

Virginia: The regular meeting of the Smyth County Board of Supervisors was held at the County Office Building on Tuesday, June 10, 2008 at 12:00 noon.

Board Members

Present: Mr. Charlie Clark Mr. Michael Roberts
Mr. Wade Blevins Mrs. Darlene R. Neitch
Mr. Marvin Perry Mrs. Brenda Waddell
Mr. Todd Dishner (arrived at 12:15 p.m.)

Staff Members

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

Chairperson, Neitch called the meeting to order at noon. Mr. Mark Blevins, Sheriff Department Chaplin gave the invocation and Kim Vanhoy led the pledge of allegiance.

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

Vote: 6 yea
1 absent (Dishner)

Upon motion of Mr. Blevins, seconded by Mrs. Waddell, and unanimously carried, the minutes of May 13 and 22, 2008 were approved.

Vote: 6 yea
1 absent (Dishner)

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

General County	\$1,075,000
Animal Control (office supplies)	\$6,103.61
Department of Social Services (June 11-30, 2008)	\$300,000
(July 1-8, 2008)	\$65,000
Schools Operating Fund	\$9,605,367
Debt & Capital Outlay	\$180,705

Vote: 6 yea
1 absent (Dishner)

Upon motion of Mr. Blevins, seconded by Mr. Roberts, the Board unanimously approved the accounts payable listing in the amount of \$430,194.97.

Vote: 6 yea
1 absent (Dishner)

CITIZEN'S TIME

Mary Untiedt spoke on behalf of the Smyth County Lady Wizards AAU Girls Basketball and presented a letter for donation to aid in their trip to the state championship competition. This will be held in New Haven, Connecticut and will begin June 22 for approximately 8 days. Mrs. Untiedt answered brief questions from the Board then the following motion was made.

Upon motion of Mr. Perry, seconded by Mr. Clark, the Board unanimously appropriated \$1,000 (from account #001-056000-5827, Contingency) to donate to the Smyth County Lady Wizards AAU Girls Basketball, to aid in their trip to the nationals in New Haven, Connecticut at the end of June.

NEW BUSINESS

With the recommendation of the Damage Stamp Committee, the Board agreed that the full balance of \$4,827.36 in the Damage Stamp Expenses, Claims & Bounties (#010-091050-5802) fund be appropriated and the following claims be paid for the amount prorated. The approved claims were damage to various gardens, vegetables, corn, beans, potatoes, etc., by deer.

1)	Bob Coulthard	\$89.21
2)	Bryan Jones	\$892.10
3)	Barbara Kegley	\$2,107.58
4)	Early Robinson	\$267.63
5)	Fred Buck	\$44.60
6)	Eugene Buck	\$178.42
7)	Jerry Buck	\$22.31
8)	Evelyn Buck	\$223.02
9)	Joe Hall	\$89.21
10)	Mark Myers	\$913.28
TOTAL:		\$4,827.36

With the recommendation of the Budget Committee, the Board duly decided to take the option of allowing the state to bill the county for the 3.9% reduction of the budget in January 2009. At that time the County will pay its portion back to the state.

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

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With the recommendation of the Budget Committee, *BE IT RESOLVED* that the Smyth County Board of Supervisors hereby unanimously names Shannon Williams, E-911 Coordinator the project administrator for the Public Safety Interoperability Communication grant (PSIC). Mr. Williams is the most knowledgeable of the radio system project. This will allow Mr. Williams to perform drawdowns from the grant.

Due to the fact that the consultant for the radio system has terminated his contract and left the company. The Budget Committee made the recommendation to declare this situation an emergency and that staff find a new consultant as soon as possible. Therefore the following motion was made and was posted on June 10, 2008.

Upon a request of the Budget Committee which was unanimously carried, pursuant to Section 2.2-4303 (F), of the Code of Virginia, the Board of Supervisors hereby declares an emergency to secure professional services for addressing issues in the pending radio system project. This procurement will provide engineering and consulting services in a construction contract, to replace Fredrick Griffin Engineering, a Division of ClosedNetworks, Inc., the previous consultant and engineer who resigned without notice on June 3, 2008. The County Administrator is authorized to secure these services and to approve a budget for submission to the Board. This action was taken at a regular meeting of the Board on Tuesday June 10, 2008 and this notice is posted at the Smyth County Office Building and the Smyth County Courthouse as required by Section 2.2-4303 (F). By order of the Board of Supervisors, June 10, 2008,

At the request of Mr. Dishner the following appointment to the Department of Social Services was continued:

	Park District
	Kelly M. Blevins
	677 Fowler Street
	Marion VA 24354
	Expires 6-30-2008

Upon motion of Mr. Roberts, seconded by Mr. Perry, and unanimously carried, the Board appointed Mrs. Judy Hess to the Smyth County Department of Social Services Board as the Saltville District representative. This four year term will expire June 30, 2012.

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Upon motion of Mr. Perry, seconded by Mr. Clark, and unanimously carried, the Board re-appointed Mr. Harry Dean to the Smyth County Industrial Development Authority as the Royal Oak District representative. This four (4) year term will expire June 30, 2012.

Upon motion of Mrs. Waddell, seconded by Mr. Clark, and unanimously carried, the Board re-appointed Mr. Montie Fleshman to the Smyth County Industrial Development Authority as the Rye Valley District representative. This four (4) year term will expire June 30, 2012.

Upon motion of Mr. Dishner, seconded by Mr. Clark, and with the Appointment Committee's recommendation, the Board unanimously appointed Brenda Waddell to the Community Policy Management Team as the Board of Supervisor representative. This is a one year term will expire June 30, 2009

Vote: 6 yea
 1 abstention (Waddell)

Upon motion of Mr. Dishner, seconded by Mr. Blevins, and with the recommendation of the Appointment Committee, Sabrina Rose was reappointed to the Community Policy Management Team (CPMT) as the parent representative. This one year term will expire June 30, 2008.

The appointment for the Private Provider Representative to the Community Policy Management Team was continued.

Upon motion of Mr. Roberts, seconded by Mr. Blevins, and along with the recommendation of the Appointment Committee, the Board unanimously reappointed Mr. Todd Dishner as the Board member representative to the Marion Downtown Revitalization Committee. This one year term will expire June 30, 2009.

Vote: 6 yea
 1 abstention (Dishner)

With the recommendation of the Appointment Committee, the Board unanimously approved the reappointment of Mr. Sam Burkett to the Mount Rogers Planning District Commission, as the Board of Supervisors, member-at-large, representative. This four (4) year term on the MRPDC will expire, June 30, 2012.

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Upon motion of Mr. Perry, seconded by Mr. Blevins, and along with the Appointment Committee's recommendation, the Board unanimously reappointed the following members to the Rye Valley Water Authority. These are all four (4) year terms and will expire June 30, 2012.

W. Frank Cox
5332 Sugar Grove Highway
Sugar Grove VA 24375

Robert Medley
242 Slemo Creek Road
Sugar Grove VA 24375

William F. Farmer
636 Cedar Springs Road
Sugar Grove VA 24375

Gary Hall
5005 Sugar Grove Highway
Sugar Grove VA 24375

Upon motion of Mr. Dishner, seconded by Mr. Blevins, and along with the Appointment Committee's recommendation, the Board unanimously nominated Sheriff, David Bradley to the Southwest Virginia Community Corrections Community Criminal Justice Board (CCJB) as the region's sheriff representative. Michael Roberts was also reappointed to the CCJB as the Smyth County representative. Both of these two (2) year terms will expire June 30, 2010.

Upon motion of Mr. Dishner, seconded by Mr. Blevins, and along with the recommendation of the Appointment Committee, the Board unanimously reappointed Clegg Williams to the Upper Tennessee River Roundtable's Trash and Tourism Committee. Mr. Williams' one year term will expire June 30, 2009.

Upon motion of Mr. Dishner, seconded by Mr. Blevins, and along with the Appointment Committee's recommendation, the Board unanimously reappointed Mr. Gordon Tuell to the Virginia Highlands Community College Board. Mr. Tuell's four (4) year term will expire June 30, 2012.

Upon motion of Mr. Dishner, seconded by Mr. Perry, and along with the Appointment Committee's recommendation, the Board unanimously reappointed Mr. Ron Thomason to the Wytheville Community College Board. Mr. Thomason's four (4) year term will expire June 30, 2012.

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The Board discussed the following topic referred from the Ordinance Committee meeting on May 27, 2008. Mr. Tate presented a draft ordinance pertaining to the dog ordinance.

Mr. Bill Turman, Chief Animal Control Officer was present for this discussion. Mr. Tate reviewed the Virginia State Code on this issue, section 3.1-796.93. The committee discussed this change with Mr. Turman and Mr. Tate. Mr. Tate will draft a change to Section 10-57 - Vicious or destructive dogs running at large; dogs and cats to be inoculated or vaccinated, of the Smyth County Code. The committee asked him to bring this draft to the Board for consideration, at the next regular meeting on June 10, 2008.

After discussion the following motion was made:

Mr. Clark motioned to schedule a public hearing on amending the ordinance with the draft as presented by Mr. Tate along with a couple minor changes. This motion was seconded by Mr. Roberts and failed to pass.

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

The Board and staff then discussed the possibility of a meals tax, another issue referred from the Ordinance Committee meeting on May 27, 2008. Staff clarified that the Board of Supervisors could place this on referendum by resolution.

Upon motion of Mr. Clark, seconded by Mr. Dishner, and unanimously carried, BE IT RESOLVED that pursuant to section 58.1-3833 of the Code of Virginia, the Smyth County Board of Supervisors shall petition the Circuit Court to set a referendum for the November 2008 election for consideration: A tax on food and beverages sold for human consumption, by a restaurant not to exceed four percent (4%).

Upon motion of Mr. Roberts, seconded by Mr. Clark, and unanimously carried, the Board agreed to schedule a public hearing to take public comment on amending Section 34: Finance and Taxation of the Smyth County Code to consider whether or not to impose a Transient Occupancy Tax. This proposed tax would be equivalent to two percent (2%) of the total amount paid for room rental by or for such transient to any hotel or travel campground, and would provide for a payment to the remitter of the tax to the County. This tax would apply to facilities rented out for fewer than thirty (30) consecutive days.

Upon motion of Mr. Clark, seconded by Mr. Blevins, and unanimously carried, the above mentioned public hearing is scheduled for the next regular Board meeting on Tuesday, July 8, 2008 at 3:00 p.m.

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Upon motion of Mr. Perry, seconded by Mr. Clark, and unanimously carried, the Board approved the Davis Valley Winery Festival Permit for two (2) events to be held June 26-28 and July 25-26, 2008, contingent that the owner provides all the necessary requirements as listed on the permit application.

With the recommendation of the Economic Development Committee, and duly carried, the Board approved the suggestion from the Commissioner of Revenue to apply the reduction to the assessed value of the General Francis Marion Hotel.

Vote: 4 yes (Roberts, Dishner, Clark, Perry)
 3 nay (Waddell, Neitch, Blevins)

Upon motion of Mr. Roberts, seconded by Mr. Dishner, and unanimously carried, the Board approved an agreement with Allen and Associates for a market study on the Allison Gap School elderly Housing Study. This was approved with a couple of minor changes mentioned.

Steve Buston and Robert Hurt of the Virginia Department of Transportation was present. Mr. Hurt explained the following resolutions that were adopted and returned maintenance concerns.

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

WHEREAS, the Virginia Department of Transportation has constructed Whitetop Road on a new alignment under Project. 0600-086-176, C503, B637, and

WHEREAS, the project sketch and VDOT Forms AM4.3, attached and incorporated herein as a part of this resolution, define adjustments required in the secondary system of state highways as a result of that construction, and

WHEREAS, the new road serves the same citizens as served by those portions of the old road identified in the project sketch to be abandoned, which portions no longer serve a public need,

NOW, THEREFORE, BE IT RESOLVED, this Board hereby abandons Sections 1-11, 13, and 15-17 from the secondary system of state highways, pursuant to §33.1-155 of the Code of Virginia, and

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to add Sections 18-29 and 31-38 to the secondary system of state highways, pursuant to §33.1-229 of the Code of Virginia, for which sections this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills, and drainage, and

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BE IT FURTHER RESOLVED, this Board requests that Sections 14 and 30 be accordingly renumbered as part of the secondary system of state highways, and

BE IT FINALLY RESOLVED, this Board orders that a certified copy of this resolution be forwarded to the Resident Administrator for the Virginia Department of Transportation.

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

WHEREAS, the Virginia Department of Transportation has constructed Nicks Creek Road on a new alignment under Project. 0622-086-232, C501, B646, and

WHEREAS, the project sketch and VDOT Forms AM4.3, attached and incorporated herein as a part of this resolution, define adjustments required in the secondary system of state highways as a result of that construction, and

WHEREAS, the new road serves the same citizens as served by those portions of the old road identified in the project sketch to be abandoned, which portions no longer serve a public need,

NOW, THEREFORE, BE IT RESOLVED, this Board hereby abandons Sections 1-5 from the secondary system of state highways, pursuant to §33.1-155 of the Code of Virginia, and

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to add Sections 6-11 to the secondary system of state highways, pursuant to §33.1-229 of the Code of Virginia, for which sections this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills, and drainage, and

BE IT FINALLY RESOLVED, this Board orders that a certified copy of this resolution be forwarded to the Resident Administrator for the Virginia Department of Transportation.

Upon motion of Mr. Blevins, seconded by Mr. Clark, and unanimously carried, *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 2008-2009 to 2013-2014.

YEAR	2008-2009
NEW SURFACE & TREATMENT	\$80,846
FEDERAL	\$669,589
OTHER	<u>\$334,039</u>
TOTAL	\$1,084,474

And further approves the first year of plan titled Details of Smyth County, Virginia Secondary Construction Budget for July 1, 2008 through June 30, 2009.

Upon motion of Mr. Blevins, seconded by Mr. Clark, and unanimously carried, the Board approved the recommendation from the Planning Commission on the request from Barbara T. Hall for a zoning map amendment. The property is currently zoned

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agriculture/rural and will be rezoned to residential. The property is identified as approximately 3.2 acres of tax map number 56-A-89.

Vote: 5 yea
 2 abstentions (Neitch, Waddell)

Upon motion of Mr. Clark, seconded by Mr. Dishner, and unanimously carried, the Board unanimously approved a recommendation from the Planning Commission on the application from Bill Rush for a map amendment. The property is currently zoned agriculture/rural and will be rezoned to residential. The property is identified as approximately 6.2 acres in total and being all of tax map numbers 56-A-48L & 56-A-48M.

Vote: 6 yea
 1 abstention (Neitch)

Upon motion of Mr. Clark, seconded by Mr. Perry, and unanimously carried, the Board approved the recommendation from the Planning Commission made on the Sheridan Ridge Private Reserve's applications; approve all three applications as presented:

- (1) Map amendment from agriculture/rural to residential
- (2) Special use permit for townhouses
- (3) Special use permit for two and/or multi family dwelling units:

The property is identified as a portion of Tax Map No. 35-A-12 12C and all of Tax Map No. 35-A-11C.

At 3:00 p.m. the Board proceeded with a public hearing on the proposed changes to the Smyth County Code - Appendix A - Erosion and Sedimentation Control.

Upon motion of Mr. Roberts, seconded by Mr. Dishner, and unanimously carried, the rules for hearings were forgone due to the lack of citizens present.

Mr. Whitmore read the following publication as advertised in the Smyth County News and Messenger on Saturday, May 24, 2008.

Notice of Public Hearing

The Smyth County Board of Supervisors, in accordance with section 15.2-1427 (F) of the Code of Virginia, will hold a public hearing on Tuesday, June 10, 2008 at 3:00 p.m., or soon thereafter, as it may be convened, in the Board of Supervisors Meeting Room at the Smyth County Office Building, 121 Bagley Circle, Marion, Virginia.

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The purpose of the hearing is to receive comments on proposed changes to the Smyth County Code - Appendix A - Erosion and Sedimentation Control. These proposed changes are a reflection of amendments made to the Code of Virginia.

The full text of the proposed amendments is on file and can be viewed at the County Administrator's Office at 121 Bagley Circle, Marion, Virginia, during business hours, Monday - Friday. Any questions regarding the proposed changes can be directed to Clegg Williams, Zoning Administrator at 276-783-3298, Ext. 277, or zoning@smythcounty.org.

*Done by order of the Smyth County Board of Supervisors
Edwin B.J. Whitmore, III, County Administrator*

Mr. Clegg Williams briefly summarized the amendments and stated that they were only technical amendments.

Upon motion of Mr. Perry, seconded by Mr. Clark, and unanimously carried, these amendments were approved. These amendments are too lengthy to insert into these minutes however they are available in the Building/Zoning Department. They will be included in the re-codifying of the County Code process.

Old Business

1. Collection of delinquent taxes (**8-10-04**).
2. Marevine Slemper, request for water service on Fox Valley Road (**5-11-04**).
3. Re-codifying of the Smyth County Code (**1-10-2006**).
4. Proposed revisions from the Planning Commission to the Subdivision Ordinance. (referred to the Ordinance Committee **6-13-2006**).
5. Disposal of former school building at 105 East Strother Street (**7-11-2006**)
6. Request the Board appropriate \$15,120 to pay Wythe County their portion of taxes collected on air craft at the Smyth Wythe Airport for 2006 (**6-12-2007**).

Item six was briefly discussed. It was again continued until it would show in the Smyth Wythe Airport Commission minutes that Wythe County has paid their portion.

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7. Appointments:
 - Board of Zoning Appeals (2-12-2008)
One Alternate - VACANT
 8. Request the Board consider a resolution in support of the Tennessee Valley Authority 75th anniversary (**4-8-2008**).
 9. Recommendation from the Budget Committee to discuss bank reconciliations with the Treasurer (**5-13-2008**).
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CLOSED SESSION

Upon motion of Mr. Clark, seconded by Mr. Dishner, and unanimously carried, at 3:06 p.m., the Board agreed to enter into closed session as allowed by the Code of Virginia, Section 2.2-3711 (A) (1) and (7) as described below:

- (1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body.
- (7) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

Vote: 7 yea
 0 nay

At 4:38 p.m. the Chairperson ended the closed session.

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 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

Upon motion of Mr. Perry, seconded by Mr. Clark, and duly carried, the Board approved the legal services agreement with Gwyn & Tate (John H. Tate, Jr.) for County

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Attorney Services, as presented. This is for fiscal year 2008-2009, with an option to renew this agreement for two (2) more years. This is at the current rate of \$110/hour., along with a \$1,200 monthly retainer fee.

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

Upon motion of Mr. Perry, and unanimously carried, the Board approved the legal services agreement with Campbell & Associates, P.C. (Jeffery L. Campbell) for Water and Sewer Attorney Services as presented. This is for fiscal year 2008-2009 with an option to renew the agreement for two (2) more years. This is at the rate of \$100/hour.

Upon motion of Mr. Clark, seconded by Mr. Perry, and unanimously carried, the Board authorized Mr. Clegg Williams and Mr. John Tate to pursue legal action against the owners of a property on Sapwood Drive, Marion. As discussed in closed session, a junkyard/automobile graveyard has been created on the property and cannot be resolved otherwise.

CONTINUE THE MEETING

At approximately 4:46 p.m., upon motion of Mr. Perry, seconded by Mr. Blevins, the meeting was continued until Monday, June 16, 2008 at 7:00 p.m. for the public hearing on the proposed general county budget for fiscal year 2008-2009, along with any other issues that may arise.

Other meetings: Thursday, June 26, 2008 at 5:00 p.m. for a work session on the proposed fiscal year 2008-2009 general county budget followed by a 7:00 p.m. meeting to vote on the fiscal year 08-09 budget, tax levies, and any other issues that may come up.

Darlene Neitch, Chairperson

Virginia: Continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Monday, June 16, 2008.

Board Members

Present: Charlie Clark
Brenda Waddell
Todd Dishner
Darlene Neitch
Marvin Perry

Board Members

Absent: Michael Roberts
Wade Blevins

Staff Members

Present: Ed Whitmore
Charlie Atkins
John Tate
Mike Carter
Amber Johnson

At 7:00 p.m the Board opened the meeting with a public hearing on the proposed county budget for fiscal year 2008-2009. Mr. Whitmore read the following publication as advertised in the Smyth County News and Messenger on Saturday, June 7, 2008. He also read the rules for public hearings (Others present: Sally Morgan and Jeff Richardson).

**NOTICE OF PUBLIC HEARING
ON THE PROPOSED SMYTH COUNTY BUDGET
FOR FISCAL YEAR
July 1, 2008 – June 30, 2009**

The budget synopsis is prepared and published for informative and fiscal planning purposes only. The inclusion in the budget for any item does not constitute an obligation or commitment on the part of the Board of Supervisors of this County to appropriate any funds for that item or purpose, except as it relates to the budget for the Smyth County School Board, which is governed by §22.1-93, et. Seq.

The budget has been prepared on the basis of estimates and requests submitted to the Board of Supervisors by several offices and department heads of this County. There is no allocation or designation of any funds for this County for any purpose until there has been an appropriation for that purpose by the Board of Supervisors.

A hearing will be conducted by the Board of Supervisors on the budget for the informative and planning purpose in the Board of Supervisors meeting room, 121 Bagley Circle, Smyth County Office Building on Monday, June 16, 2008, at 7:00 p.m., or soon thereafter, at which time any citizen of the County shall have the right to attend and subject to the Rules and Procedures of the Board of Supervisors state his or her views. The budget is for informative and fiscal planning purposes and will not be approved, adopted or ratified by the Board of Supervisors on Monday, June 16, 2008.

A full copy of the proposed Smyth County budget is on file at the Office of the County Administrator, 121 Bagley Circle, Suite 100, Marion, Virginia, and may be viewed during regular business hours 8:00 a.m. – 5:00 p.m., Monday – Friday.

*By order of the Smyth County Board of Supervisors
Edwin B.J. Whitmore, III, County Administrator*

SMYTH COUNTY BUDGET

Revenue	FY/2008 Budget	Proposed FY/2009	Inc./Dec.
Revenue From Local Sources	\$ 7,442,710	\$ 7,236,288	\$ (206,422)
Real Property Taxes	7,404,000	7,404,000	-

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Public Services	630,000	550,000	(80,000)
Personal Property	2,459,000	2,495,500	36,500
Machinery & Tools	1,376,250	1,395,250	19,000
Merchants Capital	182,600	186,200	3,600
Penalties & Interest	255,000	220,000	(35,000)
Franchise License Taxes	103,000	-	(103,000)
Motor Vehicle License	290,000	295,000	5,000
Rolling Stocks Tax	28,400	27,437	(963)
Utility Licenses Tax	125,600	97,500	(28,100)
Consumer's Utility Taxes	835,000	1,290,000	455,000
Permits & Other Licenses	72,300	72,125	(175)
Fines & Forfeitures	48,000	48,000	-
Interest on Investments	825,400	800,500	(24,900)
Use of Property	210,918	210,318	(600)
Court Cost	10,076	10,576	500
Charges For Commonwealth Attorney	1,700	1,950	250
Charges Sanitation & Waste	644,000	644,000	-
Expenditure Refunds	911,528	842,268	(69,260)
Miscellaneous	60,000	71,000	11,000
Home Land Security Grant	75,000	75,000	-
Revenue from the Commonwealth	327,495	2,512,016	2,184,521
PPTRA	1,804,316	1,804,316	-
Comprehensive Service Act	1,004,190	872,098	(132,092)
Commonwealth Attorney	495,199	489,890	(5,309)
Sheriff	1,838,553	1,852,544	13,991
Commissioner of Revenue	106,661	111,322	4,661
Treasurer	119,568	124,374	4,806
Registrar/Electoral Board	63,000	71,371	8,371
Clerk & Employee Fringe Benefit	344,518	279,567	(64,951)
Transfer From Local Sales Tax	1,750,000	1,850,000	100,000
Categorical Aid - Other	146,188	342,000	195,812
Payment in Lieu Of Taxes	75,000	75,000	-
Special Assessments	9,515	8,858	(657)
Animal License	7,500	9,500	2,000
IDA Funds	25,000	25,375	375
State School Funds	42,192,624	41,977,678	(214,946)
School Debt & Capital Outlay	609,367	638,992	29,625
Damage Stamp Revenue	5,000	5,000	-
Board Of Welfare -	3,924,126	3,981,374	57,248
School Text Book Revenue	241,300	229,325	(11,975)
Grant Rev. - 911 Wireless	35,010	-	(35,010)
E-911 Fund Revenue	144,300	-	(144,300)
Community Dev. Block Grant Revenue	938	-	(938)
On-Site WasteWater Revenue	1,001	1,001	-
East Hungry Mother Water Project	783,000	-	(783,000)
North Holston Project	-	473,000	473,000
Pioneer Greenwood Project	-	445,500	445,500
Southfork Long Hollow Project	-	1,090,000	1,090,000
Water-Sewer Revenue	1,512,000	1,512,000	-
Connection Fees	22,000	22,000	-
Application Fees	7,000	8,000	1,000
Miscellaneous	1,500	1,500	-
Green Hill/Shuler Hollow	528,700	-	(528,700)
Special Welfare Revenue	225,000	227,168	2,168
Comm. Attorney Drug Asset Revenue	5,008	5,008	-
Sheriff Drug Asset Revenue	2,006	2,006	-
Sheriff Dare Revenue	4,000	6,000	2,000
Courthouse Security Revenue	34,448	60,005	25,557
Asset Forfeiture	26,000	10,000	(16,000)
Revenue From Fines	<u>191,937</u>	<u>195,000</u>	<u>3,063</u>
Total	\$ 82,603,450	\$ 85,291,700	\$ 2,688,250

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FY/2008 Expenditures	Proposed Budget	FY/2009	Inc./Dec.
Board of Supervisors	\$ 1,041,611	\$ 1,202,056	\$ 160,445
County Administrator	461,316	509,653	48,337
Professional Services Other	60,000	-	(60,000)
Commissioner of Revenue	263,781	258,378	(5,403)
Assessor	60,000	90,000	30,000
Treasurer	280,724	295,511	14,787
Information Systems	433,408	337,027	(96,381)
Registrar	158,349	152,394	(5,955)
Circuit Court	74,062	79,629	5,567
General District Court	12,300	16,420	4,120
Juvenile & Domestic	160,150	202,400	42,250
Clerk Of The Circuit Court	504,122	459,889	(44,233)
Sheriff	2,869,065	2,872,483	3,418
Law Library	8,000	11,000	3,000
Commonwealth Attorney	562,456	575,292	12,836
Victim Witness Asst. Program	49,347	49,484	137
Central Dispatch	11,400	11,400	-
Smyth County Basic 911	1,575,160	4,177,046	2,601,886
Volunteer Fire Department	383,500	454,000	70,500
Ambulance & Rescue Service	164,200	174,551	10,351
Forrestry	4,514	4,515	1
Sheriff - Jail	1,108,570	1,222,885	114,315
Building Inspection & Zoning	357,225	466,370	109,145
Animal Control - Dog Warden	370,449	437,348	66,899
Medical Examiner-Coroner	1,000	1,000	-
Emergency Services - Civil Defense	95,876	29,515	(66,361)
Motor Vehicle License	14,754	12,600	(2,154)
Refuse Collection & Disposal	1,421,488	1,418,848	(2,640)
Convenience Stations	361,853	370,330	8,477
Rye Valley Water Co.	81,493	87,789	6,296
Smyth County Tourism Flow-thru	-	85,020	85,020
Courthouse & Old School Building	175,676	163,982	(11,694)
Health Department Building	86,147	97,176	11,029
County Office Building	270,374	283,534	13,160
Local Health Department	487,655	508,564	20,909
Mental Health	140,677	166,022	25,345
Welfare And Social Services	4,200	4,200	-
Other	466,201	435,603	(30,598)
Community College	52,439	51,413	(1,026)
Capital Improvements	1,252,500	1,375,000	122,500
Recreation	44,000	42,650	(1,350)
Library Administration	997,940	1,067,036	69,096
Planning Commission	16,916	16,316	(600)
Community & Economic Development	270,461	280,998	10,537
County Engineer	199,001	196,099	(2,902)
Industrial Development Authority	1,191,550	664,600	(526,950)
Soil & Water Conservation	25,700	30,700	5,000
Cooperative Extension Program	90,704	94,109	3,405
Comprehensive Service Act	1,354,725	1,232,344	(122,381)
Animal Control	9,200	10,000	800
IDA General Expenses	-	2,000	2,000
County School Operation Expense	52,876,072	52,259,713	(616,359)
Damage Stamp Expenses	5,000	5,000	-
Welfare & Social Services Cost	4,617,438	4,675,823	58,385
School Text Book Fund Expenses	241,000	200,000	(41,000)
Special Dispatch Funds	25,836	25,836	-
E-911 Fund Expenses	356,061	-	(356,061)
E-911 Equipment	10,000	-	(10,000)
East Hungry Mother Project	783,000	-	(783,000)
North Holston Project	-	473,000	473,000

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Pioneer Greenwood Project	-	444,500	444,500
Southfork Long Hollow Project	-	1,090,000	1,090,000
Water/Sewer Department	2,957,746	2,875,556	(82,190)
County Funded Projects	180,700	10,000	(170,700)
Special Welfare Fund	225,000	225,000	-
Common. Attorney Drug Asset Expense	5,000	5,000	-
Sheriff Drug Asset Expense	2,000	2,000	-
Sheriff Dare Expense	4,000	4,000	-
Sheriff SS Incentive Exp	-	672	672
Courthouse Security Expense	34,448	34,448	-
Asset Forfeiture	26,000	24,500	(1,500)
Police Expense	<u>167,910</u>	<u>149,473</u>	<u>(18,437)</u>
Total		\$ 82,603,450	\$ 85,291,700
			\$ 2,688,250

Mr. Earl McClure was the only citizen present to speak on the proposed budget. He had attended several budget committee meetings and commended the committee and the staff for their work on the proposed budget. He inquired about the amount of available cash in hand. Mr. Atkins responded to his questions.

The hearing was then closed at 7:12 p.m.

The Board then reconsidered a festival permit from Davis Valley Winery for two (2) events to be held June 26-28 and July 25-26, 2008. There was much discussion.

Upon motion of Mr. Clark, seconded by Mrs. Waddell, and duly carried, the Board suspended the rules of the Smyth County Code, ARTICLE III. Musical or Entertainment Festivals, particularly section 6-79.7 pertaining to written consent of adjacent land owners.

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

Upon motion of Mr. Clark, seconded by Mr. Dishner, and duly carried, the Board approved one festival permit for the Davis Valley Winery for the following dates in 2008:

- Thursday, June 26 - Saturday, June 28, 2008
- Friday, July 25 - Saturday, July 26, 2008

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

Madam Chairman informed the Board that the Town/County Quarterly Meeting hosted by the Town of Marion, Tuesday, June 24 at 6:00 p.m. at the General Francis Marion Hotel. Those wishing to attend should RSVP by June 19.

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Mr. Whitmore informed the Board that the Community Development Authority petition has been received and distributed a copy to each board member. The public hearing has been scheduled for Thursday, July 24 at 7:30 p.m. Members of the CDA (5 members should be identified by that date.

Madam Chairman read through the following list of upcoming meetings:

Tuesday, June 17 at 11:00 a.m. – Budget Committee

Wednesday, June 18 at 8:30 a.m. – Personnel Committee

9:00 a.m. – Building & Grounds Committee

3:30 p.m. - Industrial Development Authority

Tuesday, June 24 at 2:00 p.m. – Ordinance Committee

Thursday, June 26 at 4:30 p.m. – Water and Sewer Committee

5:00 p.m. – BOS continued meeting (budget work session)

6:00 p.m. – Planning Commission

7:00 p.m. – Board of Supervisors continued meeting (vote on the FY 08-09 county budget and tax levies)

At 7:50 p.m., upon motion of Mr. Clark, seconded by Mr. Dishner, the meeting was continued until Thursday, June 26 at 5:00 p.m. for a budget work session followed by a meeting at 7:00 p.m. to vote on the fiscal year 08-09 county budget and tax levies. This agenda is open for any other issues that may arise.

Darlene Neitch, Chairperson

Virginia: Continued meeting of the Smyth County Board of Supervisors held at the County Office Building on Thursday, June 26, 2008.

Board Members

Present: Darlene Neitch Charlie Clark
Brenda Waddell Michael Roberts
Marvin Perry (*left at 6:15 p.m.*)
Todd Dishner (*arrived at 5:20 p.m.*)

Board Members

Absent: Wade Blevins

Staff Members

Present: Mike Carter Charlie Atkins
Amber Johnson
Ed Whitmore (*arrived at 5:40 p.m.*)

Others Present: Jeff Richardson

This continued meeting was held in the Boardroom on the fourth floor of the County Office building and was a work session for the complete Board to cover the proposed fiscal year 2008-2009 county budget.

Madam Chairman turned through each page of the budget and stopped where there were questions. Mr. Atkins and other staff answered those questions and discussed different aspects of the proposed budget. Mr. Atkins pointed out three (3) changes that had been made in the budget by the Budget Committee since the public hearing.

- Supplemental Appropriations reduced from \$164,070 to \$64,070 (001-011010-8888)
- Contingency reduced from \$30,000 to \$15,000 (001-056000-5827)
- 911 Center Relocation Cost increased from \$375,000 to \$490,000 (001-070000-8888-55)

Upon motion of Mr. Perry, seconded by Mr. Clark, and duly carried the budget line for Smyth County Tourism Association (001-056000-6005) was increased from \$45,402 (\$2/capita) back to the original request of \$68,103 (\$3/capita).

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

The Board discussed how in the future funds from food and beverage tax could go toward the tourism association.

Mr. Carter explained that there were no bids received for the gas/diesel services of the county. The current contract is valid until July 12, 2008. In the meantime, Mr. Carter will visit area gas stations to see if there is any interest in the service. He will return with information at the July 8 Board meeting.

After an explanation by Mr. Carter, with the recommendation of the Budget Committee, the Board unanimously accepts the bid from Mid-State Equipment Co. for a Max Pak Compactor (4 cubic yards) in the amount of \$11,926. Freight cost for the compactor is \$1,260.

Vote: 5 yea
 2 absent (Perry, Blevins)

Next Ed Whitmore requested that the Board consider an application form for non-profit organizations requesting funds not in the budget. The form was discussed and put on hold for later in the meeting when all members were present.

The meeting was recessed at approximately 6:45 p.m. until 7:00 p.m. in the Board of Supervisors meeting room on the first floor of the County office building, to complete the continued meeting. The following are the list of those present.

Board Members

Present: Charlie Clark Darlene Neitch
 Brenda Waddell Michael Roberts
 Wade Blevins Todd Dishner
 Marvin Perry

Staff Members

Present: Ed Whitmore Mike Carter
 Amber Johnson Charlie Atkins
 Scott Simpson Shannon Williams
 John Tate

Others Present: Jeff Richardson

Mr. Carter briefly updated the complete Board on the lack of gas bids received.

Shannon Williams spoke before the Board and explained a staff recommendation to accept Federal Engineering of Fairfax County as the replacement consultant of the Tower, Shelter, and Radio System Acquisition Project. Interviews were held the previous week.

After discussion, upon motion of Mr. Clark, seconded by Mr. Dishner, and unanimously carried, the Board accepted Federal Engineering as the replacement consultant for the Tower, Shelter, and Radio System Acquisition Project, contingent on Mr. Tate's review. This is for the lump sum of \$199,000.

Vote: 7 yea
 0 nay

6-26-2008

Upon motion of Mr. Dishner, seconded by Mr. Clark, and unanimously carried, the Board agreed to reject all bids received for the Health Department project (911 Center relocation) due to the fact that they far exceeded the engineer's estimated cost. Staff is authorized to solicit bids once more. The tentative new bid date is August 15.

Vote: 7 yea
 0 nay

Mr. Carter updated the full Board on the action taken on the compactor for solid waste.

Upon motion of Mr. Clark, seconded by Mrs. Waddell, and unanimously carried, the Board approved the accounts payable listing in the amount of \$406,193.31 (second billing). This accounts payable includes \$162,500 paid to AEP for the Radio system project.

Vote: 7 yea
 0 nay

Mr. Whitmore again discussed the presented application form for those non-profit organizations that request funds that are not in the budget. This will help monitor those requests and how those funds are being utilized.

Upon motion of Mr. Roberts, seconded by Mr. Clark, and unanimously carried, the Board amended the Rules of Procedures, Section 4.10 (2) - *Items not appearing on the agenda*. Request for funds not budgeted must be submitted in writing by filing the appropriate form, completely explaining the request for funds. This form can be obtained in the County Administrator's Office and is to be submitted to the County Administrator for review. The County Administrator will then forward the request to the Budget Committee which will make a recommendation to the Board.

Vote: 7 yea
 0 nay

Upon motion of Mr. Clark, seconded by Mr. Dishner, and unanimously carried, the Board adopted the fiscal year 2008-2009 budget in the amount of \$85,314,401.

Vote: 7 yea
 0 nay

6-26-2008

After a discussion with Jeff Richardson, Commissioner of Revenue and Charlie Atkins, upon motion of Mr. Roberts, seconded by Mr. Perry, and unanimously carried, the Board set the relief for qualifying vehicles at 55% under the Personal Property Tax Relief Act (PPTRA) for fiscal year 2008-2009. Those vehicles valued less than \$1,000 will receive 100% relief. Vehicles valued between \$1,001 and \$20,000 receives 55% tax relief. Those vehicles valued at more than \$20,000 receive relief 55% only on the first \$20,000 in value.

Vote: 7 yea
 0 nay

Upon motion of Mr. Roberts, seconded by Mr. Dishner, and unanimously carried, the Board accepted the recommendation from the Budget Committee adopting 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 corporations, unit levy of \$2.25 per \$100.00 of assessed valuation (rolling stock of corporations operating railroads is exempt from local taxation under §58.1-3000); 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.

Vote: 7 yea
 0 nay

Other information in the office if interested:

- Information on the Mount Rogers Community Mental Health & Mental Retardation Services Board meeting on June 23, 2008.
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Upon motion of Mr. Clark, seconded by Mrs. Waddell, and unanimously carried, the meeting was adjourned at approximately 7:40 p.m.

Vote: 7 yea
 0 nay

Darlene Neitch, Chairperson

