

The Smyth County Board of Supervisors held a special called meeting at 3:00 p.m., **Thursday, November 5, 2009**. The location of the meeting was in the First Floor Board Room of the County Office Building, 121 Bagley Circle, Suite 100, Marion, Virginia.

MEMBERS PRESENT:

C.C. "Charlie" Clark, Jr.	Marvin R. Perry
Wade H. Blevins, Jr.	Michael D. Roberts
M. Todd Dishner	Brenda J. Waddell
Darlene R. Neitch	

STAFF PRESENT:

Michael Carter, Acting County Administrator
John H. Tate, Jr., County Attorney
Pam Testerman, Office Service Assistant
Charlie Atkins, CFO (arrived at 3:05p.m.)

OTHERS PRESENT:

Dan Kegley, Smyth County News & Messenger

CALL TO ORDER

Chairman called the meeting to order at 3:01p.m.

This meeting was called to consider an extension to the due date of December 5th to December 19th for the 2009 Real Estate and Personal Property tax tickets. The Personal Property tax tickets were mailed out two weeks ago, as of the meeting, the Real Estate tax tickets had not been mailed.

Mr. John Tate stated Personal Property was added to the special called meeting notice to have less confusion for the citizens. Supervisor Perry stated he was concerned with citizens not having enough time to pay their Real Estate taxes.

The due date is set by the state code, and the only requirement is that tax tickets must be mailed out 14 or more days prior to due date.

Supervisor Dishner stated citizens have stated it's hard at Christmas time to pay. A public hearing was held a few years ago to consider paying taxes in July and December, but the citizens were not for it.

Supervisor Neitch stated if due date is changed, it is only for 2009.

Supervisor Roberts questioned the cash flow with extending the due date. Mr. Charlie Atkins stated it will affect the cash flow, but by the end of the month it should work its self out.

After discussion; Supervisor Perry motioned to advertise for a public hearing to extent the Real Estate and Personal Property tax ticket due date from December 5th to December 19th. Supervisor Neitch seconded the motion. The motion failed with the following vote:

AYES: 2 Perry, Neitch
NAYS: 5 Clark, Blevins, Dishner, Roberts, Waddell

CLOSED SESSION

With a show of hands, the Board unanimously waived the notice of special called meeting to have closed session.

At 3:28 p.m. a motion was made by Supervisor Perry to enter into Closed Session under Section 2.2-3711 – A.7 (Counsel and Staff Consultation) of the Code of Virginia. This was seconded by Supervisor Neitch and the motion passed with the following vote:

AYES: 7
NAYS: 0

Upon returning to open meeting, a motion was made by Supervisor Perry to adopt the following resolution certifying the business conducted in closed session as follows:

RESOLUTION CERTIFICATION OF CLOSED SESSION

WHEREAS, the Smyth County Board of Supervisors has convened in a closed session 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 a 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 session were heard, discussed or considered by the Smyth County Board of Supervisors.

The motion was seconded by Supervisor Dishner and the vote is as follows:

AYES: 7
NAYS: 0

ADJOURN

At 3:47 p.m., Chairman adjourned meeting.

