

Grayson County Board of Supervisors
Continued Meeting
September 14th, 2011

Members attending were: Mike Maynard, Larry K. Bartlett, Doug Carrico, Brenda Sutherland, and Joe Vaughan.

IN RE: CONSENT AGENDA

Mike Maynard made the motion to approve the consent agenda; duly seconded by Joe Vaughan. Motion carried 5-0.

IN RE: REPORTS, PRESENTATIONS OR REQUESTS

None

IN RE: OLD BUSINESS

None

IN RE: NEW BUSINESS

2011 GRAYSON COUNTY PERSONAL PROPERTY TAX RELIEF RATE

Brenda Sutherland made the motion to approve the personal property tax relief rate listed below; duly seconded by Doug Carrico. Motion carried 5-0.

2011 Grayson County Personal Property Tax Relief

In accordance with the requirements set forth in Section 58.1-3521 ©(2) and Section 58.1-3912 (E) of the Code of Virginia, as amended by Chapter 1 of the Acts of Assembly (2004 Special Session 1) and as set forth in Item 503.E (Personal Property Tax Relief Program) of chapter 951 of the 2005 Acts of Assembly, any qualifying vehicle situated within the County commencing January 1, 2011, shall receive personal property tax relief in the following manner:

- Personal use vehicles valued at \$1,000 or less will be eligible for 100% tax relief
Of the 1997 levy;
- Personal use vehicles valued at \$1,001 to \$20,000 will be eligible for 65% tax relief
Of the 1997 levy;
- Personal use vehicles valued at \$20,001 or more shall only receive 65% tax relief
On the first \$20,000 of value; and

- Pursuant to authority conferred in Item 503.D of the 2005 Appropriations act, the County Treasurer shall issue a supplemental personal property tax bill in the amount of 100 percent of tax due without regard to any former entitlement to state PPTRA relief, plus applicable penalties and interest, to any taxpayer whose taxes with respect to a qualifying vehicle for tax year 2005 or any prior tax year remain unpaid on September 1, 2006, or such date as state funds for reimbursement of the state share of such bill have become unavailable, whichever occurs first.
- Penalty and interest with respect to bills issued pursuant to this section shall be computed on the entire amount of tax owed. Interest shall be computed at the rate provided in Section 9-51 from the original due date of the tax.
- Based upon previous year's PPTRA numbers and our technical knowledge, this is our recommendation for the 2011 PPTRA rate.

IN RE: PUBLIC HEARING—AMENDMENT TO THE REDISTRICTING
ORDINANCE OF 2011; CHANGING LOCATIONS OF CERTAIN
POLLING PLACES FOR THE PROVIDENCE AND WILSON ELECTION
DISTRICTS WITHIN GRAYSON COUNTY, VIRGINIA

Larry K. Bartlett opened the public hearing. Registered speakers were Peggy Baldwin of Whitetop and Gretchen Jones also of Whitetop. Both ladies spoke in favor of having the polling place at the Mt. Rogers Fire House instead of at the Mt. Rogers Community Center. Joe Vaughan made the motion to close the public hearing; duly seconded by Mike Maynard. Mike Maynard made the motion to approve the Amendment (listed below); duly seconded by Doug Carrico. Roll call vote as follows:

Ayes
Larry K. Bartlett
Doug Carrico
Mike Maynard
Joe Vaughan
Brenda Sutherland

Nays

Motion carried 5-0.

**AN ORDINANCE READOPTING AN ORDINANCE
AMENDING THE REDISTRICTING ORDINANCE OF 2011
OF GRAYSON COUNTY, VIRGINIA CHANGING
THE LOCATION OF CERTAIN POLLING PLACES
FOR CERTAIN ELECTION PRECINCTS IN
GRAYSON COUNTY, VIRGINIA**

WHEREAS, by previous Ordinance duly adopted, the County of Grayson designated the Providence Elementary School as the polling place for the Providence Precinct in the Providence Election District, has designated the Bridle Creek Elementary School as the polling place for the Bridle Creek Precinct in the Wilson Election District, and has further designated Mt. Rogers Combined School as the polling place for the Mount Rogers Precinct in the Wilson Election District; and,

WHEREAS, by an emergency Ordinance duly adopted on September 8, 2011 the Board of Supervisors amended the previous Ordinance of the County to amend the Redistricting Ordinance of 2011 of Grayson County to change those certain polling places in the Providence Precinct, the Bridle Creek Precinct and the Mount Rogers Precinct, and that such emergency Ordinance was adopted pursuant to §15.2-1427 (F) of the Code of Virginia, as amended, without advertisement, and the Board desires to readopt such Ordinance, having advertised and conducted a public hearing on such Ordinance as required by law.

WHEREAS, that certain Ordinance adopted by the Board of Supervisors of Grayson County, Virginia on September 8, 2011 changing the above polling places is hereby **READOPTED** and **IT IS HEREBY ORDAINED** that the Redistricting Ordinance of 2011 of Grayson County is hereby Amended to change the polling place for the Providence Precinct in the Providence Election District from the Providence Elementary School to the New River Wildlife Center, 7107 Riverside Drive, Fries, Virginia 24330; and,

AND BE IT FURTHER ORDAINED, that the Redistricting Ordinance of 2011 of Grayson County is hereby Amended to change the polling place for the Bridle Creek Precinct in the Wilson Election District from the Bridle Creek Elementary School to the Grace Freewill Baptist Church, on Wilson Highway, Independence, Virginia 24348; and,

AND BE IT FURTHER ORDAINED, that the Redistricting Ordinance of 2011 of Grayson County is hereby Amended to change the polling place for the Mount Rogers Precinct in the Wilson Election District from the Mount Rogers Combined School to the Mount Rogers Community Center at 16309 Highlands Parkway, Whitetop, Virginia 24292.

The General Registrar for the County of Grayson is hereby authorized to take all measures necessary to comply with the laws of the United States of America and the Commonwealth of Virginia and all regulations thereof regarding a change in the Polling Precincts and for notification to the voters of the Providence Precinct in the Providence District, the Bridle Creek Precinct in the Wilson Election District, and the Mount Rogers Precinct in the Wilson Election District of the change of polling locations.

Adopted this 14th day of September 2011.

IN RE: PUBLIC HEARING—PROPOSED GRAYSON COUNTY ORDINANCE FOR
THE EXEMPTION OF FOOD SERVICES ACTIVITIES PURSUANT TO
VIRGINIA CODE § 35.1-26

Larry K. Bartlett opened the public hearing. There were no registered speakers so Doug Carrico made the motion to close the public hearing; duly seconded by Brenda Sutherland. Doug Carrico made motion to approve; duly seconded by Mike Maynard. Roll call vote as follows:

<u>Ayes</u>	<u>Nays</u>
Larry K. Bartlett	
Doug Carrico	
Mike Maynard	
Joe Vaughan	
Brenda Sutherland	

Motion carried 5-0.

Grayson County Ordinance
Exemption of the Code of Virginia § 35.1-26
Exempted Food Service Activities

Authority; purpose.

(a) Authority for the adoption of this article is granted to the board of supervisors by Code of Virginia, § 35.1-26.

(b) The purpose of this article is to provide for the exemption of certain groups and organizations from the provisions of Code of Virginia, § 35.1-1 et seq., or any successor statute, due to the hardship of such provisions on such groups and organizations. No group or organization shall be exempt from the provisions of Code of Virginia, § 35.1-1 or any successor statute except as provided in this article.

Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Charitable Nonprofit Organizations shall mean any organization currently recognized by the Internal Revenue Code of the United States of America as a charitable nonprofit organization.

Fair shall mean a gathering of buyers and sellers for the purpose of exhibiting and selling goods, accompanied by amusements, contests, entertainment and the like.

Political Subdivision of the State shall mean Grayson County and all comprised departments; all incorporated towns within Grayson County; the Grayson County School Board; any County board, authority or commissions created under the Constitution of Virginia or by Act of the General Assembly of Virginia as described by statute; and/or all groups that operate on behalf of, under and through the political subdivisions referenced and described in this definition.

Youth Athletic Association shall mean the Grayson County Parks and Recreation Department; the Grayson County Public School System and/or the Grayson County Athletics Booster Club; the Grayson County Sports Authority; the Grayson Health and Wellness Commission and any other established association that is recognized by the Board as being a part of the recreational program of the county.

Volunteer Fire Departments and Rescue Squads shall mean any volunteer fire department and/or rescue squad that is an officially incorporated organization and recognized as serving the citizens of Grayson County, Virginia.

Exempted food service activities.

The provisions of Code of Virginia, § 35.1-1 et seq. or any successor statute shall not apply to:

- (1) Food booths at fairs, where such booths are promoted or sponsored by any political subdivision of the state or by any charitable nonprofit organization or group thereof; and,
- (2) Concession stands at youth athletic facilities or activities, if such stands are promoted or sponsored by either a political subdivision of the state; by an applicable youth athletic association; by a volunteer fire department or rescue squad; or by any charitable nonprofit organization or group thereof which has been recognized as being a part of a recreational program of the county and wherein such association or organization is located, by an ordinance or resolution of the county; and,
- 3) All those properly exempted from the provisions of the Code of Virginia, § 35.1-1 or any successor statute except as provided in this article, shall rely on the Virginia Department of Health to provide advice, consultation and expertise in the realm of food preparation and service activities for the purpose of ensuring the public's health, safety and welfare.

**IN RE: PUBLIC HEARING—PROPOSED CHANGES TO THE GRAYSON
COUNTY ZONING ORDINANCE**

Larry K Bartlett opened the public hearing. Laura George was the only registered speaker and she spoke concerning Section 1.14, Section 3.1-3, and

Section 6.1-3. Joe Vaughan made motion to close the public hearing; duly seconded by Mike Maynard. Mike Maynard made the motion to approve the ordinance (listed below) with changes to 4.12.12 and 4.12.3 (refer to amended ordinance) and to also follow the State Code on Appeals; duly seconded by Joe Vaughan. Roll call vote as follows:

Ayes
 Larry K. Bartlett
 Doug Carrico
 Mike Maynard
 Joe Vaughan
 Brenda Sutherland

Nays

Motion carried 5-0.

Outline of Proposed Changes to Grayson County Zoning Ordinance – July 2011

This document outlines proposed changes to the Grayson County Zoning Ordinance (06/10/10). These proposed changes reflect the recommendations by the Planning Commission as approved by the Planning Commission on June 21, 2011 and meetings prior to this date. These changes will clarify and expand upon definitions used within the ordinance, ensure conformance with the Code of Virginia and address inconsistency and confusion that may exist within the document.

Section	Existing Ordinance	Proposed Change
1.13-3 Public Hearing and Notice Required PAGE 6	A public hearing shall be held in connection with any proposal or petition to amend the district boundaries or any other part of this ordinance. Notice shall be given of the time and place of such hearing by publication once a week for two successive weeks in the newspaper having general circulation in Grayson County. The second publication of such notice shall be not less than six or more twenty one days prior to the holding of such hearing.	A public hearing shall be held in connection with any proposal or petition to amend the district boundaries or any other part of this ordinance, in accordance with Section 15.2- 2204 of the Code of Virginia for hearing and notice requirements.
1.13-4 Report of Planning Commission	No action shall be taken by the BOS upon any motion or petition to amend this ordinance until such motion or petition has been referred by the PC for a report thereon and	In accordance with Section § 15.2-2285 (B) of the Code of Virginia, the Grayson County Zoning Ordinance shall not be amended or reenacted unless the governing body has referred the proposed

<p>PAGE 6</p>	<p>until such report has been received from the PC</p>	<p>amendment or reenactment to the planning commission for its recommendations. Failure of the commission to report 100 days after the first meeting of the commission, or such shorter period as may be prescribed by the governing body, shall be deemed approval, unless the proposed amendment or reenactment had been withdrawn by the applicant prior to the expiration of the time period. In the event of and upon such withdrawal, processing of the proposed amendment or reenactment shall cease without further action as otherwise would be required by this subsection.</p>
<p>1.13-4 Report of Planning Commission PAGE 6</p>	<p>No action shall be taken by the BOS upon any motion or petition to amend this ordinance until such motion or petition has been referred by the PC for a report thereon and until such report has been received from the PC</p>	<p>In accordance with Section § 15.2-2285 (B) of the Code of Virginia, the Grayson County Zoning Ordinance shall not be amended or reenacted unless the governing body has referred the proposed amendment or reenactment to the planning commission for its recommendations. Failure of the commission to report 100 days after the first meeting of the commission, or such shorter period as may be prescribed by the governing body, shall be deemed approval, unless the proposed amendment or reenactment had been withdrawn by the applicant prior to the expiration of the time period. In the event of and upon such withdrawal, processing of the proposed amendment or reenactment shall cease without further action as otherwise would be required by this subsection.</p>
<p>1.14 Violation and Penalty PAGE 7</p>	<p>If a permit is issued in error and the person firm or corporation using the permit in good faith, acts in accordance with a permit, then the person, firm or corporation shall not be held in violation of the provisions of this ordinance.</p>	<p>All departments, officials and public employees of the County of Grayson, which are vested with the duty or authority to issue permits or licenses, shall conform to the provisions of this ordinance and shall issue no such permit or licenses for uses, buildings, or purposes until the Zoning Administrator</p>

	(Original Violation and Penalty clause included this statement within it and will read as shown beside without the clause)	has issued a zoning permit for such use or building. If they are not in conformance those permits or licenses shall be null and void. Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor of the 2nd Class and upon conviction thereof may be fined not less than the amount provided for in the Code of Virginia at the time of conviction. Each day's continuance of such violation may constitute a separate offense.
2.3 Identification or Alteration of the Official Zoning Map PAGE 8	An official copy shall also be kept in the County Administrators Office. (This entire section is lengthy, so it is not written here, essentially the statement above is replaced with the statement shown beside to change the location of the Zoning Ordinance for public records all other content remains)	The Zoning Ordinance as well as the official map is on record among the land records in the office of the Grayson County Clerk of the Circuit Court.
3.1-2 Special Use Permit PAGE 11/12	u) Country General Stores in square footage over (10,000 square feet) bb) Temp Accessory Mobile Home references Section 4.3-3	u) Country General Stores in square footage over 10,000 square ft bb) Temp Mobile Home should Section reference 4.4
3.1-3 Area Lot PAGE 12	Minimum Lot area for property zoned Rural Farm (RF) shall be one (1) acre. Exception: A building lot for an immediate family member, if the smaller lot size stays consistent with the requirements of the Grayson County subdivision ordinance	Strike one (1) acre and insert 30,000 square feet (approximately ¾ acre) Remove the Exception Clause
3.1-5 Building Line	In addition to the setback requirements in 3.2-4, the building line shall be at a point where the lot is 100 feet.	In addition to the setback requirements in 3.2-4, the building line shall be at a point where the lot is 100 feet in width.

PAGE 13		
3.2-1 Uses Permitted	c) Emergency manufactured home	Removed
PAGE 14		
3.2-2 Special Uses Permitted	b) Churches	b) Places of Worship
PAGE 14		
3.2-4 Setback for Structures PAGE 15	The setback line for a structure shall be thirty-five (35) feet from any state maintained street or approved subdivision street which is fifty (50) feet or greater in width, or sixty (60) feet from the centerline of any street less than fifty (50) feet in width.	The setback line for a structure shall be thirty five (35) feet from any street right-of-way which is fifty (50) or greater in width, or sixty (60) feet from the centerline of any street less than fifty (50) feet in width.
3.2-5 Building Line PAGE 15	100 feet SAME CHANGE AS 3.1-5	Added 100 feet in width
3.2-6 Yards PAGE 15	e) Accessory Structures	Removed
3.3 A-5 Lot Frontage PAGE 17	Special uses structures	Special use structures
3.3B-2 Special Uses Permitted PAGE 19	No reference to Communication Towers and antennas	j) Communication towers and antennas pursuant to and subject to the conditions under Section 4.12
3.3B-5 Building Feet PAGE 19	100 feet (SAME CHANGE)	100 feet in width
3.4	This district is designed to provide	This district is designed to provide areas

<p>Industrial District</p> <p>PAGE 20</p>	<p>areas suitable for industrial development that can be compatible with adjacent commercial and residential areas. Any industrial use that could constitute a nuisance because of odor, fumes, smoke, noise or vibrations will not be permitted. District boundaries will be established or expanded in conformance with the Comprehensive Plan.</p>	<p>suitable for industrial development that can be compatible with adjacent commercial and residential areas. District boundaries will be established or expanded in conformance with the Comprehensive Plan.</p> <p>(reference to industrial use nuisances removed)</p>
<p>3.4-2</p> <p>Special Use Permitted</p> <p>PAGE 21</p>	<p>No reference to Communication Towers and antennas</p>	<p>c) Communication towers and antennas pursuant to and subject to the conditions under Section 4.12</p>
<p>3.4-5</p> <p>Building Line</p> <p>PAGE 22</p>	<p>100 feet</p> <p>(SAME CHANGE)</p>	<p>100 feet in width</p>
<p>3.5-2</p> <p>Special Use Permitted</p> <p>PAGE 23</p>	<p>No reference to Communication Towers and antennas</p>	<p>e) Communication tower and antenna pursuant to and subject to the conditions under Section 4.12</p>
<p>3.5-5</p> <p>Building Line</p> <p>PAGE 24</p>	<p>100 feet</p> <p>(SAME CHANGE)</p>	<p>100 feet in width</p>
<p>3.7-1</p> <p>Service District</p> <p>Uses Permitted</p>	<ul style="list-style-type: none"> a. Water Treatment facility b. Sewage Treatment facility c. Solid Waste Management facility d. Recycling processing facility e. Incineration facility f. Electric power generating, booster, and relay stations g. Major transmission towers for electric, radio, or telephone transmission h. Signs as provided in Section 4.10 	<p>Uses Permitted</p> <ul style="list-style-type: none"> a) Water Treatment facility b) Sewage Treatment facility c) Major transmission towers for electric, radio, or telephone transmission d) Signs as provided in Section 4.10

<p>PAGE 25</p> <p>3.7-2</p> <p>Service District</p> <p>Special Use Permitted</p> <p>PAGE 25</p>	<p>(SOME ITEMS FROM USES CHANGED TO SPECIAL USE)</p>	<p>Special Use Permitted</p> <ul style="list-style-type: none"> a. Solid waste management facility b. Recycling processing facility c. Incineration facility d. Electric power generating, booster, and relay stations e) Asphalt Plant
<p>3.8-2</p> <p>Special Uses</p> <p>PAGE 27</p>	<p>No reference to Communication towers and antennas</p>	<p>b) Communication towers and Antennas pursuant to and subject to conditions under Section 4.12</p>
<p>3.8-5</p> <p>Building Line</p> <p>PAGE 27</p>	<p>100 feet</p> <p>(SAME CHANGE)</p>	<p>100 feet in width</p>
<p>4.3-1</p> <p>Lot Record-Separate Ownership</p> <p>PAGE 28</p>	<p>In any district in which single family dwellings are permitted, a family dwelling and customary accessory structures may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance.</p>	<p>In any district in which single family dwellings are permitted, one single family dwelling and customary accessory structures may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance.</p>
<p>4.3-2</p> <p>Temporary Accessory Mobile Home</p> <p>PAGE 28</p>		<p>Re-numbered to Section 4.4 since it does not fit under existing lots of insufficient size. Per Jim Cornwell</p> <p>Contents remain the same</p>
<p>4.10</p> <p>Sign</p>		<p>4.10 Sign Regulations moved to 4.11</p>

<p>Regulations</p> <p>PAGE 32</p> <p>4.10-10</p> <p>Sign Permit Required</p> <p>PAGE 34</p>	<p>Neon signs shall have no exposed electrodes. Upon receiving written approval and permit from the Administrator, the proposed sign may be constructed.</p>	<p>Moved to 4.11.9-Sign Construction</p>
<p>4.11</p> <p>Communications Tower and Antenna Regulations</p> <p>PAGE 35</p>		<p>Moved to Section 4.12 Added to Special Use Permits and Definition section</p>
<p>4.12/4.13</p> <p>Uses Not Specified</p> <p>PAGE 41</p>	<p>“approved by the Planning Commission” was deleted from the original sentence to reflect the fact that the Planning Commission reviews.</p>	<p>Uses Not Specified Moved to 4.13</p> <p>Uses not specifically named but compatible with other permitted uses and the requirements of this ordinance <u>may be permitted after review by the Zoning Administrator and the Planning Commission.</u> Upon Planning Commission recommendations the Grayson County BOS would make the final decision to approve or disapprove. The recommendations of the PC shall not be made until a hearing as required by the Code of Virginia 1950 ad amended has been held.”</p>
<p>5.2-5</p> <p>Plans Required</p>		<p>Added to previous clause “ No building permit for a structure may be issued until the zoning permit has been approved”</p>

<p>for Zoning Permits</p> <p>PAGE 44</p>		
<p>5.4-4 Appeals</p> <p>PAGE 46</p>	<p>An appeal of the Zoning Administrator’s decision may be filed within fifteen days by filing a letter with the Zoning Administrator. Appeals should go to the Board of Zoning Appeals.</p>	<p>Thirty days (30) as to conform with our Ordinance to State Law.</p>
<p>5.5-2 a) Public Hearing & Report to BOS</p> <p>PAGE 47</p>	<p>“Upon action by the Planning Commission, a report shall be made to the Board of Supervisors for review at their next meeting. The Board shall move to accept or deny the Commission’s decision.”</p>	<p>“Upon action by the Planning Commission, a report shall be made to the Board of Supervisors. <u>The BOS shall hold a public hearing thereon in accordance with Section 15.2-2204 of the Code of Virginia.</u> The Board shall move to accept or deny the Commission’s decision.</p>
<p>5.5-3 General Req</p> <p>PAGE 48</p>	<p>A special use permit may be granted provided the <i>Planning Commission</i> finds that the proposed special use:</p>	<p>A special use permit may be granted provided the <i>Board of Supervisors</i> finds that the proposed special use:</p>
<p>6.1-1 Terms of Office of Board Members, Vacancies, Removals</p> <p>6.1-3 Powers of the Board</p> <p>PAGE 50</p>	<p>“ The Members of the Board”</p> <p>e) Hear and decide all other matters referred to it on which it is required to act under this</p>	<p>Clarify who the members of the Board are such as “Board of Zoning Appeals” or “Board of Supervisors” to eliminate confusion throughout the section.</p> <p>e) Removed because “Outside of the authority of the Board of Zoning Appeals” per James Cornwell.</p>

	ordinance.	
6.1-6 Rules and Proceedings of the Board	c) Appeals to the Board shall be taken within fifteen (15) days after the decision appealed..... PAGE 51	Changed to Thirty (30) days to reflect the State Code.
6.2-3 Standard for Variance PAGE 53	d) “that the granting of such variance will alleviate a demonstrable hardship <u>approaching confiscation</u> as distinguished from a special privilege...”	General Assembly removed language from the statute. Remove “approaching confiscation”.
Article VIII Planned Unit Devt PAGE 55		Inserted “PUD shall conform to the Virginia Condominium Act §55-79.39 through 55-79.103, Code of Virginia”
9.3 PAGE 59	Definition Added	Inserted Accessory Structure Definition
9.22 PAGE 61	Definition Added	Inserted Communications Tower and Antennas Definition
9.76 PAGE 69	Definition Added	Inserted Park Homes Definition
9.76 Planned Unit Devt PAGE 70		Inserted at the conclusion of the paragraph “ As referenced in Article VIII of this ordinance”

Quick Reference to the Communications Tower and Antenna Regulations, Grayson County Zoning Ordinance. Current (2010) and Proposed (2011) Language in regards to County Co-Location on the Tower. - September 2011

CURRENT (2010) LANGUAGE IN REGARDS TO COMMUNICATION TOWER AND ANTENNAS.

4.11.12 Local Government Access

Owners of towers shall provide the County co-location opportunities as a community benefit to improve radio communication for county departments and emergency services, provided it does not conflict with the co-location requirements of 4.11.5 (1)

No existing 4.11.5 (1) Assumption that the reference is to 4.11.5

4.11.5 Building Code

To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable federal, state, and local building codes and regulations.

Co-Location is also mentioned in Section 4.11.3 General Guidelines and Requirements

Section 3) Design and Lighting

- f) To permit co-location, the tower shall be designed and constructed to permit extension to two others users and to permit use by the County at no cost to the County as stated in 4.11.12.

NEW LANGUAGE TO BE USED IN THE 2011 AMENDED ZONING ORDINANCE.

The new language clarifies that the communication tower or antenna will allow co-location at no cost to the county and located at a height that will prove effective for county services.

4.12.12 Local Government Access

Owners of towers shall provide Grayson County and/or its political subdivision or agent, with space on the tower, at no cost to the county, at an elevation of at least 130 feet (or at another height to be determined jointly by the owner of the tower and the county), to accommodate the county's needs.

**WITH REFERENCE AS WELL IN 4.12.3 General Guidelines and Requirements
Section 3) Design and Lighting**

- f) To permit co-location, the tower shall be designed and constructed to permit extension to two others users and to permit use by the County at no cost to the County as stated in 4.12.12.

IN RE: COUNTY ADMINISTRATOR'S REPORT

None

IN RE: INFORMATIONAL ITEMS

None

IN RE: REGISTERED SPEAKERS & PUBLIC COMMENT

None

IN RE: CLOSED SESSION

Mike Maynard made the motion to go into closed session in accordance with discuss Actual or Probable Litigation or other Legal Matters Pursuant to §2.2-3711(A)(7); duly seconded by Joe Vaughan. Motion carried 5-0.

Brenda Sutherland made the motion to come out of closed session; duly seconded by Doug Carrico. Motion carried 5-0.

Whereas, the Grayson County Board of Supervisors has convened a closed session on this 14th day of September 2011, pursuant to an affirmative recorded vote and in accordance with provision of the Virginia Freedom of Information Act; and

Whereas, Section §2.2-3712 of the Code of Virginia requires a certification by this Board of Supervisors that such closed session was conducted in conformity with Virginia law;

Now, Therefore Be It Resolved, that the 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 session 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 Board of Supervisors with recorded confirmation from members as follows: Larry Bartlett – I so

certify; Doug Carrico – I so certify; Mike Maynard – I so certify; Joe Vaughan – I so certify;
Brenda Sutherland – I so certify.

IN RE: ADJOURN

Brenda Sutherland made the motion to adjourn; duly seconded by Doug Carrico.