

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, February 27, 2007, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

- Kenneth O. Reynolds, Chairman
- Jack R. McCrady, Jr., Vice Chairman
- Phillip B. McCall
- Dulcie M. Mumpower
- Anthony S. Rector
- Odell Owens
- Paul O. Price

- 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. Kenneth Reynolds, Chairman of the Board, who welcomed everyone in attendance.

2. Invocation and Pledge of Allegiance

Supervisor Tony Rector gave the Invocation and led the Pledge of Allegiance.

3. Approval of Agenda

On motion of Mrs. Mumpower, second by Mr. Owens, it was resolved to approve the agenda with the following amendments:

New Item 7.a.

Consideration of Resolution to Approve Transfer of a Portion of Charter Communications Cable Television System Operations to Rapid Communications, L.L.C.

New Item 7.b.

Consideration of Approval of Settlement Agreement for Payment of Past-due Franchise Fees from Charter Communications

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

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

4. Approval of Minutes

On motion of Mrs. Mumpower, second by Mr. McCall, it was resolved to approve the minutes of the February 13, 2007, regular meeting as presented.

The vote on this motion was as follows: (6-0-1)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Abstained</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

5. Public Hearings:

- a. Public Hearing to obtain input on Local Community Development and Housing Needs in Relation to a Community Development Block Grant (CDBG) Funding for a Project in Washington County**

Mr. Reynolds opened the public hearing and invited comments in regards to the CDBG grant funding project.

Mr. David Barrett, Executive Director of the Mount Rogers Planning District Commission, provided the Board with an overview of the CDBG Program. Mr. Barrett explained that the Virginia Department of Housing and Community Development (DHCD) receive federal funds to administrator the CDBG Program. The DHCD has administered this program for over 20 years. The CDBG Program is designed to provide affordable housing and services to the most vulnerable communities and to create and retain jobs in Virginia. DHCD receives about 20 million dollars each year for the CDBG Program. A portion of these funds are earmarked for prior year commitments that include economic development projects, job retention projects and planning grants. After these commitments are met there is approximately 8 million dollars left to fund new CDBG applications. To be eligible to apply for CDBG funding, the applicant must be a unit of government. The many types of CDBG qualifying projects include multiple activity projects such as water, sewer and housing rehabilitation. Other qualifying projects include

economic development projects targeted to create and retain jobs in Virginia, community services facilities, utility projects, housing rehabilitation and downtown economic development and business revitalization. Mr. Barrett stated that the CDBG Program has three main goals, to provide services and benefits to low and moderate income individuals, to eliminate slums and blight, and to provide emergency needs where there is a significant community problem. He advised that tonight's public hearing is held for the purpose of identifying potential CDBG projects in Washington County. CDBG projects that the County currently has or have recently completed include the Meadowview Health Clinic, the Glade Spring/Meadowview sewer project, the Enterprise Road water project, Hillman Highway sewer extension and the Old Mill Road Housing Rehabilitation Project (this project is in the process of being completed).

Mr. Barrett stated that the County has received a CDBG planning grant for the purposes of identifying communities for housing rehabilitation projects.

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

Mr. Rector proposed the Hanger Lane/Plum Creek area be considered as a possible housing rehabilitation project. Mr. Rector explained that this area was in dire need of housing rehabilitation.

Mrs. Mumpower inquired if the Robert E. Lee Motel situation on Lee Highway would be a qualifying CDBG project. Mr. Reeter stated that it would not be a qualifying project unless it was tied to an economic development project.

Mr. Reeter provided a further explanation of the CDBG Planning Grant that the County has received. He explained that when the County received the CDBG Planning Grant a committee was established and charged with identifying neighborhood revitalization projects similar to the Mock Hollow project where water/sewer and housing rehabilitation upgrades were completed. The Committee will also identify housing rehabilitation projects that will assist low to moderate income families' upgrade their homes. Mr. Reeter advised that tonight's public hearing is one of two public hearings required for the CDBG Program. The second public hearing is scheduled for the March 13 regular Board meeting.

6. Consideration of County Personnel Committee Recommendation

- a. County Planner and County Engineer Positions
- b. General Services Manager, Recycling & Special Projects Manager and Solid Waste Manager Positions

Mr. Reeter explained that a meeting of the County Personnel Committee was held on February 5 to review several County Administrator recommendations. After review, the Personnel Committee concurs with the following recommendations:

1. The elimination of the position of County Planner and the County Department of Planning and to create the position of County Engineer within a new County Department of Engineering Services.
2. The transfer of the Recycling & Special Projects Manager Stephen Richardson to the position of General Services Manager; the elimination of the position of Recycling & Special Projects

Manager and the County Department of Recycling & Specials Projects, and the reassigning of the County's recycling program activities to the Solid Waste Manager.

Mr. Reeter stated if approved by the Board, the County Engineer's position would be advertised immediately with the goal of filling the position between April 1 and June 30 of this year. The recommended initial starting salary range for the County Engineer's position is \$60,000 to \$63,500, requiring a 4th quarter (April 1 – June 30) salary of \$15,875 and a recommended total departmental operating budget for the quarter of \$34,320. Funding for the proposed 4th quarter operating budget would be taken from the unencumbered balance of \$56,644 remaining within the County Department of Planning, leaving approximately \$22,324 to be returned to the County's Reserve for Contingencies. A Fiscal Year 2007-08 departmental operating budget for a County Department of Engineering Services is roughly estimated at \$95,000 to \$105,000.

Mr. Reeter stated that if the County's recycling program is reassigned to the Solid Waste Manager that he proposes that this fiscal year's remaining budget for the Department of Recycling and Special Projects stay intact for the reason that there will be expenses incurred in the cleanup of dump sites and with recycling projects. He advised the Board that Mr. Richardson would continue to oversee dump site cleanup projects.

At this time, Mr. Reeter asked for questions from the Board.

Mr. Price inquired if a full time engineer's position has been justified.

Mr. Reeter provided the justification for the proposed full time County Engineer's position. He explained that the position of County Engineer has a long history of discussion at the Board of Supervisors level. References to hiring a professional engineer can be found in Board Minutes back to at least 1993. Many counties in Virginia smaller and less developed than Washington County have long retained professional engineers on their administrative staff. Washington County has managed to avoid hiring a staff engineer in large part by simply not performing the same level of scrutiny of real estate development plans as other localities, particularly regarding review of technical designs of new subdivision streets and stormwater drainage infrastructures. This inability to provide in-house professional engineering scrutiny of technical aspects of real estate development plans has come to haunt the County from time to time. Further, as real estate development designs become more complicated and the scale of such developments grow larger, the County's lack of in-house professional engineering review capabilities will become more pronounced. In addition, the County's ability to ensure compliance with its floodplain management regulations will be enhanced by in-house civil engineering expertise.

Mr. Price further inquired if there was sufficient enough work to justify a twelve month engineer's position and also how much engineering work is the County currently outsourcing.

Mr. Reeter explained that the County is not currently outsourcing any engineering work. He stated that one of the big roles expected in the near future for the County Engineer will be the increasing reliance by the Virginia Department of Transportation (VDOT) on the County to review road designs to make sure the design meets the VDOT secondary road or subdivision road standards. Mr. Reeter advised that the Abingdon Residency has provided the review service for many years as a courtesy to the County and not out of obligation. The County can expect that the Abingdon Residency will want to ease off what work they conduct during the review stage.

Mr. Price inquired if VDOT has indicated they want to reduce their review work. Mr. Reeter explained that in previous conversations with the Abingdon Resident Engineer, he has indicated that the demand on the staff time has increased on review of development plans for Washington County. Washington County is growing faster than any other locality in this region. VDOT would welcome the participation of a County Engineer in the review of development plans.

Mr. Price inquired if a locality was required to have a planner on staff. He stated that he had in his notes from the Board of Supervisors training in January of last year that a planner's position was required.

Mr. Reynolds stated that on several occasions there have been discussions regarding a County Engineer's position. He advised that he has talked with other localities, particularly Smyth County, about having an engineer on staff. Smyth County indicated that hiring a County Engineer has been one of the more positive moves they have made.

Mr. McCrady mentioned the high costs that the Washington County School System has paid to contract architectural and engineering services.

Mrs. Mumpower discussed the drainage problems that occurred at Oak Park. She explained that it took several attempts to get the drainage problems resolved and cost the County thousands of dollars. If at that time, the County had a civil engineer on staff it is likely the engineer could have looked at the situation and saved the County a significant amount of money.

Mr. McCall stated that the reason a County Planner was hired several years ago was to revise the County's Comprehensive Plan.

Mr. Owens stated that a County Engineer would be valuable when working with VDOT on rural road projects such as Louden and Musick Drives.

Further discussions ensued among the board. The following action was taken by the Board:

On motion of Mrs. Mumpower, second by Mr. Rector, the Board acted to eliminate the position of County Planner and County Department of Planning and to approve creation of a County Engineer's position and Position Description with an initial starting salary range of \$60,000 - \$63,500 within a new County Department of Engineering Services, and to approve an operating budget for the County Department of Engineering Services of \$34,320 for the period April 1 through June 30, 2007. Funding for Engineering Services shall be transferred from the Department of Planning.

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

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

Mr. Reeter explained that Stephen Richardson has been the Acting General Services Manager since September of last year and has done a very good job managing the General Services Department. He

stated that the ability to assign the recycling component to the Solid Waste Department basically allows him to consider the possibility of transferring Mr. Richardson to the General Services Manager’s position and eliminating the Special Projects and Recycling Manager’s position.

Mr. McCrady inquired if the \$5,000.00 adjustment to Mr. Richardson’s salary that is proposed by the Personal Committee would bring his salary in line with the previous General Services Manager. He stated that if Mr. Richardson is going to be transferred into the General Services Manager’s position he should be paid the same salary as the last manager.

Mrs. Mumpower (Personnel Committee Member) stated that Mr. Richardson is doing an excellent job with the General Services Department. She explained that when the Personnel Committee reviews the salaries of all managers within the Administrative Division they will at that time reevaluate the salary for Mr. Richardson.

Further discussions ensued. Subsequently, the following action was taken:

On motion of Mr. Rector, second by Mr. Price, the Board approved the transfer of Stephen Richardson to position of General Services Manager effective March 1 with a salary adjustment to \$45,759 and probationary employment period through May 30 and further to approve revised Position Descriptions for General Services Manager and Solid Waste Manager.

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

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

On motion of Mr. Rector, second by Mr. McCall, it was resolved to return the unencumbered balance of funds in the amount of \$22,324 within the County Department of Planning to Reserve for Contingencies.

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

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

Mr. McCrady inquired about his motion from last January concerning salary adjustments. He stated that if the County does not soon take action to adjust salaries they are going to lose valuable employees.

Mrs. Mumpower explained that the Personnel Committee discussed salary adjustments at their last meeting and will continue the discussions at the next Committee meeting. She stated that the Personnel Committee hopes to have a recommendation for the Board to put in place by the beginning of the next fiscal year.

Further discussions ensued among the Board. Board members complimented Mr. Richardson on the job he is doing with the General Services Department.

7. Presentation by Damascus Little League

The participants for this item had not yet arrived. The Board went to the next item of business.

At this time, County Attorney Lucy Phillips requested that Item 7.b. be heard prior to Item 7.a. The Board agreed.

7.b. Consideration of Approval of Settlement Agreement for Payment of Past-due Franchise Fees from Charter Communications

Ms. Phillips explained that in July of last year, the County entered into an agreement with Telecommunications Consulting Associates for performance of an audit of the cable television franchise fee payments from Charter Communications for the period of time from January 1, 2000 through December 31, 2005. The audit was completed in late September 2006, and appropriate demand letters were transmitted in early October for payment of unpaid franchise fee obligations. Charter Communications operates out of two offices to serve its Washington County customers. The audit results indicated the following amounts due from each office for the audit period:

Tennessee Division: \$33,012.67
NC/SC/VA Division: \$14,634.00

Ms. Phillips stated that in the settlement agreements presented to the Board of Supervisors for approval, Charter proposes to pay the amounts demanded by Washington County as full and complete settlement of all amounts owed from January 1, 2000 through December 31, 2005. Payment would be made to the County within forty-five days of Charter's receipt from the County of the executed settlement agreements.

The following action was taken by the Board of Supervisors:

On motion of Mr. Rector, second by Mr. McCrady, the Board acted to approve the two settlement agreements and to authorize the County Administrator to sign them on behalf of the Board.

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

Mr. McCall *Aye*
Mr. McCrady *Aye*
Mrs. Mumpower *Aye*
Mr. Owens *Aye*
Mr. Price *Aye*

Mr. Rector Aye
Mr. Reynolds Aye

7.a. Consideration of Resolution to Approve Transfer of a Portion of Charter Communications Cable Television System Operations to Rapid Communications, L.L.C

Ms. Phillips explained that Charter Communications Operating, LLC and its subsidiaries and Rapid Communications LLC have requested, as required by federal law, the consent of the Washington County Board of Supervisors for transfer to Rapid Communications of a portion of the cable system currently operated by Charter Communications within Washington County. The materials submitted on behalf of the two companies indicate that Rapid Communications is a limited liability company based in Colorado. It was formed in August, 2002. It has no plans to change the current terms and conditions of service to the cable television customers. Ms. Phillips stated that as of this time, a map has not been provided that shows the service areas affected by the proposed transfer.

Ms. Phillips advised that the proposed Resolution would approve the transfer of assets and would initiate negotiations for a new franchise agreement between Washington County and Rapid Communications.

Discussion ensued among the Board. The following action was taken:

On motion of Mrs. Mumpower, second by Mr. Owens, it was resolved to adopt the following Resolution:

**RESOLUTION 2007-07
RESOLUTION OF THE COUNTY OF WASHINGTON, VIRGINIA
APPROVING THE TRANSFER OF THE CABLE FRANCHISE TO RAPID COMMUNICATIONS
LLC**

WHEREAS, Marcus Cable Associated, L.L.C., locally known as Charter Communications, (“Franchisee”) owns, operates and maintains a cable television system (the “System”) in the County of Washington, Virginia pursuant to a valid franchise agreement (the “Franchise”);

WHEREAS, Rapid Communications LLC (“Rapid”) entered into an Asset Purchase Agreement dated September 29, 2006 (the “Agreement”) with Charter Communications Operating, LLC, and certain of its affiliates, including Franchisee, pursuant to which a certain portion of the System will be transferred to Rapid (the “Transfer”) and Franchisee shall retain the Franchise and a certain portion of the System;

WHEREAS, Franchisee and Rapid have requested consent of the County of Washington, VA (the “Franchise Authority”) to the Transfer in accordance with the requirements of the Franchise and have filed an FCC Form 394 with the Franchise Authority, and have provided all information required by applicable law (collectively, the “Transfer Application”);

WHEREAS, the Franchise Authority has investigated the qualifications of Rapid and finds it to be a suitable transferee; and

NOW THEREFORE, BE IT RESOLVED BY THE FRANCHISE AUTHORITY AS FOLLOWS:

SECTION 1. *The Franchise Authority hereby consents to the Transfer, to the extent required by the terms of the Franchise.*

SECTION 2. *The Franchise Authority confirms that (a) the Franchise is currently in full force and effect and the Franchisee is the duly authorized holder of the Franchise; (b) Franchisee has properly invoked its franchise renewal rights under Section 626 of the Cable Communications Policy Act of 1984, as amended, if applicable (c) the Franchise represents the entire understanding of the parties and Franchisee has no obligations to the Franchise Authority other than those specifically stated in the Franchise, and (d) Franchisee is materially in compliance with the provisions of the Franchise and there exists no fact or circumstance known to the Franchise Authority which constitutes or which, with the passage of time or the giving of notice or both, would constitute a material default or breach under the Franchise or would allow the Franchise Authority to cancel or terminate the rights thereunder.*

SECTION 3. *The Franchise Authority shall initiate and pursue negotiations for a Franchise Agreement with Rapid to establish its non-exclusive right and privilege, to construct, maintain and operate a cable television system in, over and under the present and future public streets, alleys, rights of way and public places within that portion of the County of Washington , Virginia, for which Rapid has acquired assets from Franchisee. Until such agreement is finalized by ordinance of the Board of Supervisors of the County of Washington, Virginia, Rapid shall operate pursuant to the terms and conditions of the Franchise Agreement between Washington County, Virginia, and Franchisee.*

SECTION 4. *The Franchise Authority consents to and approves Rapid’s granting a security interest in all of Rapid’s rights, powers and privileges under the Franchise and all of its other properties to such lender or lenders (as may be designated by Rapid) for financing purposes, under which such lender or lenders shall have the rights and remedies of a secured party under the applicable Uniform Commercial Code.*

SECTION 5. *The Franchise Authority releases Franchisee, effective upon the closing of the Transfer (the “Closing Date”), from all obligations and liabilities under the Franchise arising from that portion of the System acquired by Rapid that accrue on and after the Closing Date; provided that Rapid shall be responsible for any obligations and liabilities arising from that portion of the System acquired by Rapid that accrue on and after the Closing Date and that Franchisee shall be responsible for the payment to the Franchise Authority of any unpaid franchise fees required by the Franchise arising from that portion of the System acquired by Rapid that are owed for the period prior to the Closing Date.*

SECTION 6. *This Resolution shall have the force of a continuing agreement between Franchise Authority, Franchisee, and Rapid, and Franchising Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee and Rapid.*

SECTION 7. *This Resolution shall take effect immediately.*

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

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

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

8. Recess

No recess was taken by the Board.

9. County Administrator Reports:

a. Request for Surplus Motor Vehicle, Town of Glade Spring

On motion of Mr. Rector second by Mr. Owens, the Board acted to donate one surplus 1996 Chevrolet Capris, VIN 1G1BL52P6TR105237 to the Town of Glade Spring.

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

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

b. Proposed Board of Supervisors Retreat, March 16-18

Mr. Reeter reported that at the end of last week, the W. E. Skelton 4-H Educational Conference Center at Smith Mountain Lake was identified as a venue to host a Board of Supervisors Retreat, March 16-18. He advised that the Retreat Facilitator is holding these dates open. If the Board still wishes to go forward with the retreat, the facilitator wishes to begin individual Board interviews as soon as possible.

Discussion ensued among the Board. Subsequently, the following action was taken:

On motion of Mr. McCrady, second by Mr. Price, the Board acted to conduct the Board of Supervisors Retreat, March 16-18, 2007, at the W. E. Skelton 4-H Educational Conference Center at Smith Mountain Lake.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>

Mr. Reynolds Aye

7. Presentation by Damascus Little League

Dr. David Matlock representing the Damascus Little League presented a request to the Board of Supervisors for funding to be used for the development of recreational facilities in Damascus. Dr. Matlock explained that the Damascus Little League Program has about 200 children participating and has outgrown its current facilities. The lack of playing and practice space is affecting the entire little league programs. During the last season, the T-ball Program was only allowed one and a half hour of playing time. Dr. Matlock talked about how important the little league programs are in building character in children and that the programs build citizens that give back to the community.

Dr. Matlock discussed reasons that the County should invest in the Damascus Little League Program. He explained that the average income for a family of four in Damascus is about half of the national average. To ask the children in Damascus to travel to other places in the County to participate in little league programs may mean that the children would not be able to be involved. A new facility in Damascus would profit the children.

Discussion ensued among the Board.

Responding to an inquiry, Dr. Matlock stated there is only one field currently for the kids to practice and play their games.

Mr. Rector suggested sending this request to the County Joint Parks and Recreation Committee to get their recommendation.

Mr. McCrady stated that there is a need for a major multi-sports facility located centrally in the County, and that money has been set aside to assist with funding that project. He explained that at the present time land, a portion of the Bayer Property owned by the Town of Damascus is available to the County to lease for a 20-year period with the option to renew for an additional 20 years for the purpose of constructing a recreational facility. There are resources available to assist with the development of the property. Mr. McCrady further stated that Damascus has the most prevalent need.

Responding to an inquiry from the Board, Mr. McCrady provided the cost estimates for the lighting of one field, for parking, concessions and restrooms. Mr. McCrady explained how important it is to keep the youth involved with sports for more than one night a week.

Mr. Price stated that he does not want to jeopardize the multi-sports complex project. He explained that he has previously said he would not support multiple sports complexes, but that he would support the Damascus project because of the number of children that participate.

Mrs. Mumpower advised that the Washington County Little League was in need of another field, and that with an additional field they could possibly host tournaments. She stated that other districts have recreational needs, but agrees that Damascus has the greatest need.

On motion of Mr. McCrady, second by Mr. McCall, the Board acted to allocate \$300,000.00 of the original \$800,000.00 set aside for the development of recreational facilities on the former Bayer

Property and to obligate up to \$15,000.00 of this \$300,000.00 for Project Development expenses to be administered by the Joint Parks and Recreation Committee.

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

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

10. County Attorney Reports

No report.

11. Board Information

Mr. Reeter reviewed the following Board Information:

- Capital Contact dated February 24, 2007 – House and Senate Approve the Speaker’s Transportation Funding Package, HB 3202

Mr. Reeter explained that this transportation package is likely to be heavily rewritten by Governor Kaine. There is a possibility that there may yet again this year not be a transportation package.

Mr. Reeter advised that a major element of the bill is that Counties will not take over new subdivision streets that meet VDOT’s new secondary street standards.

- Capital Contact dated February 26, 2007 – Legislators Pass Budget Plan

Mr. Reeter explained that the budget plan provides funding for a four percent salary increase for state employees and funding for the state share of a three percent salary increase for teachers. He advised that the budget plan requires localities to provide enhanced retirement benefits to their deputy sheriffs no later than July 1, 2008. All counties will be involved in the Law Enforcement Officers Supplement (LEOS) Program and must fund their own program.

Discussion ensued among the Board.

Mr. Seamon advised the Board that the LEOS Program could cost the County approximately \$200,000.00 and will have an affect on the retirement rate for County agencies.

12. Consent Agenda:

Accounting Manager Mark Seamon explained that Item C of the Consent Agenda is a request to use the Request for Proposal method of procurement for the new voice communications system as opposed to an Invitation to Bid to allow the County flexibility to have vendors display their voice communication systems.

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

- a. Revenue Refund – Personal Property Taxes*
- b. Supplemental Appropriation – Washington County Sheriff’s Office*
- c. Purchasing Method – Procurement of New Voice Communications System*
- d. Budget Status Reports as of January 31, 2007*

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

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

13. Board Member Reports

Mr. Price stated that Jim Litton, former Board member passed away.

Mr. Price advised that he was not the author of a letter that recently appeared in the newspaper.

Mr. Owens explained that at a previous Board meeting he talked about a book written on outcome budgeting. He stated that Mr. Price purchased the book for each Board member. Mr. Owens reported that he read the book and it recommends if a locality is considering changing the way it approaches its budget process, the first thing that should be done is for a public opinion survey to be completed. He stated there is probably not time to complete a public opinion survey for the upcoming budget process. The Board might consider conducting a public opinion survey in the fall.

Mr. McCrady thanked the Board for their support of Damascus Little League.

Mr. Reeter advised that former Board member Joe Derting hospitalized at Bristol Regional Medical Center.

14. Closed Meeting(s):

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 for (1) discussion of a prospective industry proposed for location on privately-owned property within Washington County; and for (2) discussion regarding prospective industry's interest in locating in the Bristol-Washington County Industrial Park

On motion of Mr. McCrady, second by Mr. Rector, the Board acted to convene in 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 for (1) discussion of a prospective industry proposed for location on privately-owned property within Washington County; and for (2) discussion regarding prospective industry's interest in locating in the Bristol-Washington County Industrial Park. 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 Board took a five minute recess prior to beginning the Closed Meeting.

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

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

After returning to the meeting, the Chairperson noted that upon motion of Mr. Rector, second by Mr. Price, 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. McCrady, second by Mr. Owens, 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. McCall</i>	<i>Aye</i>
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<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

15. Adjourn

On motion of Mr. Rector, second by Mr. McCall, it was resolved to adjourn.

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

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

Prepared by:

Naoma A. Mullins, Recording Clerk

Approved by the Washington County Board of Supervisors:

Kenneth O. Reynolds, Chairman