

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, December 11, 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
- Odell Owens
- Paul O. Price
- Anthony S. Rector

- 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 Paul Price gave the Invocation and led the Pledge of Allegiance.

3. Approval of Agenda

On motion of Mr. Rector, second by Mr. Price, it was resolved to approve the agenda with the following amendments:

Deletion of Item 12

Consideration of Request from Virginia Department of Forestry for Fencing of Brumley Mountain Firetower Site

New Item 12

Consideration of Rejection of Bids for Hayters Gap Branch Library Improvements Project

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

Mr. McCall Aye

<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 Mr. Owens, second by Mr. McCall, it was resolved to approve the minutes of the November 27, 2007, regular meeting as presented.

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>

5. Public Hearings:

- a. Public Hearing and Consideration of Adoption of an Ordinance to Amend Chapter 38, Section 106 of the Code of Washington County, Virginia, to Specify License Tax for Trailers with Gross Weight of 7,500 Pounds or less

Ms. Phillips provided the Board with introductory remarks. She explained that the proposed ordinance was suggested by County Treasurer Fred Parker to amend the gross weight threshold for the license tax on boat, utility, and camping trailers to be charged a \$6 license tax rather than the \$20.00 license tax charged on vehicles and on trailers that exceed the threshold limit and make the County’s license tax more consistent with the state-wide personal property tax relief program. Ms. Phillips further explained that the current County ordinance levies a license tax of \$6 for trailers that weigh 1,500 lbs or less. Trailers that weigh more than 1,500 pounds are charged a license tax of \$20.00. The proposed ordinance would raise the weight threshold to a gross weight of 7,500 pounds.

Mr. Reynolds opened the public hearing and invited comments both in support of and in opposition to the proposed ordinance.

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

On motion of Mr. Rector, second by Mr. McCrady, the Board acted to adopt the following ordinance:

*An Ordinance to Amend Chapter 38, Section 106
of the Code of Washington County, Virginia,
to Specify License Tax for Trailers with Gross Weight of 7,500 Pounds or Less*

WHEREAS, Section 46.2-752 of the Code of Virginia authorized the levy of a local license tax on motor vehicles, trailers, and semi-trailers in an amount to be determined by the local governing body; and

WHEREAS, Washington County Code section 38-106 established an annual license tax on motor vehicles, trailers, and semi-trailers; and

WHEREAS, the county ordinance threshold of 1,500 pounds to distinguish utility and camper trailers primarily used for light domestic and recreational purposes for the purpose of levy of a lesser license tax is unclear and outdated; and

WHEREAS, a threshold of “gross weight of 7,500 pounds or less” would provide a more precise and up-to-date limitation for the identification of utility and camper trailers used primarily for light domestic and recreational purposes; and

WHEREAS, having considered this matter and found it in the best interests of the public health, safety, and welfare to adopt an ordinance to amend the threshold weight from 1,500 pounds to a gross weight of 7,500 pounds or less,

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Washington County, Virginia, after notice and public hearing, as required by law:

1. That Chapter 38, Article IV, section 38-106 of the Code of the County of Washington, Virginia is amended, as set forth below:

Chapter 38.

Article IV. Licenses

Section 38-106. Amount of license tax.

The annual license tax upon motor vehicles, trailers and semi-trailers, including but not limited to house trailers, passenger cars, buses, trucks and tractor trucks shall be \$20.00; except that the annual license tax upon motorcycles and motor bicycles shall be \$8.00, and the annual license tax upon boats, utility and camping trailers, ~~1,500~~ with gross weight of 7,500 pounds and under, and sidecars shall be \$6.00; however, the amount of license fee or tax imposed by the county upon any class of motor vehicles, trailers or semitrailers shall not be greater than the amount of license tax imposed by the state on vehicles of like class. Residents of incorporated towns located within the county shall receive a credit for the amount spent for the purchase of an annual town motor vehicle license plate, tag, decal or sticker, which shall be fully applied against the cost of the county motor vehicle license imposed under this section. In order to receive a credit for the purchase of a town motor vehicle license, the resident must present a paid receipt for the town license applicable to the vehicle sought to be licensed in the county.

2. *That should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Washington County Code.*

3. *That this ordinance shall become effective immediately upon its enactment.*

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>

6. **Consideration of Contract for Engineering Services for Drainage Improvements between Mahogany Drive and Eggers Drive**

Assistant County Administrator Christy Parker addressed the Board explaining the request before the Board is anticipated to be the final phase of improvements to facilitate adequate flow of drainage from Oak Park: Center for Business and Industry to Spring Creek along Westinghouse Road (State Route 1718). Ms. Parker explained that the Washington County Industrial Development Authority and the County have made drainage improvements on two privately-owned properties within Oak Hill Estates. The most recent drainage improvements were made to the Compton property with the assistance of Thompson and Litton and the Virginia Department of Transportation. She further explained that the proposal before the Board tonight for drainage improvements on the property of Mr. Ray Minor. She further explained that Thompson & Litton has submitted a contract for design and construction administration for the last segment on the Minor property in the amount of \$18,500.00. The estimate for the actual construction work is approximately \$36,780.00. However, until the project is designed and bid the final costs are unknown.

Discussions ensued among the Board.

On motion of Mrs. Mumpower, second by Mr. Owens, it was resolved to appropriate \$18,500.00 from the County's Reserve for Contingencies and to authorize entry into the design services agreement with Thompson & Litton Engineers for drainage improvements within Oak Hill Estates Subdivision.

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>

7. Consideration of Resolution in Support of Washington County Service Authority Southern Rivers Grant Application

Washington County Service Authority (WCSA) Interim General Manager Robbie Cornett presented the Board with a Resolution in support for a Southern Rivers Grant application where if approved the County could receive up to \$1,000,000.00 for the Exit 13/Spring Creek Basin Area Wastewater Project. Mr. Cornett provided a review of the Southern Rivers Grant Program administered by the Virginia Department of Housing and Community Development explaining that the program was designed to protect the streams of the southern rivers in Virginia while improving the quality of life for communities in this region. He further explained that earlier this year the WCSA submitted an application for a \$20,000.00 planning grant from the Southern Rivers Grant Program. To-date, no word has been received as to whether or not the planning grant has been approved. However, the deadline for submitting the construction grant application is January 18, 2008. Mr. Cornett recommended the Board consider the Resolution to support the Southern Rivers Grant application.

Discussions ensued among the Board.

On motion of Mr. Rector, second by Mr. Price, the Board acted to adopt the following Resolution:

RESOLUTION 2007-40

WHEREAS, the Washington County Service Authority owns and operates a wastewater utility serving certain areas of Washington County; and

WHEREAS, Washington County and the Washington County Service Authority have identified a need to provide wastewater services to the existing homes and businesses in the I-81, Exit 13 area; and

WHEREAS, the Virginia Department of Housing and Community Development is administering the Southern Rivers Watershed Enhancement Program;

WHEREAS, the Southern Rivers Watershed Enhancement Program provides grant funding for construction projects; and

WHEREAS, Washington County and the Washington County Service Authority intend to construct a wastewater collection system to address the problems of failing septic systems in the Exit 13 area;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board hereby votes to seek construction grant funding from the Southern Rivers Watershed Enhancement Program in the amount of up to \$1,000,000.

BE IT FURTHER RESOLVED that the Board intends to act as the fiscal agent for this funding and authorizes the Washington County Service Authority to enter into a contract for engineering services for said project.

BE IT FURTHER RESOLVED that the County Administrator is hereby authorized to submit a funding application for this project and the County Administrator is authorized to sign any and all documents to accept such funding contingent upon review and concurrence by the Washington County Service Authority.

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>

At this time, Mr. Reynolds recognized the Washington County Leadership Program participants that were attending the Board meeting.

8. Consideration of Resolution Concerning Payday Lending Institutions

Mr. Brian Johns with Virginia Organizing Project –Washington County Chapter and Mr. Bryan Phipps with People, Incorporated made a presentation to the Board concerning Payday Lending Institutions.

Mr. Johns explained that the Virginia Organizing Project is a group of people state wide working to initiate positive change in communities across Virginia. One initiative the group is working on is to request that the Virginia General Assembly consider legislation to place a cap on the interest charged by pay day lending institutions at 36%. He further explained there is a large concentration of pay day lending institutions in Southwest Virginia. Approximately 96% of the people that borrow from pay day lending institutions are not able to pay the loans back. Mr. Johns stated that the Board is being asked to consider a Resolution supporting the cap on interest rates. He further stated that other localities have passed similar Resolutions.

Mr. Brian Phipps on behalf of People, Incorporated asked the Board to consider adoption of the Resolution. Mr. Phipps explained that People, Incorporated has clients that are not able to repay their pay day lending debts and this is keeping them from purchasing a home or starting a business. He further explained that People, Incorporated understands there is a need for people to access short term credit and that People, Incorporated is committed to work on a short term credit program over the next few years. Mr. Phipps stated that the predatory lending institutions have significant ramifications to the citizens of Washington County.

Discussion ensued among the Board. Responding to an inquiry from the Board, Mr. Phipps explained that there was a lot of talk about payday lending institutions during the last session of the General Assembly. He further explained that Governor Kaine has indicated hopes that reforms on pay day lending institutions can be passed. Further discussions ensued.

On motion of Mr. Price, second by Mr. McCrady, it was resolved to adopt the following Resolution:

**RESOLUTION 2007-41
REQUESTING THE VIRGINIA GENERAL ASSEMBLY
AND
GOVERNOR OF VIRGINIA
TAKE ACTION TO PREVENT EXPLOITATIVE PAYDAY LENDING PRACTICES
IN THE COMMONWEALTH**

WHEREAS, the Board of Supervisors of Washington County, Virginia, represents the citizens of Washington County, Virginia;

WHEREAS, the Board of Supervisors of Washington County, Virginia, senses from the citizens of Washington County significant concern over what are perceived to be some exploitative payday lending practices in the Washington County and elsewhere in the Commonwealth, including practices which may exploit dedicated, brave women and men who are called for deployment as part of the armed forces of our Nation both in the United States and various parts of the world in the cause of freedom and security of our Nation;

WHEREAS, the Board of Supervisors of Washington County, Virginia, shares these same significant concerns and wishes to express the collective sentiments of the People of Washington County, Virginia, that the General Assembly and Governor of Virginia, ought to take action to prevent further exploitative payday lending practices; and

WHEREAS, it is vital that the General Assembly and the Governor of Virginia give their earnest attention to these matters at the next regular session of the General Assembly and enact laws that will prevent further exploitative payday lending practices.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia, that the General Assembly and the Governor of the Commonwealth of Virginia are requested to take action in connection with the next regular session of the General Assembly of Virginia to enact laws that will prevent further exploitative payday lending practices, including but not limited to:

Enactment of an annual interest rate cap of 36% for any consumer loans made in the Commonwealth of Virginia;

Prohibition of the use of a personal check or other method by a creditor to gain access to a consumer's bank account or method to gain title to a consumer's motor vehicle as collateral for a payday loan; and Enactment of supplementary and complementary provisions which mirror the provisions of what is commonly referred to as the Talent-Nelson Amendment (Senate Amendment 4331), entitled "Terms of Consumer Credit Extended To Service Member's Dependent" and referenced on page S6352 of the June 22, 2006 Congressional Record-Senate, a copy of which is annexed to and incorporated by reference in this Resolution.

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

9. Consideration of Various Resolutions in Recognition of Public Service:

- a. Retiring Commissioner of the Revenue Melvin Ritchie
- b. Retiring Social Services Director Doug Meade
- c. Retiring Airport Authority Manager Ron Deloney

On motion of Mr. McCall, second by Mrs. Mumpower, it was resolved to adopt the following Resolutions and the Certificate of Commendation:

**RESOLUTION 2007-42
 HONORING GEORGE MELVIN RITCHIE
 UPON THE OCCASION OF HIS RETIREMENT
 FROM FORTY-TWO YEARS OF PUBLIC SERVICE
 TO THE CITIZENS OF WASHINGTON COUNTY**

WHEREAS, George Melvin Ritchie attended Emory & Henry College and began his public service career appointed as Deputy Commissioner of the Revenue for Washington County, Virginia in 1965, and

WHEREAS, Melvin continued in this position until 1976 when he was first elected Commissioner of the Revenue by the citizens of Washington County, and

WHEREAS, since January 1, 1977 Melvin has served the citizens of Washington County for eight consecutive terms totaling thirty-two years as Commissioner of the Revenue, and

WHEREAS, Melvin has twice served as President of the Southwest Virginia Commissioner of the Revenue Association and on the Virginia Commissioner’s Association Committee, as well as, many other committees and advisory bodies during his thirty-two years in elected office, and

WHEREAS, Melvin’s numerous appearances before the Board of Supervisors advising on matters pertaining to the revenues of Washington County have contributed greatly to the growth of this community and increasing prosperity of its citizens, and

WHEREAS, Melvin’s quiet competence and professionalism, together with his knowledge and fair treatment of the citizens of Washington County has set the standard for the Office which he has so faithfully held for over three decades.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it bestows its highest praise, respect and commendation for the life and career of George Melvin Ritchie on the occasion of his retirement as Commissioner of the Revenue for Washington County.

BE IT FURTHER RESOLVED that the Board of Supervisors declares December 31, 2007, the date his official retirement, as “George Melvin Ritchie Day” throughout Washington County.

BE IT FURTHER RESOLVED that this Resolution be spread across the Minutes of the Board of Supervisors and publicly presented to George Melvin Ritchie at a reception held in his honor on December 18, 2007.

**RESOLUTION 2007-43
HONORING GARY DOUGLAS MEADE
UPON THE OCCASION OF HIS RETIREMENT
FROM THIRTY-SIX YEARS OF PUBLIC SERVICE
TO THE CITIZENS OF WASHINGTON COUNTY**

WHEREAS, Gary Douglas Meade, the son of a coal miner, grew up on a farm in Wise County, Virginia and started his public service career in 1964 as a social worker in Wise County, and

WHEREAS, in 1970 after receiving a Master’s degree in social work from Virginia Commonwealth University, Douglas worked briefly for the Virginia Department of Social Services in Richmond, Virginia before returning back to his native roots in Southwest Virginia, and

WHEREAS, for the past thirty-six years of his forty-three year career, Douglas has been the Director of the Washington County, Virginia Department of Social Services, administering and providing annually over forty million dollars in services to citizens of Washington County, and

WHEREAS, this year the Washington County Department of Social Services will touch the lives of over sixteen thousand County citizens, and

WHEREAS, over the years Douglas has served on numerous state and local task forces and committees that focused on improving the quality of life and opportunities for rural Virginians and has been involved in several Southwest Virginia regional initiatives focused on improving the job skills, employment opportunity, health care access and educational attainment of citizens of this region, and

WHEREAS, through his advocacy and public policy work, Douglas has extensively advised the Virginia General Assembly and the federal government and has been recognized as a leader in his field, receiving numerous awards including the President’s Award, the Distinguished Service Award and Certificate of Appreciation from the Virginia League of Social Service Executives in 1994 for his efforts, and

WHEREAS, Douglas gives much credit to his parents and his rural upbringing in forming his strong work ethic, values and community spirit which has been reflected in his exemplary public service career.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it bestows its highest praise, respect and commendation for the life and career of Gary Douglas Meade on the occasion of his retirement as Director of the Washington County Department of Social Services.

BE IT FURTHER RESOLVED that the Board of Supervisors declares March 1, 2008, the date his official retirement, as “Gary Douglas Meade Day” throughout Washington County.

BE IT FURTHER RESOLVED that this Resolution be spread across the Minutes of the Board of Supervisors and publicly presented to Gary Douglas Meade at a reception held in his honor on December 18, 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>

Mr. Reynolds on behalf of the Board expressed appreciation to Mr. Ritchie, Mr. Meade and Mr. Deloney for their service and wished them the best in their retirement.

10. Consideration of Various Documents and Resolutions Pertaining to Rush Creek Housing Rehabilitation Project:

- a. Approval of Project Program Design (including Program Income Plan and Project Management Plan)
- b. Approval of Project Budget Plan
- c. Approval of Grant Management Agreement
- d. Resolution Adopting Residential Anti-Displacement Plan
- e. Resolution Adopting Local Business and Employment Plan
- f. Resolution Adopting Section 504 Grievance Procedure
- g. Resolution Adopting Fair Housing Certification
- h. Resolution Adopting Non-Discrimination Policy

Mr. David Barrett, Executive Director with the Mount Rogers Planning District Commission presented a review of the documents and Resolutions for the Rush Creek Housing Rehabilitation Project.

Substantial discussions ensued among the Board. The primary issues discussed were if an educational program was provided to the recipients of the housing rehabilitation grant and if there were follow-up inspections of the homes after the rehabilitation project is completed. Responding to inquiries from the Board, Mr. Barrett explained there is a homeowner’s education program. He further explained that there are people who have not had modern housing and do not know how to take care of the property. The housing rehabilitation program requires staff to visit each house being rehabilitated to provide the owner with training and tools needed to perform everyday maintenance. Mr. Barrett stated that housing inspections are conducted throughout the rehabilitation process and that re-inspections are required annually. Further discussions ensued.

On motion of Mr. McCrady, second by Mr. Price, the Board acted to adopt the Program Design, Project Budget and the following Resolutions for the Rush Creek housing Rehabilitation Project:

RESOLUTION 2007-44
ADOPTING RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR
THE RUSH CREEK HOUSING REHABILITATION PROJECT

BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the following Residential Anti-Displacement and Relocation Assistant Plan is hereby adopted for the Rush Creek Housing Rehabilitation Project:

Washington County will replace or rehabilitate all owner or renter occupied units, and vacant occupiable low/moderate-income dwelling units will be demolished or converted to a use other than as low/moderate-income dwelling unit as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended. All housing activities will be provided within two (2) years of the commencement of the Rush Creek Housing Rehabilitation Project.

Before obligating or expending funds that will directly result in such demolition, rehabilitation, or substantial reconstruction, the county will make public and advise the state that it is undertaking such an activity and will submit to the state, in writing, information that identifies:

- (1) a description of the proposed assisted activity;*
- (2) the general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished, rehabilitated, or substantially reconstructed to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;*
- (3) a time schedule for the commencement and completion of the demolition or conversion;*
- (4) the general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;*
- (5) the source of funding and a time schedule for the provision of replacement dwelling units;*
- (6) the basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy; and*
- (7) information demonstrating that any proposed replacement of dwelling units with smaller dwelling units is consistent with the housing needs of low- and moderate-income households in the jurisdiction.*

Washington County will provide relocation assistance to each low/moderate-income household displaced by the demolition of housing or by the direct result of assisted activities. Such assistance shall be that provided under Section 104 (d) of the Housing and Community Development Act of 1974, as amended, or the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The County's FY 2008 project includes the following activities:

PROJECT DESCRIPTION:

Washington County will provide housing rehabilitation services for 15 households in the

Rush Creek community of Washington County, Virginia. Of 27 total housing units in the project area, 8 are vacant; 18 are occupied year round; and 15 have been evaluated and deemed suitable for rehabilitation services and/or substantial reconstruction. One hundred percent of the LMI households in the project area with housing rehabilitation needs are willing to participate. The project will provide 15 households with rehabilitation services: 9 homes will be substantially reconstructed and 6 homes will receive general rehabilitation services. Twelve substandard homes will be brought up to HUD HQS standards. This project will provide 38 LMI residents of Rush Creek Road with safe and decent housing and help to revitalize the entire project area.

The activities as planned will not cause any displacement from or conversion of occupiable structures. As planned, the project calls for housing rehabilitation activities to be conducted in the Rush Creek project area. The County will work with the grant management staff, project area residents, and the Department of Housing and Community Development to insure that any changes in project activities do not cause any displacement from or conversion of occupiable structures.

In all cases, any structure that can be occupied will be defined as a dwelling that meets local building codes or a dwelling that can be rehabilitated to meet code for \$25,000 or less.

**RESOLUTION 2007-45
ADOPTING LOCAL BUSINESS AND EMPLOYMENT PLAN FOR THE
RUSH CREEK HOUSING REHABILITATION PROJECT**

BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the following Local Business and Employment Plan is hereby adopted for the Rush Creek Housing Rehabilitation Project:

- 1. Washington County, Virginia designates as it Local Business and Employment Project Area the boundaries of Washington County.*
- 2. Washington County, its contractors, and designated third parties shall in utilizing Community Improvement Grant (GIG) funds utilize businesses and lower income residents of the Project Area in carrying out all activities, to the greatest extent feasible.*
- 3. In awarding contracts for work and for procurement of materials, equipment, or services, Washington County, its contractors, and designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by persons residing in the Project Area:*
 - a) The County shall ascertain what work and procurements are likely to take place through the Community Improvement Grant funds;*
 - b) The County shall ascertain through various and appropriate sources including:*
 - Washington County News*
 - Virginia Employment Commission*
 - The business concerns within the project area which are*

likely to provide materials, equipment, and services which will be utilized in the activities funded through the Community Improvement Grant.

- c) The identified business concerns shall be apprised of opportunities to submit bids, quotes, or proposals for work or procurement contracts which utilize CIG funds.*
 - d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with CIG funds.*
- 4. In the utilization of trainees or employees for activities funded through CIGs, the County, its contractors, and designated third parties shall take the following steps to utilize lower income persons residing in the project area:*
- a) The County in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be utilized during the project funded by CIGs.*
 - b) The County shall advertise through the "The Washington County News" the availability of such positions with the information on how to apply.*
 - c) The County, its contractors, and designated third parties shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.*
 - d) To the greatest extent feasible, the County, its contractors, and designated third parties shall utilize lower income project area residents in filling training and employment positions necessary for implementing activities funded by CIGs.*
- 5. In order to ascertain substantial compliance with the above affirmative actions and Section 3 of the Housing and Community Development Act of 1968, Washington County shall keep, and require to be kept by contractors and third parties, listings of all persons employed and all procurements made through the implementation of activities funded by CIGs. Such listings shall be completed and shall be verified by site visits and interviews, crosschecking of payroll reports and invoices, and through audits if necessary.*

**ESOLUTION 2007-46
ADOPTING SECTION 504 GRIEVANCE PROCEDURE FOR THE
RUSH CREEK HOUSING REHABILITATION PROJECT**

BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the following Section 504 Grievance Procedure is hereby adopted for the Rush Creek Housing Rehabilitation Project:

Washington County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) (24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as

amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual... shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance...."

Complaints should be addressed to: Mark Reeter, County Administrator, 205 Academy Drive, Abingdon, VA 24210, who will coordinate Section 504 complaints.

- 1. A complaint should be filed in writing or verbally contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.*
- 2. A complaint should be filed within fifteen (15) days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.)*
- 3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Mark Reeter. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53(b), Washington County need not process complaint from applicants for employment or from applicants for admission to housing.*
- 4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Mark Reeter and a copy forwarded to the complainant no later than 30 days after its filing.*
- 5. The Section 504 coordinator shall maintain the files and records of Washington County relating to the complaints filed.*
- 6. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within 15 days to the County Administrator of Washington County.*
- 7. The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as filing of a section 504 complaint with the Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.*
- 8. These rules shall be constructed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that Washington County complies with Section 504 and the HUD regulations.*

**RESOLUTION 2007-47
FAIR HOUSING CERTIFICATION IN COMPLIANCE WITH TITLE VIII OF THE CIVIL
RIGHTS ACT 1968**

WHEREAS, Washington County has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, recipients of funding under the Act are required to take action to affirmatively further fair housing;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant Funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

**RESOLUTION 2007-48
ADOPTING NON-DISCRIMINATION POLICY FOR THE COUNTY OF WASHINGTON,
VIRGINIA**

BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the County of Washington, or any employee thereof, will not discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex, or national origin. Administrative and Personnel officials will take affirmative action to insure that this policy shall include, but not be limited to the following: employment, upgrading, demotion or transfer; rates of pay or other forms of compensation; and selection for training.

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>

Scrivener's Note: CDBG Program Design referenced above is included as Minutes Exhibits Item 2007-12-11-a.

11. Consideration of Approval of Contracts with Blue Ridge Mass Appraisal Company, L. L. C. for 2009 General Property Reassessment and for 2007-2013 Interim Property Assessments

Ms. Phillips addressed the Board explaining that Mount Rogers Planning District Commission (MRPDC) did procurement on behalf of the localities in the Mount Rogers Planning District for selection of a mass real property appraisal service for the general reassessment process. As a result of the procurement, Blue Ridge Mass Appraisal Company, L. L. C., was selected. She explained that the proposed contract for the 2009 general reassessment has a per-parcel rate of \$13.75 and a total expected cost of \$527,478.00 for all parcels. Ms. Phillips further explained there is a second contract with Blue Ridge Mass Appraisal for assessment of new construction between the four-year general reassessment that provides a per-parcel rate of \$27.00. She stated that MRPDC received one other bid that was considerably higher than the bid of Blue Ridge Mass Appraisal.

Discussions ensued among the Board. Some Board members commented on complaints received from their constituents about Blue Ridge Mass Appraisal.

Commissioner of Revenue Melvin Ritchie addressed the Board concerning Blue Ridge Mass Appraisal. Mr. Ritchie explained that Blue Ridge has an assessment ratio of 83% in Washington County. This is one of the better assessment ratios in the State. He further explained that local people are employed by Blue Ridge to do the appraisals, and it was negotiated as part of the new contract with Blue Ridge to hire local people to conduct the appraisals. Mr. Ritchie commented that during the last reassessment Washington County did not have many court cases. Further discussions ensued.

On motion of Mr. Rector, second by Mr. McCall, the Board acted to approve the two Agreements provided for general reassessment and for assessment of new construction and red-tag assessments and to authorize the County Administrator to sign on behalf of the County.

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>

Scrivener's Note: Contracts with Blue Ridge Mass Appraisal Company referenced above is included as Minutes Exhibits Item 2007-12-11-B.

12. Consideration of Request from Virginia Department of forestry for Fencing of Brumley Mountain Firetower Site

Item deleted from Agenda

12. Consideration of Rejection of Bids for Hayters Gap Branch Library Improvements

Mr. Seamon addressed the Board explaining the County received only one bid in the amount of \$332,000.00 for the Hayter's Gap Branch Library Improvements project. Mr. Seamon explained that the Board has set aside \$100,000.00 in County funds and that the Library received a \$50,000.00 grant from the Virginia Tobacco Commission. He further explained that after the Library Facilities Planning Committee and Scott Wilson with Thompson & Litton Engineers reviewed the bid for possible project scope changes to reduce the cost, the Library Board of Trustees has recommended the Board reject the bid from the firm of New Frontier TN, L.L.C., and that the project be re-bid with additional design services from Thompson & Litton Engineers.

Discussions ensued among the Board.

On motion of Mr. Price, second by Mr. Rector, the Board acted to reject the bid received from New Frontier TN, L.L.C. dated November 8, 2007, for the Hayters Gap Branch Library Improvements Project.

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. Consideration of Appointment to Joint Town/County Sports Complex Steering Committee

On motion of Mrs. Mumpower, second by Mr. McCrady, it was resolved to appoint John Martin to the Joint Town/County Sports Complex Steering 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>

Mr. McCrady advised the Board that Jeff Fritz, who was appointed by the Board at the November 27 meeting to serve on the Sports Complex Steering Committee, is now unable to serve and that he would like to nominate County Recreation Manager Keith Owens. Discussions ensued among the Board. Subsequently, the following action was taken:

On motion of Mr. McCrady, second by Mrs. Mumpower, it was resolved to appoint Keith Owens to the Joint Town/County Sports Complex Steering Committee.

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

<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>Nay</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Nay</i>

At this time, Mr. Reeter discussed another issue relating to the Joint Town/County Sports Complex property. He explained that the sales purchase agreement states that an environmental study be conducted before the end of February 2008. If environmental issues are identified then the sales purchase agreement could be terminated. Mr. Reeter further explained that the firm of Barge Waggoner Sumner & Cannon has submitted a proposal to provide a Phase I Environmental Assessment on the Millsap property for \$3,100.00. He stated this firm previously did an environmental assessment on the Johnson Property when it was being considered as a possible site for the County Office Complex. Mr. Reeter explained that Barge Waggoner has indicated they could begin the work the middle of January and would be finished by the end of February. He stated that the Board has set aside money for the study, and recommended that Barge Waggoner be authorized to do the study providing that the Town of Abingdon gives their consent.

Discussions ensued among the Board. Mr. McCall stated that he would abstain from voting on this matter.

On motion of Mr. Owens, second by Mr. McCrady, it was resolved to contract with the firm of Barge Waggoner Sumner & Cannon, Inc., to perform a Phase I Environmental Assessment for the Town/County Sports Complex property providing the Town of Abingdon agrees to the contract.

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

<i>Mr. McCall</i>	<i>Abstained</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>

14. Recess

No recess was taken.

15. Review of Final Draft of Proposed By-Laws, General Policies and Operating Procedures for Calendar Year 2008

Mr. Reeter reviewed the second draft of the proposed Board By-laws, General Policies and Operating Procedures for CY 2008. He explained that at this time the only proposed addition to these documents is the incorporation of the Board of Supervisors' Operating Guidelines (new section 5). Mr. Reeter asked if any Board member wished to make changes to the documents to let him know and he would incorporate the changes into the documents. Discussions ensued about the new proposed Board of Supervisors' Operating Guidelines concerning the policy on abstaining from voting.

- 16. **Review of Board of Supervisors Committees and Advisory Boards for Calendar Years 2007 and 2008**
- 17. **Review of Appointments Scheduled for January 8, 2008 Organizational Meeting**
- 18. **Review of Expiring Appointments to Boards, Authorities, and Commissions through February 28 and June 30, 2008**

Mr. Reeter briefly reviewed Items 16-18.

Mr. McCrady asked the Board to consider combining the County Joint Parks and Recreation Committee with the Park Authority.

19. County Administrator Reports:

a. Closing of Bond Sale for The Highlands Commercial Development

Mr. Reeter provided the Board with a detailed review of the closing of the bond sale for The Highlands Commercial Development.

b. Funding for 'Hay Exchange' Proposal

Mr. Reeter explained that at the November 27 meeting, the Board directed him to study possible ways of funding the \$250,000.00 request for the proposed Hay Exchange Program. He explained that the Board was provided with a couple of options in their Agenda materials. Mr. Reeter further explained that County Extension Agent Phil Blevins was present and may want to provide the Board with an update on the surveys mailed to the farmers.

At this time, Tony Overbay addressed the Board explaining the Blacksburg Farm Services Agency was delayed in getting addresses of the farmers to the extension agents; therefore, delaying the process. Mr. Overbay explained that the surveys have been out for two weeks now, and that several counties have made their reports back on the amount of hay that is needed (Grayson County – 600 tons, Scott County – 1,700 tons and Lee County 300-400 tons). He further explained that Russell, Smyth and Tazewell Counties have the Hay Exchange Program proposal under consideration.

County Extension Agent Phil Blevins addressed the Board explaining that the extension offices were asked to conduct the survey by Senator Phillip Puckett. He further explained that approximately 140 farmers in Washington County have returned their surveys indicating a need for about 143 tons of hay. Mr. Blevins stated that there are twelve counties involved in this project with a need in excess of 12,000 tons of hay.

Substantial discussions ensued among the Board with input from Tony Overbay and Phil Blevins. Board members acknowledged the need the farmers are facing because of the drought; however, before any consideration could be given to assist with funding the Hay Exchange Program the Board would need to see a business plan.

c. Cancellation of December 26 Rescheduled Regular Board Meeting

On motion of Mr. Rector, second by Mr. Owens, it was resolved to cancel the December 26 rescheduled regular Board meeting.

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*

d. Christmas and New Years Holiday Schedule

Mr. Reeter reviewed the Christmas and New Years Holiday schedule.

e. Board Member Navy Blazers and Apparel

Mr. Reeter explained that Board members have expressed interest in purchasing navy blue dress blazers with the Board of Supervisor logo embroidery. He provided the Board with pricing for the blazers. Discussions ensued among the Board.

20. County Attorney Reports:

Ms. Phillips provided the Board with an update on the court case involving Don Harry’s appeal on a Special Exception Permit Application. She advised the Board that a continuance of the case was requested by the attorney for Mr. Harry.

Ms. Phillips advised the Board that she would be unable to attend the December 18 Board reception because the 18th is her son’s birthday.

21. Board Information

Mr. Reeter reviewed the following Board information:

- a. VACo/VML Legislative Day, February 7, 2008-Richmond
- b. VACo County Supervisors Forum, January 4-6, 2008-Richmond
- c. Banner Presentation to Glade Spring from The Crooked Road – December 13, 6:00 PM
- d. Virginia Association of Counties 2008 Legislative Program

22. Consent Agenda

On motion of Mrs. Mumpower, second by Mr. Rector, it was resolved to approve the following consent agenda items:

- a. Payment of Bills, November 2007*
- b. Supplemental Appropriation – Washington County Sheriff’s office*
- c. Canceled Check- General Fund*

- d. *Transfer from Reserve for Contingencies - \$20,000.00 to Meadowview First for Parking Lot Expenses*
- e. *Budget Status Reports for November of 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>

23 Board Member Reports

Mrs. Mumpower commented that it has been a pleasure to serve on the Board with Tony Rector and that he will be missed. She wished him well.

Mr. Price stated that he has enjoyed working with Mr. Rector since he was Mayor of Glade Spring.

Mr. Owens reported that at the last Library Planning Committee meeting they learned that the Curry Family is considering donation of a building in Glade Spring to be used for a new branch library. He stated if this comes about it may solve the problems the library is facing with space.

Mr. McCrady expressed his respect for Mr. Rector and stated that he has enjoyed serving on the Board with him.

Mr. Reynolds stated that he has enjoyed serving with Mr. Rector

Mr. Rector addressed the Board explaining that it has been his pleasure to serve the citizens of the Monroe District and all of the citizens of Washington County. He stated that he is pleased with his performance as a Board member and thanked the County staff for their assistance. Mr. Rector further stated that it had been an honor to serve on the Board of Supervisors. He wished Tom Taylor the very best.

24. Adjourn to January 8, 2008 Organizational Meeting

On motion of Mr. Rector, second by Mr. McCall, it was resolved to adjourn to January 8, 2007 organizational 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>

Mr. Price *Aye*
Mr. Rector *Aye*
Mr. Reynolds *Aye*

Prepared by:

Naoma A. Mullins, Recording Clerk

**Approved by the Washington County Board of
Supervisors:**

Kenneth O. Reynolds, Chairman