyth County Courthouse.

With the Budget Committee's recommendation, the Board approved a 2006-2007 budget amendment to the Comprehensive Service Act Pool Funds in the amount of \$300,000 with \$70,110 being local funding. Local funding will come from the Board's Supplemental Appropriations fund (#4-001-011010-8888).

Upon motion of Mr. Perry, seconded by Mr. Slemp, and unanimously carried, the Board approved the renewal of the heating and cooling contract with TRANE for the Smyth County Office Building, Smyth County Courthouse, Smyth County Jail, and Smyth County Health Department. The renewal of the contract includes a 4% increase for a total of \$24,501 for the 2007-2008 contractual year. The contract approved April 2006, has the option of being renewed one more year. The renewal is effective April 1, 2007.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board approved the following water service agreement with Wythe County:

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Mr. Slemp mentioned the future possibility of installing lines further into Wythe County.

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Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, the Board appointed Mr. Clark as the County's representative on the Smyth County Tourism Association Board.

Mr. Carter and Mr. Whitmore gave a brief update on the VDH and County partnership in the purchase of a generator. The Request for Proposal is in the process of being written.

Dr. Michael Robinson, School Superintendent, briefly explained the School Board's request for partnership in a Facility Study for the schools. The study will provide recommendations made by industry experts and timely information based on current trends in school construction and renovation. The school system and County will not be obligated to any of the recommendations made. Dr. Robinson requested that due to the length of time it takes to complete the project and that it will be conducted in the summer months, that the \$125,000 in the current budget to fund the project be carried forward into the 2007-2008 school year, he does not anticipate billing for the project until the fall of 2007.

After brief discussion, upon motion of Mr. Slemp, seconded by Mr. Dishner, and unanimously carried, the Board approved Dr. Robinson's request and will partner in the facility study and the funds for the project will be forwarded into the 2007-2008 school year.

Mrs. Sally Morgan introduced officials from Wellborn Cabinet, Inc., the newest company to locate in Smyth County. They have recently purchased the Virginia House/Vaughan Bassett properties in Atkins. Present on behalf of Wellborn Cabinet were, Ben Roster, Human Resource Manger, Steven Wellborn, Director of Research and Design, Frank Sharpe, Plant Manager of the Alabama Plant, and Kelly Simmons, Plant Manager of the Atkins facility. Also present was Mike Sexton of the Virginia Economic Partnership who has helped in this location process. Smyth County IDA members and Tom Elliott, Executive Director of Virginia's aCorridor were also present.

Ben Roster and Steven Wellborn spoke on behalf of the company and thanked the Board for allowing them to locate here. They anticipate future growth and are now operating with 40 employees (former employees of the Vaughan Bassett plant at this

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facility). They look forward to being a partner of Smyth County and Virginia, and sent greetings from Paul Wellborn, owner of the company. They were pleased to locate where there were employees that were ready to go to work with the skills and knowledge needed for their company.

Following their introduction the Board recessed to meet with the officials.

CLOSED SESSION

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, at 1:57 p.m., the Board agreed to enter into closed session as allowed by the Code of Virginia, Section 2.2-3711 (A) (5) report on business prospect and (7) for pending litigation and legal briefing.

Vote: 7 yea
 0 nay

At approximately 2:25 p.m. the Chairman recessed the closed session until later in the meeting.

Upon motion of Mr. Slemp, seconded by Mrs. Neitch, and unanimously carried, the following resolution was adopted in support of the Upper Tennessee River Roundtable, Inc. seeking affiliation from Keep America Beautiful.

***Whereas**, the Upper Tennessee River Roundtable, Inc. organizes a litter prevention and recycling committee to seek solutions to prevent littering and to increase recycling; and*

***Whereas**, the Upper Tennessee River Roundtable, Inc. litter prevention and recycling committee includes representation from the counties of Lee, Wise, Scott, Dickenson, Buchanan, Tazewell, Russell, Smyth and Washington as well as the cities of Bristol and Norton; and*

***Whereas**, Smyth County, is an active participant in this litter prevention and recycling committee; and*

***Whereas**, the litter prevention and recycling committee has applied for regional affiliation from Keep America Beautiful, Inc. and through the Upper Tennessee River Roundtable, Inc.; and*

***Whereas**, the litter prevention and recycling committee has chosen the name of Keep Southwest Virginia Beautiful for this regional affiliate; and*

***Whereas**, the litter prevention and recycling committee agrees to work with all above-named localities to complete certification requirements and to maintain certification through Keep America Beautiful, Inc.; and*

***Whereas**, the litter prevention and recycling committee shall be called Keep Southwest Virginia Beautiful and shall focus on litter prevention, beautification, community improvement, and waste reduction through individual responsibility, education, private-public partnerships, and volunteer action.*

***Now, therefore it be resolved** that Smyth County does hereby endorse the Upper Tennessee River Roundtable's application for regional affiliation through Keep*

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America Beautiful, Inc. and agrees to support the efforts of Keep Southwest Virginia Beautiful.

Upon motion of Mrs. Neitch, seconded by Mr. Blevins, and unanimously carried, the Board approved the recommendation from the Planning Commission to grant a zoning amendment request from Newton Miller to rezone approximately 12.6 acres from Residential to Agricultural/Rural at 2338 Riverside Road.

Before the following votes were taken, the Board discussed the applications from Sheridan Ridge Private Reserve, LLC. Mrs. Neitch stated that she was not against the requests but noted that in November of 2005 a similar request for a motor cross track in the same area was denied. She stated that she did not feel it was right to deny one request and grant another.

Upon motion of Mr. Dishner, seconded by Mr. Slempp, and unanimously carried the Board approved the recommendation from the Planning Commission to grant an amendment to the zoning map requested by Sheridan Ridge Private Reserve to rezone approximately 53 acres from Agricultural/Rural to Commercial. The land is located on the south side of Walker Mountain at the head waters of Hungry Mother Creek and is part of Tax Map No. 35-A-12.

Upon motion of Mr. Slempp, seconded by Mr. Dishner, and unanimously carried, the Board approved the recommendation from the Planning Commission to grant an amendment to the zoning map requested by Sheridan Ridge Private Reserve to rezone approximately 511 acres from Agricultural/Rural to Residential. The land is located on the south side of Little Brushy Mountain near Snider Branch and is part of Tax Map Nos. 35-A-11B & 36-A-3B.

Mrs. Neitch noted that

Upon motion of Mr. Dishner, seconded by Mr. Slempp, and unanimously carried, the Board approved the recommendation from the Planning Commission to grant an application from Sheridan Ridge Private Reserve for a Special Use Permit to establish a Commercial stable as defined by §10-16 of the zoning ordinance. The land is located on the south side of Walker Mountain at the head waters of Hungry Mother Creek, is part of Tax Map No. 35-A-12, and is zoned Agricultural/Rural.

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

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BE IT RESOLVED that the Smyth County Board of Supervisors adopts the following Six (6) Year Secondary System for the County of Smyth Construction Program and fiscal year 2007-2008 to 2012-2013.

YEAR	2007-2008
NEW SURFACE & TREATMENT	\$218,859
FEDERAL	-0-
OTHER	<u>\$945,321</u>
TOTAL	\$1,164,180

And further approves the first year of plan titled Details of Smyth County, Virginia Secondary Construction Budget for July 1, 2007 through June 30, 2007.

OLD BUSINESS

1. Collection of delinquent taxes **(8-10-04)**.
2. Marevine Slep, request for water service on Fox Valley Road **(5-11-04)**.
3. a. Request for tax exempt status for the Lincoln Theatre **(12-13-2005)**
b. Request for tax relief status on building improvements **(12-5-2006)**
4. Re-codifying of the Smyth County Code **(1-10-2006)**.
5. Ordinance Committee recommendation to merge the manufactured home ordinance into the zoning ordinance as proposed in the zoning amendments present to the Board in January 2005 **(4-11-2006)**.
6. Proposed revisions from the Planning Commission to the Subdivision Ordinance. (referred to the Ordinance Committee **6-13-2006**).
7. a. Disposal of former school building at 105 East Strother Street **(7-11-2006)**
b. Building and Grounds Committee recommendation concerning the old school building and the Heilig-Myers building (continued **11-15-2006**, Committee meeting 10-27-2006).
8. Appointments: Smyth-Bland Regional Library Board (4 year term, district specific)
Saltville District Vacancy
9. Request the Board update appointments to the Southwest Virginia Emergency Medical Services Council. Due to by law changes only one member can now serve. Current members are as follows, both of these 3 year terms expire 9-30-2008 **(2-13-2007)**:

Shannon Williams
Doug Testerman

The Board briefly discussed the appointments to the Southwest Virginia Emergency Medical Services Council and decided to continue the matter. They discussed the option of one of the members above serving as an alternate while the other served as the member. The two members will be reached for further comment.

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CLOSED SESSION

Upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, at 3:32 p.m., the Board agreed to re-enter into closed session as allowed by the Code of Virginia, Section 2.2-3711 (A) (5) report on business prospect and (7) for pending litigation and legal briefing.

Vote: 7 yea
 0 nay

At 4:21 p.m. the Chairman ended the closed session.

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

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

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

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

Supervisors.

Vote: 7 yea
 0 nay

MEETING CONTINUED

At approximately 4:30 p.m., upon motion of Mr. Slemp, seconded by Mr. Blevins, and unanimously carried, the meeting was continued until Tuesday, March 22, 2007 at 7:00 for a joint public hearing with the Planning Commission and any other issues that may arise.

C.C. Clark, Jr., Chairman

