

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, February 22, 2005, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

John B. Roberts, Sr. Chairman
Phillip B. McCall, Vice Chairman
Dulcie M. Mumpower
Odell Owens
Anthony S. Rector
Kenneth O. Reynolds

Mark K. Reeter, County Administrator
Lucy E. Phillips, County Attorney
Mark W. Seamon, Accounting Manager
Naoma A. Mullins, Recording Clerk

ABSENT:

Bobby D. Ingle

1. Call to Order

The meeting was called to order by Mr. John Roberts, Chairman of the Board, who welcomed everyone in attendance. Mr. Roberts noted that Supervisor Bobby Ingle was ill and unable to attend the meeting.

2. Invocation and Pledge of Allegiance

Supervisor Dulcie Mumpower gave the Invocation and led the Pledge of Allegiance.

3. Approval of Agenda

On motion of Mr. Rector, second by Mr. Reynolds, it was resolved to approve the agenda as presented.

The vote on this motion was as follows: (6-0)

Mr. McCall Aye
Mrs. Mumpower Aye
Mr. Owens Aye
Mr. Rector Aye
Mr. Reynolds Aye
Mr. Roberts Aye

4. **Approval of Minutes**

January 27, 2005 Joint Recessed Meeting

On motion of Mr. McCall, second by Mr. Owens, it was resolved to approve the minutes of the January 27, 2005, joint recessed meeting as presented.

The vote on this motion was as follows: (6-0)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

February 8, 2005 Regular Meeting

On motion of Mr. Owens, second by Mr. Reynolds, it was resolved to approve the minutes of the February 8, 2005, regular meeting as presented.

The vote on this motion was as follows: (6-0)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

5. **Public Hearings**

a. **Public Hearing to Solicit Input on County Community Development and Housing Needs in relation to a possible Community Development Block Grant Funding Application**

Mr. Brian Martin with Mount Rogers Planning District Commission addressed the Board to provide information concerning the 2005 Community Development Block Grant (CDBG) Program administered by the Virginia Department of Housing and Community Development. Mr. Martin explained that the public hearing is the first of two public hearings required for the CDBG Program. This public hearing is solicit input on County community development and housing needs in relation to a possible CDBG funding application.

Mr. Martin advised the Board that the Meadowview Town Square/Community Center Project has been tentatively identified. This project was submitted in 2004, but was not funded.

Mr. Roberts opened the public hearing to receive comments regarding potential projects for the upcoming cycle of Community Development Block Grants.

There being no comments, Mr. Roberts declared the public hearing closed.

6. Presentation of Financial Statements for Fiscal Year Ended June 30, 2004 as Prepared by Robinson, Farmer, Cox Associates

Ms. Deanna Cox with Robinson, Farmer, Cox Associates presented the Board with the Audit Report for Fiscal Year 2003-04.

Ms. Cox pointed out that Washington County’s tax collection rate is above the 97% benchmark and consistently has been above 98%, which is high compared to other localities. Conversely, the uncollected delinquent taxes come in at less than 4% of the levy that means the County Treasurer is doing a good job of collecting the delinquent taxes.

Ms. Cox reviewed with the Board their management letter outlining recommendations that were meant to improve the internal control structure or result in other operating efficiencies.

Discussion ensued.

On motion of Mrs. Mumpower, second by Mr. McCall, the Board acted to accept the Financial Statements for Fiscal Year ended June 30, 2004.

The vote on this motion was as follows: (6-0)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

7. Consideration of Dog Damage Claim

Mr. Fred Overbay addressed the Board explaining that he had a steer killed by dogs. Mr. Overbay further explained that he had insurance on the steer that reimbursed him \$600. The market value of the steer is \$713.00. Therefore, he is requesting reimbursement in the amount of \$113.

On motion of Mr. Rector, second by Mrs. Mumpower, it was resolved to authorize payment to Fred H. Overbay in a specific amount no greater than \$113.00.

The vote on this motion was as follows: (6-0)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

8. Consideration of Request for VDOT Revenue Sharing Funds for FY 2005-06

Assistant County Administrator Christy Parker addressed the Board explaining the County annually submits a request to the Commonwealth Transportation Board for Virginia Department of Transportation Revenue Sharing Funds. Ms. Parker stated that the County’s request will be for \$500,000, with \$425,000 to be set aside for the State Route 1717 Project and \$75,000 for Rural Additions.

On motion of Mr. Rector, second by Mr. Owens, it was resolved to approve submission of a request to the Virginia Department of Transportation for up to \$500,000.00 in Revenue Sharing Funds for FY 2005-06.

The vote on this motion was as follows: (6-0)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

9. Consideration of Request from VDOT for Local Revenue Sharing Funds for Route 11 Drainage Project – Construction Phase

Assistant County Administrator Christy Parker addressed the Board on behalf of the Smyth Washington Regional Industrial Facilities Authority (SWIFA) explaining that SWIFA first brought before the Board last year the Route 11 Drainage Project issue. The drainage project was brought about to correct storm water runoff issues at the Highlands Business Park, as well as corrects other drainage issues on Route 11. Ms. Parker further explained the Virginia Department of Transportation (VDOT) recommended using Revenue Sharing Funds to assist with covering the costs associated with the drainage project. Washington County must be the locality to request revenue sharing funds because the Highlands Business Park is located in the County. Smyth County will reimburse Washington County one half of the costs. VDOT has completed the preliminary engineering and design study and is ready to bid the project. The construction phase of the project is estimated to cost \$354,292. Before VDOT will put the project to bid they must receive the County’s portion of the local match for the revenue sharing funds. The total local match is \$177,146.30. Smyth County will reimburse Washington County one half of the local match (\$88,573.15).

On motion of Mr. Rector, second by Mr. McCall, it was resolved to approve \$177,146.30 in local matching funds for Route 11 Drainage Project, a VDOT Revenue Sharing project to construct \$354,292 worth of drainage improvements on Route 11 between Highlands Business Park and Hall Creek. Washington County’s share (\$88,573.15) to be transferred from Line item 94411-5687 to Line Item 94420-5688, Smyth County’s share (\$88,573.15) to be appropriated to Line Item 94420-5688 with disbursement of funds contingent upon receipt of \$88,573.15 from Smyth County.

The vote on this motion was as follows: (6-0)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>

<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

10. Consideration of Resolution Requesting Commonwealth Transportation Board to Establish New and Increased Allocation for Highlands Business Park Access Road Project and New Five-Year Period for Attracting Qualifying Private Investment

Assistant County Administrator Christy Parker addressed the Board explaining that in 2002 the Commonwealth Transportation Board approved an allocation in the amount of \$361,680 from the Industrial Access Fund for a project to be administered under the “bonded” concept to provide access to eligible parcels within the Glade Highlands Regional Industrial Park, now known as the Highlands Business Park. In 2003 and 2004, the Smyth Washington Regional Industrial Facilities Authority (SWIFA) and Washington County, in attempts to comply with Virginia Department of Transportation (VDOT) requirements involving project plan design, right of way, and off-site drainage improvements, have encountered issues resulting in delays in project development and increased estimated project costs.

Ms. Parker further explained that SWIFA is now asking the Washington County Board of Supervisors to make a request to the Commonwealth Transportation Board to provide a new allocation from the same program to accommodate the resulting increase in estimated project costs and establish a new five-year period for attracting qualifying investment.

Ms. Parker stated that should the Commonwealth Transportation Board approve this request, Washington County will need to provide a surety or bond, acceptable to and payable to VDOT, in the full amount of the Commonwealth Transportation Board’s allocation less eligible private capital outlay credit determined by VDOT. This surety shall be exercised by VDOT in the event that sufficient qualifying capital investment does not occur on qualifying parcels within five years of the Commonwealth Transportation Board’s allocation of funds pursuant to this request.

Discussion ensued among the Board regarding this request.

On motion of Mr. Owens, second by Mrs. Mumpower, it was resolved to adopt the following resolution as presented requesting that the Commonwealth Transportation Board establish a new and increased allocation for Highlands Business Park Access Road and establish a new five-year period for attracting qualifying investment:

RESOLUTION 2005-03

WHEREAS, the Smyth-Washington Regional Industrial Facilities Authority (SWIFA) desires to develop property for the purpose of industrial use located off of U.S. Highway 11 in the County of Washington, Virginia, for the purpose of industrial development; and

WHEREAS, this property is expected to be the site of new private capital investment in land, building, and manufacturing equipment which will provide employment opportunity; and

WHEREAS, the subject property has no access to a public street or highway and will require the construction of a new roadway to connect with U.S. Highway 11; and

WHEREAS, the County of Washington hereby guarantees that the necessary environmental analysis, mitigation, and fee simple right of way for this improvement and utility relocations or adjustments, if necessary, will be provided at no cost to the Industrial Access Fund; and

WHEREAS, the County of Washington acknowledges that the State Environmental Review Process (SERP) must be completed prior to any construction activity on this project as a condition of the use of the Industrial, Airport and Rail Access Fund; and

WHEREAS, the County of Washington hereby guarantees that all ineligible project costs and all costs not justified by eligible capital outlay will be provided from sources other than those administered by the Virginia Department of Transportation; and

WHEREAS, the Commonwealth Transportation Board approved a \$361,680 allocation from the Industrial, Airport and Rail Access Fund at its August 15, 2002 meeting for a project to be administered under the "bonded" concept to provide access to eligible parcels within the Glade Highlands Regional Industrial Park; and

WHEREAS, SWIFA and Washington County has been in constant communication with VDOT in the development of the project plans; and

WHEREAS, SWIFA and Washington County, in attempts to comply with VDOT requirements involving project plan design and right of way, and off-site drainage improvements, have encountered issues resulting in delays in project development and increased estimated project costs; and

WHEREAS, Commonwealth Transportation Board's August 15, 2002 action established the beginning date for the five-year "bonded" period for establishing qualifying investment under the guidelines of the Industrial Access Policy.

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors requests that the Commonwealth Transportation Board provide an allocation from the Industrial, Airport and Rail Access Fund sufficient and within the maximum limit to accommodate the resulting increase in estimated project costs and establish a new five-year period for attracting qualifying investment; and

BE IT FURTHER RESOLVED that the Washington County Board of Supervisors hereby acknowledges that this request invalidates the need for the original project allocation request as approved by the Commonwealth Transportation Board, the local-state agreement dated April 14, 2003 and any project costs incurred prior to the date of the Commonwealth Transportation Board acting on this request; and

BE IT FURTHER RESOLVED that should the Commonwealth Transportation Board approve a new project allocation and establish a five-year to begin the date of the approval of the new project allocation, the Washington County Board of Supervisors hereby agrees to provide a surety or bond, acceptable to and payable to the Virginia Department of Transportation, in the full amount of the Commonwealth Transportation Board's allocation less eligible private capital outlay credit determined by VDOT; this surety shall be exercised by the Department of Transportation in the event that sufficient qualifying capital investment does not occur on qualifying parcels within five years of the Commonwealth Transportation Board's allocation of funds pursuant to this request; and

BE IT FURTHER RESOLVED that the Washington County Board of Supervisors hereby agrees that the new roadway so constructed will be added to and become a part of the secondary system of state highways.

The vote on this motion was as follows: (6-0)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

11. Recess

It was consensus of the Board not to take a recess.

12. County Administrator Reports

a. Funding Request by Emory & Henry College

County Administrator Mark Reeter addressed the Board regarding a letter received from Dr. Thomas Morris, President, Emory and Henry College requesting a \$25,000 appropriation to assist in renovation of the Van Dyke Center located on the college’s campus. Because this is a unique request from Emory and Henry College, Mr. Reeter stated that he seeks Board input on how this request is to be handled. He proposed placing the request on the Board Agenda for March 8 and inviting Dr. Morris to make a presentation to the Board or either to request that the College submit a budget request form for FY 2005-06 and allow the matter to be considered during the upcoming budget process.

Discussion ensued among the Board. Primary concerns of the Board were that Emory and Henry is a private college, and the College has a fee structure in place for community use of the Van Dyke Center. It was consensus of the Board to direct the County Administrator to request that Emory and Henry College submit a budget request form for FY 2005-06 and they would consider the matter during the budget process.

In another matter, Mr. Reeter brought the Board’s attention to a copy of *The Business Journal* placed at their stations that included an article recognizing Assistant County Administrator Christy Parker as being one of the 25 most influential women in the Tri-Cities.

13. County Attorney Reports

a. Consideration of Service Agreement with Telecommunications Consulting Associates

County Attorney Lucy Phillips addressed the Board explaining that she received correspondence from Telecommunication Consulting Associates a firm that conducts audits on cable television providers who are required to submit annual franchise fee payments to the County. This company has offered its

services to Washington County at a rate of \$250 per hour, not to exceed \$3,000 for the first provider. The audit services would include review of the current franchise agreement, audit of the receipts and remittances from the provider, advice and consultation regarding the cable television franchise arrangements, and duplicate review of the other providers at a rate not to exceed \$750, each.

Ms. Phillips further explained that she discussed this issue with County Treasurer Fred Parker and he supports contracting Telecommunications Consulting Associates to conduct the audit. She proposed to include an amount to cover the audit services in the Legal Department’s FY 2005-06 budget request if the members of the Board concur that the services seems beneficial to the County.

Discussion ensued among the Board. No action was taken on the item.

14. Board Information

Mr. Reeter reviewed information contained in the Board Information section of the Agenda. Particularly, correspondence from the Southwest Virginia Regional Jail Authority announcing target dates for moving inmates to the Abingdon Regional Jail. Also, the Authority is announcing a ribbon cutting ceremony for the Abingdon Regional Jail will be held on March 30 at 9:30 AM.

15. Consent Agenda

Accounting Manager Mark Seamon addressed the Board explaining that the Southwest Virginia Regional Jail Authority is requesting an interdepartmental transfer of funds to assist with jail operations due to the Abingdon Regional Jail not opening until April 10. The current budget for the County’s jail operations will be exhausted by the end of this month.

On motion of Mr. Rector, second by Mr. Owens, it was resolved to approve the following Consent Agenda items:

- a. Interdepartmental Transfer of Funds for Jail Operations*
- b. Supplemental Appropriations – Sheriff’s Office – Alcohol, Tobacco and Firearms Funds*
- c. Supplemental Appropriation s – Sheriff’s Office – Traffic Enforcement Funds*
- d. Supplemental Appropriations – Sheriff’s Office – School Resource Salary Adjustments*

The vote on this motion was as follows: (6-0)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

16. Board Member Reports

Chairman John Roberts, on behalf of the Board extended condolences to Information Systems Manager Nadine Culberson on the loss of her father.

Also, on behalf of the Board, Mr. Roberts congratulated Assistant County Administrator Christy Parker for her recent recognition in *The Business Journal* as being one of the 25 most influential women in the Tri-Cities.

17. Adjourn

On motion of Mr. Owens, second by Mr. McCall, it was resolved to adjourn the meeting.

The vote on this motion was as follows: (6-0)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

Prepared by:

Naoma A. Mullins, Recording Clerk

Approved by the Washington County Board of Supervisors:

John B. Roberts, Sr., Chairman