

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, September 13, 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
Bobby D. Ingle
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

1. Call to Order

The meeting was called to order by Mr. John Roberts, Chairman of the Board, who welcomed everyone in attendance.

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. Owens, it was resolved to approve the agenda with the following amendments:

Addition of New Item 10.a.:

Consideration of Appointments to the Virginia Highlands Small Business Incubator Board of Directors

Addition of County Attorney Reports Item 13.a. and 13.b.:

- a. Draft Amendment of County Code Chapter 52 Addressing Streets Serving Family Divisions*
- b. County Ordinance Governing Personal Property Tax Relief Act*

Addition of New Item 7.b. Closed Meetings:

Request for Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; specifically prospective businesses proposed for location in The Highlands commercial development at Exit 7.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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>

4. Approval of Minutes

On motion of Mr. Reynolds, second by Mr. McCall, it was resolved to approve the minutes of the August 23, 2005, regular meeting as presented.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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:

Request for Special Exception Permit:

- a. (1). *Margaret Phillips, Property Tax Map #104-A-19: Request for a Special Exception Permit to construct and operate a Bed and Breakfast on property located on the South side of State Route 19 near the intersection of State Route 19/Route 848 in a B-2 (Business, General) zone, Harrison Magisterial District***

Mr. Roberts opened the public hearing and invited comments both in support of and in opposition to the application for a Special Exception Permit.

Mrs. Margaret Phillips addressed the Board explaining that she purchased a small business office with one adjoining room and wishes to convert the building into a bed and breakfast. Mrs. Phillips further

explained that after her purchase of the building she learned it was located in an area zoned commercial and not residential. Therefore, she would need a Special Exception Permit to operate the bed and breakfast.

Discussion ensued among the Board.

Responding to an inquiry, Mrs. Phillips explained that the structure had two rooms. She stated that her plans initially are to rent the bed and breakfast during race weekends. One of the two rooms will be converted into an eating area where there will be a coffee pot and toaster provided.

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

On motion of Mr. McCall, second by Mr. Ingle, it was resolved to follow the recommendation of the Washington County Planning Commission and approve the application of Margaret Phillips for a Special Exception Permit to construct and operate a Bed and Breakfast on property located on the South side of State Route 19 near the intersection of State Route 19/Route 848 in a B-2 (Business, General) zone, Harrison Magisterial District.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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>

b. Public Hearing and Board Consideration of Request to Authorize Special Assessment of Owners of Land Abutting Loudon Drive for Costs of Improvement Necessary for Incorporation into State System of Secondary Highways

County Attorney Lucy Phillips addressed the Board explaining that at the time Loudon Drive was originally constructed it was not built to meet the Virginia Department of Transportation (VDOT) standards for secondary highways. Therefore, Loudon Drive was never accepted into the State System of Secondary Highways. Under the VDOT Rural Additions Program, VDOT would pay for one half of the expense to bring the road up to state standards with the abutting landowners paying the other half of the expenses. Ms. Phillips stated that more than seventy-five percent of owners of lots that abut Loudon Drive have agreed to pay proportionate shares of half of the cost to improve Loudon Drive to meet standards acceptable to VDOT for acceptance into the state system of secondary highways for purposes of maintenance, construction and reconstruction. The total project cost estimated by VDOT is \$140,000.

Ms. Phillips further explained that State Code requires that a public hearing be held on the proposal. After the public hearing, the Board has the authorization to impose a special assessment upon the properties that abut a road to be improved pursuant to the Rural Addition program. Ms. Phillips advised the Board that notification has been received from David and Deborah Cox that their property did not border Loudon Drive. Their names need to be removed from the list of property owners.

Ms. Phillips further advised the Board that issues there are outstanding issues with water lines and construction of a cul de sac. However, these issues could be resolved by VDOT after the Board requests they undertake the project. She explained that the Board is being asked to consider two resolutions. The first resolution acknowledges that all statutory requirements for participation in the Rural Additions program are met and asks VDOT to complete construction necessary to bring Loudon Drive into the state system of secondary highways. The second resolution authorizes the recordation of documents necessary to establish liens against the properties that abut Loudon Drive to fund the landowner share of the road improvement project.

Discussion ensued among the Board prior to the public hearing. The primary issue discussed was the installation of water line along Loudon Drive and the costs associated.

Mr. Roberts opened the public hearing to receive comments both in support and in opposition of the special assessment of owners and land abutting Loudon Drive for costs of improvements necessary for incorporation into State System of Secondary Highways.

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

On motion of Mr. Owens, second by Mrs. Mumpower, it was resolved to adopt the following resolutions and further to remove the names of David and Deborah Cox from the list of abutting property owners along Loudon Drive:

**RESOLUTION 2005-30
RECONSTRUCTION OF LOUDON DRIVE IN THE TYLER MAGISTERIAL DISTRICT
PURSUANT TO § 33.1-72 (C) OF THE 1950 CODE OF VIRGINIA**

WHEREAS, the street described below (“Project Street”) was established before July 1, 1990, and currently serves at least three (3) families per mile, and

WHEREAS, the Virginia Department of Transportation has deemed that this county’s current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to § 33.1-72.1, Code of Virginia, and

WHEREAS, after examining ownership of all property abutting Project Street, this Board finds that no property owners hold speculative interests as such is defined in Virginia Code § 33.1-72.1(C).

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it requests that the Virginia Department of Transportation undertake construction to improve the following street to the prescribed minimum standards that will allow it to be added to the secondary system of state highways, pursuant to § 33.1-72.1 (C), Code of Virginia:

Name of Street:	Loudon Drive
From:	Nordyke Road (S.R. 622)
To:	Border with Parcel 119C-1-49
	Approx. 1735 feet (based on G.I.S.)
Guaranteed Right-of-Way Width:	40 feet
Plat Date:	August 30, 1963 (Plat Book 10, Page 39)

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board shall fund fifty percent of the cost of said improvements by special assessment of the landowners of parcels abutting the Project Street with the understanding that VDOT will fund the remaining fifty percent of expense, as allowed by § 33.1-72 (C), Code of Virginia, and

BE IT FURTHER RESOLVED, that the County shall record proper documentation to establish special assessments as stated herein and shall remit to the Resident Engineer of the Virginia Department of Transportation a certified copy of this resolution to request initiation of construction of said improvements and commit to reimbursement to VDOT of half the costs of such improvements up to \$70,000.00 based on VDOT's estimated cost of \$140,000.00 for construction.

**RESOLUTION NO. 2005-31
REGARDING SPECIAL ASSESSMENT OF OWNERS OF PARCELS ABUTTING LOUDON
DRIVE IN THE TYLER MAGISTERIAL DISTRICT FOR THE PURPOSE OF ROAD
IMPROVEMENT PURSUANT TO VIRGINIA CODE SECTION 33.1-72.1**

WHEREAS, by resolution adopted by this Board of Supervisors on September 13, 2005, this Board resolved to request the Virginia Department of Transportation to improve the street described below to standards sufficient for acceptance into the secondary system of state highways pursuant to Virginia Code section 33.1-72.1(C) to be funded by special assessment of the owners of parcels abutting Loudon Drive, as more specifically described in paragraph one, below ("Project Street"), and

WHEREAS, based on the Department's cost estimate of \$140,000.00 for improvement of Project Street, this Board has determined, as prescribed by Virginia Code section 33.1-72.1(E), that the total cost to be borne by adjoining landowners is no more than \$70,000.00 to be shared proportionately; and

WHEREAS, in accordance with the requirements of Virginia Code section 15.2-2409, each owner of property abutting Project Street was provided notice of the proposed special assessment and of the public hearing that was held on September 13, 2005, and

WHEREAS, it appears to the Board that the owners of more than seventy-five percent (75%) of the parcels of land abutting Project Street desire to have it improved and brought into the secondary system of state highways by the Department and that to do so would be in the best interests of all owners of the parcels of land abutting Project Street.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia:

- 1. Pursuant to § 33.1-72.1 (C), Code of Virginia, improvement for the purpose of rural addition of the street identified below shall be funded, as described in this resolution, by special assessment of the owners of parcels abutting said street:*

Name of Street: Loudon Drive
From: Nordyke Road (S.R. 622)
To: Border with Parcel 119C-1-49
Approx. 1735 feet (based on G.I.S.)
Guaranteed Right-of-Way Width: 40 feet
Plat Date: August 30, 1963 (Plat Book 10, Page 39)

2. *The amount to be paid by special assessment against the properties abutting Project Street shall be determined upon completion of the road improvement project. After final determination of the assessment, the County Attorney shall cause to be recorded in the deed books and judgment docket of the Circuit Court of Washington County an amendment of the estimated amount shown herein to show the amount finally assessed or apportioned, if such amount differs from the estimated amount.*
3. *The County Attorney shall report to the Treasurer of Washington County the amount assessed against each landowner, or for which the landowner is liable by agreement, as soon as practicable, and the Treasurer shall enter the same as provided for other taxes.*
4. *The Board agrees to the special assessment of the landowners on Project Street listed below. Each parcel shall be assessed equally in an amount not to exceed \$2,916.00 per parcel.*

PROPERTY OWNER(S)	Parcel 1 (Tax Id. #)	Parcel 2 (Tax Id. #)	Parcel 3 (Tax Id. #)	TOTAL AMOUNT
BELCHER, WALLACE E. & VIVIAN	LOT # 61 (119C-1-61)	LOT # 59 (119C-1-59)	LOT # 60 (119C-1-60)	\$8,748
BOOHER, SCOTTY L.	LOT # 41 (119C-1-41)	LOT # 42 (119C-1-42)	LOT # 43 (119C-1-43)	\$8,748
BROOKS, MICHAEL W. & MARTHA	LOT # 64 (119C-1-64)	LOT # 65 (119C-1-65)		\$5,832
CLARK, COY LEE & LINDA FAYE	LOT # 69 (119C-1-69)			\$2,916
CLIFTON, STELLA (STELLA M. JOHNSON)	LOT # 38 (119C-1-38)	LOT # 39A (119C-1-39A)	LOT # 39 (119C-1-39)	\$8,748
FIELDS, HARRY & TAMMY	LOT # 62 (119C-1-62)	LOT # 63 (119C-1-63)		\$5,832
KISER, WANDA	LOT # 73 (119C-1-73)			\$2,916
MARTIN, GEORGE R. & JANICE C.	LOT # 68 (119C-1-68)	LOT # 66 (119C-1-66)	LOT # 67 (119C-1-67)	\$8,748
MARTIN, PAUL ANTHONY	LOT # 48 (119C-1-48)	LOT # 49 (119C-1-49)		\$5,832
MOORE, JAMES FRED	LOT # 37 (119C-1-37)			\$2,916
NECESSARY, II, EUGENE RICHARD	LOT # 46 (119C-1-46)	LOT # 47 (119C-1-47)		\$5,832
PEARMAN, DORIS	LOT # 96 (119-A-96)			\$2,916
SCARDO, BRIAN E. & SARAHENA W.	LOT # 44 (119C-1-44)	LOT # 45 (119C-1-45)		\$2,916

5. *At completion of the road improvement project and receipt of the bill for services from the Department, the County shall remit to the Department the landowner's share of the costs of road improvements.*
6. *In accordance with Virginia Code section 15.2-2413, each owner listed above may pay the amount finally assessed or apportioned or fixed by agreement in ten (10) annual installments, bearing annual interest at the rate of one-year United States Treasury Bills on September 13, 2005. The Treasurer will begin billing each landowner after the work for improvement is completed, and payment shall be due at the time real estate taxes on the property are due and payable. Should the landowner not pay the entire amount finally assessed or apportioned or fixed by agreement when the first payment is due and payable, interest shall begin to accrue on the remaining balance at that time at the above-stated rate.*
7. *The amount finally assessed against or apportioned to each landowner, or fixed by agreement, as docketed in the judgment docket of the clerk's office shall be a lien enforceable in equity from the time when the work of improvement is completed. Upon payment in full of the amount due, including interest if applicable, the lien shall be released by noting the release in the judgment docket. The Treasurer of Washington County or his designee is authorized to request the release of the lien upon payment in full of the total amount due pursuant to this resolution. No notation of the release need be made to this document.*
8. *The County Attorney is directed to have this resolution recorded in the deed books of the Clerk's Office of the Circuit Court of Washington County and indexed in the grantor's index of said office in the names of the above-referenced property owners. Furthermore, the County Attorney is directed to cause an abstract of this resolution to be recorded in the judgment docket of said office showing the ownership and location of the property to be affected by the proposed improvement and the estimated amount that will be assessed against or apportioned to each landowner or fixed by agreement and the same shall be indexed in the name of the owner of the property.*

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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>

At this time, Supervisor Odell Owens commended the work of County Attorney Lucy Phillips and Special Projects Coordinator Stephen Richard for their excellent work on this project. He further stated that the upgrade of Loudon Drive is needed.

6. Consideration of Sale of Surplus County Property

General Services Manager Frank Canter presented the Board with a list of items to be sold at surplus auction and requested authorization to conduct the sale on October 1, 2005, beginning at 9:00 AM in the public parking lot of the County Administration Building. Mr. Canter referenced a memo he provided to

the Board concerning surplus vehicles and requested this memo be revised to remove The 1999 Crown Vic. He further requested this vehicle be surplused to the Brumley Gap Fire Department.

On motion of Mr. Ingle, second by Mr. Rector, the Board acted to authorize sale of surplus County property on October 1, 2005 with the exception of 1999 Crown Vic (VIN #4454) and that this vehicle be surplused to the Brumley Gap Fire Department.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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. Presentation of Virginia Highlands Community College’s 2004-05 Annual Report

Virginia Highlands Community College President Dr. David Wilkin presented the Board with the College’s Annual Report for 2004-2005.

The following are highlights from the Annual Report:

- The employees of Virginia Highlands Community College (VHCC) led the VHCC Educational Foundation, Inc. to groundbreaking success this year by unanimously pledging personal earnings during the first campus campaign in more than a decade. Employees pledged more than \$21,000 to upgrade facilities, provide student scholarships and promote teaching and learning opportunities. The total Educational Foundation Endowment is now \$571,100 – a 37 percent increase in just two years.
- Dr. Catherine Smith, Abingdon’s first female physician joined VHCC friends and leaders to break ground for a brick labyrinth that will bear her name. The intricate walkway will be the cornerstone of the VHCC Master Landscape Plan and a community gathering spot.
- Ground was broken for a state-of-the-art greenhouse that will include 3,000 square feet of instructional space. Construction for the greenhouse was made possible through a \$550,000 grant from the Virginia Tobacco Commission, and a \$35,000 grant from the Appalachian Regional Commission. The greenhouse is now substantially complete.
- VHCC and nine other institutions across the nation were chosen to participate in a groundbreaking study aimed at improving the initial college experience on two-year campuses.
- Significant technological improvements were made across the campus. All computers are now wireless.
- VHCC faculty enhanced classroom instruction by expanding their own knowledge base. Faculty members performed research in their field, attended workshops and conferences, and sought degrees to further their knowledge and understanding of the subjects they teach.
- The VHCC Career Planning Center was established on campus to help students choose career paths, write resumes and cover letters, perfect interview techniques, and search for jobs.

- The Center for Business and Industry teamed up with Wytheville Community College to provide training for hundreds of unemployed and underemployed Smyth County residents.
- Just over 80 percent of the 3,209 students enrolled in credit courses this year came from within the VHCC service region of Washington County, the western portion of Smyth County and the City of Bristol, VA.
- VHCC offered a first-ever honors course that allowed a dozen students to take part in Coastal Ecology, a challenging class that took them to the University of Southern Mississippi's Gulf Coast Research Island.
- With a grant from the Virginia Tobacco Commission, the Virginia Appalachian Tricollege Nursing Program this year established a weekend and evening program designed to combat the region's nursing shortage.
- Educational expenses were offset for VHCC students this year by more than \$3.7 million in financial assistance from a variety of sources.
- The College balanced its budget of \$11,443,011

Dr. Wilkin thanked the Board of Supervisors for their support of VHCC.

Discussion ensued among the Board. The Board of Supervisors expressed their support for Virginia Highlands Community College and stated that the College was an asset to Washington County.

8. Presentation Concerning Virginia Works Program Proposals

a. Southwest Virginia Regional Artisan Center

Town of Abingdon Vice Mayor Dr. French Moore addressed the Board presenting a proposal on Abingdon and Washington County's proposal to be chosen as one of the locations for the two Artisan Centers. Dr. Moore explained that the General Assembly has approved the Southwest Regional Artisan Center grant program that is administered by the Virginia Department of Housing and Community Development (DHCD). Two centers are proposed for the Southwest region of Virginia to stimulate economic development and job creation. Dr. Moore stated that a private developer in Staunton, VA is developing a visitor's center along I-81 and will incorporate one of the two Artisan Centers into his project. The DHCD issued Requests for Proposals (RFP) on August 1 for the second Artisan Center. The deadline for a locality to submit the RFP is September 16. Dr. Moore explained that a Committee was formed comprised of representatives from the Town of Abingdon, William King Regional Arts Center, Southwest Virginia Higher Education Center, Virginia Highlands Community College, the Abingdon Visitors and Convention Bureau and the Washington County Chamber of Commerce to work on Abingdon/Washington County's proposal for a site at Virginia Highlands Community College. Several localities in Southwest Virginia including Wytheville and Bristol are working diligently to prepare proposals. The following are highlights from the proposal:

- Virginia Highlands Community College has offered property on their campus totaling eight acres, at no charge, in order to have the Artisan Center located strategically along I-81.
- The proposed site is located ideally off Exit 14, I-81. The site can be seen north of I-81, near the highest point of the Virginia Highlands campus. This location is ideal for attracting tourists and provides terrific views.
- The Artisan Center will include an exhibition/demonstration area on the sales floor that will be attractive to artisans as a way to promote their craft and products.

- The Town of Abingdon plans to move the Abingdon Visitors Center to the Artisan Center. This will include Abingdon and regional visitor information. The Abingdon Visitors Center will also include an expanded display of Southwest Virginia promotional materials arranged in geographic and categorical fashion. The Visitor's Center will act as the "Gateway to the Coalfields"; it will offer kiosks for regional museums and attractions.
- There will be a cafeteria-style restaurant located inside the Artisan Center that will accommodate the large tour groups that visit Abingdon. Local area culinary arts schools and catering companies would be interviewed to provide the best food services available.

Dr. Moore further explained the funding for the project is a major issue. The Town of Abingdon has approved \$500,000 as local matching grant funds. It is being proposed to Washington County that the Board agree to financially support the project. It is proposed that the Board provide \$500,000 in funding over two years (\$250,000 in FY 2006-2007 and \$250,000 in FY 2007-2008). This would provide for a total of \$1,000,000 in local matching funds between Abingdon and Washington County.

The Board devoted substantial discussion to the proposal. Among the issues discussed were if the Artisan's/Visitor Center would become self supporting and that because the proposed Artisan Center is a regional concept other localities that would benefit from the Center should be asked to contribute financially to the project.

Dr. Moore addressed the Board explaining that the Committee had less than six weeks to prepare the RFP and there was not sufficient time to make presentations to the other localities that would be served by the Artisan Center. Dr. Moore explained that if localities wish to place an exhibit in the Artisan Center they must rent the space or become an investor in the project.

Responding to an inquiry from the Board, William King Regional Art Center Executive Director Betsy White explained that the Art Center would continue with their long-range master plans for expansion of the Art Center that includes an Artisan Courtyard. Mrs. White further explained that the Art Center would partner with the Artisan Center in some of the plans.

There was some discussion among the Board concerning funding for both the William King Regional Art Center and the proposed Artisan Center. Board members agreed that both are great projects; however, the County could not afford to financially contribute to both projects.

Dr. Moore stated that the County is being requested to support the RFP for the Artisan Center to be located in Abingdon and to make whatever monetary contribution possible.

Further discussions ensued. Another primary issue discussed was that the County could provide a letter of support for the project and that if Abingdon is chosen as the site for the Artisan Center the Board could then direct the County Administrator to budget money for the project if funds are available.

On motion of Mr. Reynolds, second by Mr. Owens, it was resolved to endorse the joint application for Virginia Works funding with Town of Abingdon for designation of site at Virginia Highlands Community College Campus for the Southwest Regional Artisan Center and to direct County Administrator to budget \$250,000 in matching funds for FY 2006-07 and FY 2007-08, and to authorize County Administrator to provide letter of support for application packet. Final approval of matching funds during both fiscal years shall be subject to Board appropriations.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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>

b. Regional Workforce Training Consortia

Assistant County Administrator Christy Parker addressed the Board explaining that the Regional Workforce Training Consortia grant program is also administered by the Virginia Department of Housing and Community Development. Two \$900,000 grants will be awarded, one in Southwest Virginia and one in Southside Virginia. These grants are intended to enhance local workforce development and education investment by supporting activities that specifically advance the region’s overall strategy to prepare citizens for the jobs of the 21st Center. The formation of the application has to be regional and “industry led”. To this end, the Smyth-Washington Regional Industrial Facilities Authority (SWIFA) voted to be the applicant and has brought ten top industries from the two counties together for a series of meetings from June-September to formulate initiatives that will benefit our local industry base. Ms. Parker further explained that the grant team of individuals has put many hours into meeting with industry, conducting a job/skills survey and formulating a draft proposal. The initiatives include: a public relations marketing campaign to help our existing and emerging workforce (high school students) to change any negative perceptions of careers in manufacturing; customized training; and a manufacturing center/office to coordinate the promotional efforts and the training needs of industry with existing training providers. Ms. Parker stated that the deadline for the application is September 30 and that SWIFA will bring a detailed budget and funding request for local matching funds to the next Board meeting on September 27.

Discussion ensued among the Board.

9. Consideration of Resolution Requesting Incorporation of Millbrooke Drive, Hortenstine Place, Westwood Drive, Laura Lee Court and Doris Kay Court Into State System of Secondary Highways, Millbrooke Estates

On motion of Mr. Owens, second by Mr. Rector, it was resolved to adopt the following resolution:

**RESOLUTION 2005-32
 ADDITION OF 3,019 LINEAR FEET OF MILLBROOKE DRIVE, HORTENSTINE PLACE,
 WESTWOOD DRIVE, LAURA LEE COURT AND DORIS KAY COURT
 TO SECONDARY SYSTEM OF STATE HIGHWAYS
 MILLBROOKE ESTATES SUBDIVISION**

WHEREAS, the street(s) described on the attached Additions Form SR-5A, fully incorporated herein by reference, are shown on the plats recorded in the Clerk’s Office of the Circuit Court of Washington County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form SR-5A to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easement for cuts, fills and drainage, and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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>

Scrivener's Note: The Additions Form SR-5A referenced above may be found in Minutes Exhibit 2005-09-13-A.

10. Consideration of Resolution Requesting Incorporation of Chase Lane into State System of Secondary Highways, Steeplechase Subdivision

On motion of Mr. Owens, second by Mr. Rector, it was resolved to adopt the following resolution:

**RESOLUTION 2005-33
ADDITION OF 792 LINEAR FEET OF CHASE LANE
TO SECONDARY SYSTEM OF STATE HIGHWAYS
STEEPLECHASE SUBDIVISION**

WHEREAS, the street(s) described on the attached Additions Form SR-5A, fully incorporated herein by reference, are shown on the plats recorded in the Clerk's Office of the Circuit Court of Washington County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form SR-5A to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easement for cuts, fills and drainage, and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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>

Scrivener's Note: The Additions Form SR-5A referenced above may be found in Minutes Exhibit 2005-09-13-B.

10.a. Consideration of Appointments to the Virginia Highlands Small Business Incubator Board of Directors

Supervisor Bobby Ingle addressed the Board explaining that the County received a letter concerning appointments to the Virginia Highlands Small Business Incubator Board of Directors. Mr. Ingle stated that he currently serves as Chairman of the Board of Directors, but will be resigning his position on the Incubator Board effective October 1. Mr. Ingle said it has been an honor to serve on this Board.

Mr. Ingle recommended the appointment of John Owens with General Engineering to fill his vacancy on the Incubator Board of Directors effective October 1.

Chairman John Roberts addressed the Board explaining that he would also be resigning his position on the Incubator Board of Directors effective October 1. Mr. Roberts stated that it is time to get more industry representation on the Incubator Board, but feels strongly that a member of the Board of Supervisors should be appointed as well.

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to appoint John Owens to replace Bobby Ingle on the Virginia Highlands Small Business Incubator Board of Directors effective October 1.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>

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

The other appointments were deferred to the September 27 Board meeting.

11. Recess

No recess was taken at this time.

12. County Administrator Reports:

a. Virginia Association of Counties Annual Meeting – November 12-14, 2005

County Administrator Mark Reeter advised the Board that the Virginia Association of Counties would be holding their annual meeting on November 12-14, 2005. Mr. Reeter asked Board members to let him know by the September 27 Board meeting if they are planning to attend the conference.

b. Consideration of Matters for Possible Legislative Action in the General Assembly’s 2006 Session

Mr. Reeter asked Board members to consider possible legislative matters of interest to Washington County for the 2006 session of the General Assembly.

13. County Attorney Reports

County Attorney Lucy Phillips requested the reversal of item a and item b.

b. Personal Property Tax Relief Act

Ms. Phillips advised the Board that at their September 27 meeting information will be provided concerning the Personal Property Tax Relief Act (PPTRA) and that she be requesting their guidance in drafting an ordinance regarding the PPTRA. Also, County Treasurer Fred Park will be in attendance at the September 27 Board meeting to provide information on the changes that will come about with the PPTRA.

a. Draft Amendment of County Code Chapter 52 Addressing Streets Serving Family Divisions

Ms. Phillips addressed the Board to review the draft amendments to County Code Chapter 52 addressing streets serving family divisions. In response to the Board’s action at their September 7 worksession County Planner Wally Horton has prepared draft amendments according to the Boards direction. Ms. Phillips explained that a critical issue in the proposed amendment is to the definition of right-of-way. She further explained that her recommendation is for the purposes of family divisions and family subdivisions

that the width of the right-of-way must be proven by a recorded deed, plat, or other instrument. The other alternative is for the County to allow family subdivision of land to occur on properties accessed by a right-of-way for which the width is not specified.

Ms. Phillips proposed reviewing each of the other amendments with the Board.

At this time, discussion ensued among the Board concerning the definition of right-of-way. Most Board members felt that the less restrictive option of not requiring that the right-of-way width be specified was the best option. They further discussed they needed more time to review the draft amendments before taking action. Subsequently, the following action was taken:

On motion of Mr. Rector, second by Mrs. Mumpower, the Board acted to table action on the draft amendment of the County Code Chapter 52 addressing streets serving family divisions until the September 27, 2005, Board meeting.

The vote on this motion was as follows: (5-0-2)

<i>Mr. Ingle</i>	<i>Abstained</i>
<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>Abstained</i>

14. Board Information

Mr. Reeter reviewed material contained in the Board Information. Particularly the minutes of the Washington County Planning Commission’s August 28 meeting, a request to participant in the 55th Annual Washington County Fair Parade on September 17 and a letter from Highlands Community Services Board concerning the resignation of Kathy Maggio. Mr. Reeter stated that placed at Board stations was a letter from the Virginia Department of Transportation concerning a public hearing to be held on Monday, September 26 on the Six Year Secondary Highways Improvement Plan.

Supervisors John Roberts and Phillip McCall stated that they would participate in the Fair Parade.

15. Consent Agenda

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

- a. Payment of Bills – August 2005***
- b. Revenue Refunds – Animal Sterilization Fee***
- c. Supplemental Appropriation – Sheriff’s Office for Donation***
- d. Transfer of Funds – Return of \$250,000.00 from School Construction Fund***
- e. Supplemental Appropriation – State and Local Hospitalization Program***
- f. Revenue Refunds – Recreation Program Fee***

- g. Request to Surplus and Dispose of Computer Equipment*
- h. Canceled Checks – General Fund & Economic Development Fund*
- i. Budget Status Reports for August of 2005*

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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

Supervisor Tony Rector inquired if the Washington County 4-H Center would be open to house evacuees from Hurricane Katrina. Mr. Reeter explained that there was a proposal from the Commonwealth of Virginia to use the Center, but was not sure about its status. Mr. Rector proposed the Board make a monetary contribution to the American Red Cross or to a food bank to be used toward assisting the Hurricane Katrina victims.

On motion of Mr. Rector, second by Mrs. Mumpower, the Board acted to contribute \$5000.00 to the American Red Cross (Mountain Empire Chapter) to be used toward Hurricane Katrina relief efforts.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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>

Supervisor Odell Owens reported that several students from John Battle High School were winners in a floriculture contest, and he would like to present certificates to these students.

In another matter, Mr. Owens reported that Washington County is getting equal billing along with the Town of Abingdon in the Abingdon Veteran’s Memorial Park publications.

Supervisor Phillip McCall encouraged attendance to the Washington County Fair.

17. Closed Meeting

- a. Request for Closed Meeting pursuant to Virginia Code Section 2.2-3711 (A)(5) for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; specifically expansion of an existing industry.
- b. Request for Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; specifically prospective businesses proposed for location in *The Highlands* commercial development at Exit 7.

On motion of Mr. Reynolds, second by Mr. Rector, the Board acted to convene in Closed Meetings pursuant to Virginia Code Section 2.2-3711 (A)(5) for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; specifically expansion of an existing industry and pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; specifically prospective businesses proposed for location in The Highlands commercial development at Exit 7. It was further resolved to include County Administrator Mark Reeter, County Attorney Lucy Phillips and Assistant County Administrator Christy Parker in the closed meeting.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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>

The Board took a five-minute recess prior to beginning the closed meeting.

After returning to the meeting, the Chairperson noted that upon motion of Mr. Ingle, second by Mr. Rector, and favorable vote, the Board of Supervisors reconvened in open meeting. The Chairperson called for any participant in the closed meeting(s) who believed that there was a departure from the requirements of the Virginia Freedom of Information Act during the closed meeting(s), to state the substance of the departure that they believed took place. No members of the Board responded to the Chairperson's call for statements.

On motion of Mr. McCall, second by Mr. Rector, the members of the Board certified the closed meeting(s) in accordance with the requirements of the Virginia Freedom of Information Act. By vote in favor of this motion, each member certified that the closed meeting were conducted in conformity with Virginia law, and that only public business matters lawfully exempted from open meeting

requirements and identified in the motion by which the closed meeting were convened were heard, discussed, or considered in the closed meeting.

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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>

18. Adjourn

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

The vote on this motion was as follows: (7-0)

<i>Mr. Ingle</i>	<i>Aye</i>
<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