V I R G I N I A:

At the annual meeting of the Washington County Board of Supervisors held Tuesday, January 13, 2009, 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
Thomas G. Taylor

Mark K. Reeter, County Administrator
Lucy E. Phillips, County Attorney
Carol D. Barrett, Administrative Assistant

ABSENT:

Mark W. Seamon, Accounting Manager
Naoma A. Norris, Recording Clerk

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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 Odell Owens gave the Invocation and led the Pledge of Allegiance.

3. Approval of Agenda

Mr. Reynolds requested that the Virginia Organizing Group be added to the Agenda to make a presentation.

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

New Item 3.a.

Presentation by the Virginia Organizing Project

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. Reynolds	***Aye***
Mr. Taylor	***Aye***

3.a. <u>Presentation by the Virginia Organizing Project</u>

Mr. Link Elmore addressed the Board saying he was representing the Virginia Organizing Project, a statewide, grassroots organization designed to empower citizens to work on quality of life issues within their community. Mr. Elmore presented information regarding Section 8.5 H of the Board's proposed By-laws for CY 2009, and he asked that the Board adopt the language he presented and further to adopt the by-laws to restore the public comments period of all future Board meetings. Mr. Reynolds thanked Mr. Elmore and all those who came with him, saying the Board would take this under advisement.

4. <u>Election of Officers of the Board of Supervisors, Calendar Year 2009:</u>

a. Election of Chairman

On motion of Mr. Price, second by Mr. McCrady, the Board acted to nominate and elect Kenneth Reynolds to serve as Chairman for Calendar Year 2009.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Abstained***
Mr. Taylor	***Aye***

b. Election of Vice-Chairman

On motion of Mr. Taylor, second by Mrs. Mumpower, the Board acted to nominate and elect Jack McCrady as Vice Chairman for Calendar Year2009.

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

Mr. McCall	***Aye***
Mr. McCrady	***Abstained***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Taylor	***Aye***

5. Consideration of Adoption of By-Laws, General Policies & Operating Procedures of the Board of Supervisors, Calendar Year 2008

Mr. Reeter addressed the Board explaining that the cover treatment for this Agenda item summarizes the proposed changes to Article 10 of the Board By-Laws and the proposed new Article 12 of the General Policies. He explained that additional changes have been made to the proposed new Article 12 relating to Board expenses since the Board's last review at their December 9, 2008, regular meeting. Mr. Reeter stated that he could review the changes if that was the wish of the Board.

Discussions ensued among the Board. Mr. Reeter was asked to review Article 12.2.2 of the Board's General Policies.

Mr. Reeter explained that the proposed change to Article 12.2.2 of the General Policies permits mileage reimbursements to Board members at the State rate when using personal vehicles for attending certain in-County meetings and functions not to exceed $50.00 per month limited to attending official meetings and functions of the Board except the bi-monthly regular meeting and would be reimbursed for attending meetings and functions related to sanctioned appointments. For travel outside of Washington County, Board members may be reimbursed for mileage at the State rate not to exceed $150.00 per month limited to attending official meetings and functions of the Board held out-of-County, attending meetings and functions related to sanctioned appointments held out-of-County and for attending conferences, meetings and other functions related to their office (other than those involving unsanctioned appointments). Mr. Reeter stated that the proposed policy states that Board members are not prohibited from participating in non-sanctioned activities as an elected official of the County; however, the County itself will not reimburse or cover those expenses.

Mr. Reeter explained that related to the proposed new Article 12.2.2, a proposed revision has been made to Article 10 of the Board's By-Laws that requires that the Board itself appoint or give its formal approval to ('sanction') a Board member's participation with an organization or group before the County would reimburse or cover that Board member's expenses associated with participation. However, Board members are not prohibited from accepting or participating in unsanctioned appointments as a result of holding an elective office.

Discussions ensued among the Board concerning the proposed changes to Article 10 of the Board By-Laws and Article 12.2.2 of the General Policies.

Mr. Taylor stated that he could understand the need for staff review of Board members travel requests to have some guidance; however, what is being proposed is over control. He stated his opposition to having to seek Board authorization ('sanction') for participation with an organization or group. Mr. Taylor gave examples of the travel he is required to do within a month. The Board appointed him to serve on the Smyth Washington Regional Industrial Facilities Authority (SWIFA) and to serve on the District Three Governmental Coop, both requiring monthly travels to Marion, VA for meetings. Further, SWIFA appointed him to serve as their Treasurer, which requires that he make additional trips to Marion within a month to sign checks for legitimate SWIFA expenses. He stated that it appears with the proposed definition of sanction being added to the Board's By-Laws that he would have to get these travels authorized. Mr. Taylor stated that he would do whatever he thought necessary to serve the people that elected him and to serve all of the citizens of Washington County. He added that Board members need the freedom to do what they feel necessary to adequately serve their constituents.

Mr. McCrady stated that there were two issues before the Board. First, the Personnel Committee made a recommendation concerning a policy governing Board of Supervisors expenses which has been provided to the Board. Second, a presentation was made tonight concerning the reinstatement of public comments. He proposed that the Board appoint a committee to study the proposed By-Laws and General Policies and to review the Personnel Committee's recommendation. This Committee would be further charged with studying the reinstatement of a public comment period. The Committee would make a report back to the Board as soon as possible. Discussions ensued among the Board concerning Mr. McCrady's proposal. Mr. McCrady further proposed that the Board remove Article 12 from the General Policies and also remove the new language added to Article 10 of the By-Laws and take action on the remaining parts of the By-Laws, General Policies and Operating Procedures.

Mr. Owens commented that the County Personnel Committee was asked to look at the issues pertaining to Board of Supervisors expenses and make a recommendation to the Board of Supervisors. The Personnel Committee felt there should be a cap placed on the amount of reimbursement to Board members for in County and out-of-County travel.

A motion was made by Mr. Price to adopt the 2008 By-Laws, General Policies and Operating Procedures, and further to establish a Committee to study the 2009 By-Laws and General Policies, as well as issues pertaining to reinstating a public comment period. The Committee would bring a recommendation back to the Board of Supervisors for consideration. A second to the motion was offered by Mr. McCrady.

Mr. McCrady suggested that the Chairman appoint members of the Board that to serve on the proposed By-Laws Committee.

After further discussions, Mr. Price withdrew his motion.

Mr. Reeter explained that the Board has several options. Option 1 is that the Board could adopt the 2008 By-Laws and establish a By-Laws Committee to study the issues. The Committee would bring a proposal back to the Board for 2009 By-Laws. The second option is for the Board to adopt the 2009 By-Laws except for the new language proposed to Article 10 of the By-Laws that speaks to sanctioning and without the proposed new Article 12 of the General Policies.

At this time, a motion was made by Mr. Taylor to adopt Option 2 as explained by Mr. Reeter and to establish a Committee to study the By-laws. Mr. Taylor's motion also includes that the Committee would study issues pertaining to reinstating a public comment period and brings a report back to the Board on both issues. After further discussions pertaining to Mr. Taylor's proposed action, he withdrew his motion.

A motion was made by Mr. McCrady to adopt the 2009 By-Laws excluding both the new language in Article 10 of the Board's By-Laws and the new Article 12 in the General Policies. Further to assign these matters to a Committee to study, as well as to study issues pertaining to reinstating a public comment period. The Committee shall make a report back to the Board on both issues. A second to the motion was made by Mr. Taylor. Discussions ensued regarding the proposed action. Subsequently, Mr. McCrady withdrew his motion.

After further discussions, the following action was taken concerning By-Laws, General Policies and Operating Procedures for CY 2009.

On motion of Mr. Price, second by Mr. McCrady, the Board acted to re-adopt the 2008 By-Laws and General Policies. The Board further acted to adopt the 2009 calendar for designated holidays and for designated regular and recessed meetings of the Board of Supervisors for preparation of County Operating Budget as set forth in the proposed Operating Procedures for Calendar Year 2009 as follows:

DESIGNATED HOLIDAYS

Lee-Jackson Day……..	***January 16***
Martin Luther King Day.....	***January 19***
President's Day ……..	***February 16***
Good Friday.....	***April 10***
Memorial Day.....	***May 25***
Independence Day.....	***July 3 (observed)***
Labor Day.....	***September 7***
Columbus Day.....	***October 12***
Veteran's Day.....	***November 11***
Thanksgiving.....	***½ Day November 25*** ***November 26 & 27***
Christmas.....	***December 24 & 25***
New Year's 2009.....	***December 31, 2009 & January 1, 2010***

County administrative offices shall be closed on designated holidays (certain Administrative Division personnel and/or administrative departments may be required to work on such designated holidays). Additional holidays may be added by action of the Board of Supervisors.

The holidays set forth above shall be only for Administrative Division employees. These holidays are not intended to be established for county employees of other Divisions of the county government as defined in the Washington County Board of Supervisors Personnel Policies and Procedures Manual for Administrative Division Employees.

DESIGNATED REGULAR AND RECESSED MEETINGS OF THE BOARD OF SUPERVISORS FOR PREPARATION OF THE COUNTY OPERATING BUDGET

The following Regular and Recessed Meetings of the Board of Supervisors have been designated for preparation of the County Operating Budget and scheduled for Calendar Year 2009:

Date	Event	Action
November 14, 2008	***Dept of Accounting Action***	***Mail out Requests for Funding to Non-profit Organizations***
November 14, 2008	***Dept of Accounting Action***	***Mail out Requests for Funding to County Departments & Agencies***
December 30, 2008	***Dept of Accounting Action***	***Deadline to Receive Budget Requests from all Non-profit Organizations, County Departments & Agencies (except Schools)***

Date	*Event*	*Action*
January 22, 2009	*BoS/WCSB Budget Committee*	*Joint School Board Budget Study Committee Meeting on Proposed FY 2009-2010 School Budget*
January 29, 2009	*BoS/WCSB Recessed Meeting*	*Joint Board of Supervisors/School Board Workshop Meeting on Proposed FY 2009-2010 School Budget*
February 17, 2009	*School Board Action*	*Deadline to Receive FY 2009-2010 School Budget Request*
February 24, 2009	*BoS Recessed Meeting*	*Presentation of County FY 2009-2010 Operating Revenue Estimates*
March 10, 2009	*BoS Recessed Meeting*	*Presentation of County Administrator's Recommended FY 2009-2010 County Operating Budget*
March 17, 2009	*BoS Recessed Meeting*	*Departmental and Agency Comments Concerning the County Administrator's Recommended FY 2009-2010 County Operating Budget*
March 24, 2009	*BoS Recessed Meeting*	*Public Hearing on Recommended FY 2009-2010 County Operating Budget*
April 07, 2009	*BoS Recessed Meeting*	*First Board of Supervisors Workshop Meeting for Adjustments to County Administrator's Recommended FY 2009-2010 County Operating Budget*
April 09, 2009	*BoS Recessed Meeting*	*Second Board of Supervisors Workshop Meeting for Adjustments to County Administrator's Recommended FY 2009-2010 County Operating Budget*
April 16, 2009	*BoS Recessed Meeting*	*Third Board of Supervisors Workshop Meeting for Adjustments to County Administrator's Recommended FY 2009-2010 County Operating Budget*
April 21, 2009	*BoS Recessed Meeting*	*Fourth Board of Supervisors Workshop Meeting for Adjustments to County Administrator's Recommended FY 2009-2010 County Operating Budget (if needed)*
April 28, 2009	*BoS Regular Meeting*	*Preliminary Approval of FY 2009-2010 County Operating Budget and Establishment of County Tax Rates for FY 2009-2010 (subject to Technical Amendments at June Board meeting)*
June 09, 2009	*BoS Regular Meeting*	• *Approval of Technical Adjustments to FY 2009-2010 County Operating Budget* • *Adoption of Budget Resolution for FY 2009-2010*
June 23, 2009	*BoS Regular Meeting*	*Adoption of FY 2009-2010 County Appropriations Resolution*

The above schedule is tentative and subject to change. All meeting times are tentatively set for 7:00 PM (unless otherwise noted) and meeting locations shall be announced and appropriately publicized where required.

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. Reynolds	***Aye***
Mr. Taylor	***Aye***

Mr. Reynolds appointed Supervisors Tom Taylor and Odell Owens, County Administrator Mark Reeter, County Attorney Lucy Phillips and he to the Committee to study both the By-Laws for 2009 and issues pertaining to the reinstatement of a public comment period. He stated that the Committee would bring a recommendation back to the Board as soon as possible.

Scrivener's Note: Refer to the minutes of January 8, 2008, Annual Meeting of the Board of Supervisors for the 2008 By-Laws.

6. <u>Establishment of and Appointments to Committees and Advisory Boards of the Board of Supervisors for Calendar Year 2009</u>

a. Consideration of Resolution Establishing Committees and Advisory Boards of the Board of Supervisors for Calendar Year 2009

Mr. Reeter explained that before the Board for their consideration is a proposed Resolution to reestablish Committees and Advisory Boards of the Board of Supervisors for Calendar Year 2009 as listed in the Agenda materials.

Substantial discussion ensued among the Board concerning several of the committees and whether to reestablish certain committees or possibly combine them with others. Also discussed were term limits of the committee members.

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

RESOLUTION 2009-01
ESTABLISHING COMMITTEES AND ADVISORY BOARDS
OF THE BOARD OF SUPERVISORS FOR CALENDAR YEAR 2009

WHEREAS, pursuant to the By-Laws of the Washington County Board of Supervisors for Calendar Year 2009, Committees and Advisory Boards of the Board of Supervisors may be formed for the purposes of in-depth review, investigation, oversight, research, development and/or reporting on or about matters of interest to the Board or County, and

WHEREAS, the Board of Supervisors has determined there are such matters that warrant the establishment of Committees and Advisory Boards;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it hereby establishes the following Committees and Advisory Boards for the Calendar Year as of January 13, 2009:

<u>County Facilities Committee</u>, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to County office and other building facilities, including assessing the immediate and long-term needs of such facilities.

This Committee shall consist of two members of the Board of Supervisors. The County Administrator and County General Services Manager shall coordinate and assist in the work of this Committee. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters. All meetings of this Committee shall be open to the public unless such matters come before the Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

<u>County Emergency Services Committee</u>, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining fire and emergency medical rescue services in Washington County.

This Committee shall consist of two members of the Board of Supervisors. The County Administrator and County Emergency Services Coordinator shall coordinate and assist in the work of this Committee. All meetings of this Committee shall be open to the public unless such matters come before the Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

<u>County Personnel Committee</u>, established for the purposes of for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to personnel needs, policies and practices within the Administrative Division of the Washington County government.

This Committee shall consist of two members of the Board of Supervisors. The County Administrator, County Attorney, Assistant County Administrator and County Accounting Manager shall coordinate and assist in the work of this Committee. All meetings of this Committee shall be open to the public unless such matters come before the Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

<u>Joint County Purchasing/Procurement Committee</u>, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to County and Washington County School Board purchasing and procurement policies and practices, including development of recommendations concerning restructuring/reorganization of current County and School Board operations to achieve greater efficiency, economy and accountability in purchasing and procurement.

This Committee shall consist of two members of the Board of Supervisors and two members of the Washington County School Board. The County Administrator and County Accounting Manager, Superintendent of Schools and such other School Board staff as deemed appropriate shall coordinate and assist in the work of this Committee. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters. All meetings of this Committee shall be open to the public unless such matters come before the Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

<u>Joint County Planning & Land-Use Committee</u>, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to revising the

Washington County Comprehensive Plan and County land-use ordinances in coordination with the Washington County Planning Commission.

This Joint Committee shall consist of two members of the Board of Supervisors and two members of the Washington County Planning Commission. The County Administrator, Assistant County Administrator, County Attorney and County Zoning & Subdivision Official shall coordinate and assist in the work of this Joint Committee. These Joint Committee members may seek additional participants as deemed necessary and appropriate in pursuit of matters to which the Joint Committee is charged. All meetings of this Joint Committee shall be open to the public unless such matters come before the Joint Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

Joint County Parks & Recreation Committee, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to County recreational facilities needs in coordination with the Washington County Park Authority.

This Joint Committee shall consist of two members of the Board of Supervisors and two members of the Washington County Park Authority. The County Administrator and County Recreation Manager shall coordinate and assist in the work of this Joint Committee. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters. All meetings of this Joint Committee shall be open to the public unless such matters come before the Joint Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

Joint County School Budget Committee, established for the purpose of the review of the proposed Washington County School Board budget and the development of recommendations for funding of same for presentation in the County Administrator's Proposed and Recommended County Operating Budget, in coordination with the Washington County School Board.

This Joint Committee shall consist of two members of the Board of Supervisors and two members of the Washington County School Board. The County Administrator, County Accounting Manager, Superintendent of Schools, School Board Director of Finance, and such other School Board staff as deemed appropriate shall assist in the work of this Joint Committee. All meetings of this Joint Committee shall be open to the public.

Joint County Utilities Committee, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to the provision of public water and sanitary sewer services throughout Washington County, in coordination with the Washington County Service Authority and Washington County Industrial Development Authority.

This Joint Committee shall consist of two members of the Board of Supervisors, two members of the Washington County Service Authority and one member of the Washington County Industrial Development Authority. The County Administrator, Assistant County Administrator and General Manager of the Washington County Service Authority shall coordinate and assist in the work of this Joint Committee. These Joint Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Joint Committee matters. All meetings of this Joint Committee shall be open to the public unless such matters come before the Joint Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

BE IT FURTHER RESOLVED that these Committees and Advisory Boards organize and conduct themselves in the manner they deem appropriate in pursuit of matters in their charge and in accordance with all state and local law.

b. Consideration of Appointments to Committees and Advisory Boards for Calendar Year 2009:

1. County Facilities Committees

On motion of Mr. McCall, second by Mr. McCrady, it was resolved to reappoint Supervisors Odell Owens and Dulcie Mumpower to the County Facilities Committee for Calendar Year 2009.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Abstained***
Mr. Owens	***Abstained***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Taylor	***Aye***

2. Appointments to Emergency Services Committee

On motion of Mr. Owens, second by Mrs. Mumpower, it was resolved to reappoint Supervisors Paul Price and Jack McCrady to the Emergency Services Committee for Calendar Year 2009.

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

Mr. McCall	***Aye***
Mr. McCrady	***Abstained***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Abstained***
Mr. Reynolds	***Aye***
Mr. Taylor	***Aye***

3. Appointments to Personnel Committee

On motion of Mrs. Mumpower, second by Mr. Owens, it was resolved to reappoint Supervisors Dulcie Mumpower and Odell Owens to the Personnel Committee for Calendar Year 2009.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Abstained***
Mr. Owens	***Abstained***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Taylor	***Aye***

4. Appointments to Joint County/School Board Purchasing and Procurement Committee

On motion of Mr. McCall, second by Mr. Price it was resolved to make the County Purchasing/Procurement Committee a joint committee of the County and School 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. Reynolds	***Aye***
Mr. Taylor	***Aye***

On motion of Mr. McCall, second by Mr. Price, it was resolved to appoint Supervisor Odell Owens and to reappoint Supervisor Jack McCrady to the Joint County/School Board Purchasing and Procurement Committee for Calendar Year 2009.

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

Mr. McCall	***Aye***
Mr. McCrady	***Abstained***
Mrs. Mumpower	***Aye***
Mr. Owens	***Abstained***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Taylor	***Aye***

5. Appointments to Joint County Planning & Land-Use Committee

On motion of Mr. Owens, second by Mr. McCrady, it was resolved to reappoint Supervisors Phillip McCall and Tom Taylor to the Joint County Planning & Land-Use Committee for Calendar Year 2009.

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

Mr. McCall	***Abstained***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Taylor	***Abstained***

6. Appointments to Joint County Parks & Recreation Committee

On motion of Mr. Taylor, second by Mr. Owen, it was resolved to reappoint Supervisors Paul Price and Kenneth Reynolds to the Joint County Parks & Recreation Committee for Calendar Year 2009.

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

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

Mr. Rector	***Aye***
Mr. Reynolds	***Abstained***
Mr. Taylor	***Aye***

7. Appointments to Joint School Budget Committee

On motion of Mrs. Mumpower, second by Mr. McCall, it was resolved to appoint Supervisor Tom Taylor and reappoint Supervisor Jack McCrady to the Joint School Budget Committee for Calendar Year 2009.

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

Mr. McCall	***Aye***
Mr. McCrady	***Abstained***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Taylor	***Abstained***

At this time, Mr. Reeter announced there is a meeting of the Joint School Budget Committee on Thursday, January 22 at 6:00 PM at the School Board Offices.

8. Appointments to Joint County Utilities Committee

On motion of Mrs. Mumpower, second by Mr. Price, it was resolved to appoint Supervisor Kenneth Reynolds and reappoint Supervisor Odell Owens to the Joint County Utilities Committee for Calendar Year 2009.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Abstained***
Mr. Price	***Aye***
Mr. Reynolds	***Abstained***
Mr. Taylor	***Aye***

7. <u>Consideration of Various Annual Appointments by the Board of Supervisors, Calendar Year 2009</u>

a. Appointment of County Director of Emergency Services

On motion of Mr. Owens, second by Mr. McCall, it was resolved to reappoint County Administrator Mark Reeter as Director of Emergency Services for Calendar Year 2009.

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. Reynolds	***Aye***
Mr. Taylor	***Aye***

b. Appointment of Board Representative to Abingdon Senior Services, Inc.

On motion of Mrs. Mumpower, second by Mr. Price, it was resolved to reappoint Mr. L. B. Atkins to represent Washington County on the Abingdon Senior Services, Inc., Board of Directors for Calendar Year 2009.

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. Reynolds	***Aye***
Mr. Taylor	***Aye***

c. Appointment of Board Representative to People, Inc., of Southwest Virginia

On motion of Mr. Price, second by Mrs. Mumpower, it was resolved to appoint Supervisor Phillip McCall as the Board Representative to the People, Inc., of Southwest Virginia for Calendar Year 2009.

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

Mr. McCall	***Abstained***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Taylor	***Aye***

d. Appointment of Board Representative and Alternate to District III Governmental Cooperative

On motion of Mr. Price, second by Mr. McCrady, it was resolved to reappoint Supervisor Tom Taylor as the Board representative to the District III Governmental Cooperative Board of Directors and to re-appoint Supervisor Odell Owens as the alternate member for Calendar Year 2009.

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

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

Mr. Reynolds	***Aye***
Mr. Taylor	***Abstained***

e. Appointment of Board Representative to Bristol Convention and Visitors Bureau

On motion of Mrs. Mumpower, second by Mr. Price, it was resolved to appoint Mike Duckett to represent Washington County on the Bristol Convention and Visitors Bureau Board of Directors for Calendar Year 2009.

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. Reynolds	***Aye***
Mr. Taylor	***Aye***

f. Appointment of Board Representatives to Southwest Virginia Regional Jail Authority

On motion of Mr. McCrady, second by Mr. McCall, it was resolved to reappoint Mark Reeter to the Southwest Virginia Regional Jail Authority for Calendar Year 2009.

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. Reynolds	***Aye***
Mr. Taylor	***Aye***

8. Consideration of Expired Appointments to Various Boards, Authorities and Commissions:

<u>Washington County Board of Zoning Appeals</u>

On motion of Mrs. Mumpower, second by Mr. Price, it was resolved to recommend to the Circuit Court the reappointment of Beulah Lambert to the Washington County Board of Zoning Appeals for a five year term.

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. Reynolds	***Aye***

Mr. Taylor *Aye*

Washington County Industrial Development Authority

On motion of Mrs. Mumpower, second by Mr. Owens it was resolved to reappoint Jack Hagy to represent the Wilson Election District on the Washington County Industrial Development Authority for a four year term beginning November 14, 2008, and expiring November 13, 2012.

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. Reynolds	*Aye*
Mr. Taylor	*Aye*

9. Consent Agenda:

a. Approval of Minutes:

1. December 9, 2008, Regular Meeting

On motion of Mr. McCrady, second by Mr. Owens, it was resolved to approve the minutes of the December 9, 2008, regular meeting with the following amendment:

Page 16128, Related to Item 6.b., Correct Vote as follows:

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

Mr. McCall	*Aye*
Mr. McCrady	*Aye*
Mrs. Mumpower	*Aye*
Mr. Owens	*Aye*
Mr. Price	*Aye*
Mr. Reynolds	*Aye*
Mr. Taylor	*Nay*

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. Reynolds	*Aye*
Mr. Taylor	*Aye*

b. <u>Authorization of Routine Business Matters</u>:

1. Proposed Resolution Regarding Commonwealth's FY 2009-10 Budget Shortfall

Mr. Reeter asked the Board to look at the proposed Virginia Association of Counties (VACo) model Resolution in regards to the State's FY 2009-10 Budget.

Mr. Taylor made a motion to add to the Resolution to begin reducing money the County pays to the State by a percentage until it reaches zero. Also, add language giving the personal property tax revenue to each locality. He explained that he feels the personal property tax issue was handled incorrectly and now there is a large revenue hole. Mr. Taylor stated that sending money to the State and then getting a portion back does not make good financial sense. No second was offered to Mr. Taylor's motion.

Mr. Reynolds stated that if the Board adopts the Resolution, they are agreeing to the cuts proposed of the Personal Property tax.

Mr. Reeter asked the Board if they wish to take time to review the proposed Resolution or to go ahead and vote on the Resolution as presented.

Mr. McCrady stated that he basically agrees with the Resolution, stating that it is good and proper for the County.

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

RESOLUTION 2009-02
REGARDING THE COMMONWEALTH'S FY 2009-2010 BUDGET SHORTFALL

WHEREAS, Washington County is committed to ensuring fiscal sustainability at the local and state levels of government because fiscal sustainability enables the Commonwealth and its local governments to provide high quality, cost effective, core public services that benefit Virginians today and for generations to come; and

WHEREAS, the current difficult economic and financial times require government, at all levels, to evaluate service delivery responsibilities and to determine the continued importance of programs meeting critical needs; and

WHEREAS, the Commonwealth must resolve an estimated 2009 and 2010 biennial revenue shortfall approaching $3 billion that may in fact continue to escalate in the near term; and

WHEREAS, Washington County must resolve significant local revenue shortfalls for these periods as well; and

WHEREAS, the Commonwealth's General Fund supports most critical core government services including public education, health and human resources, including the Comprehensive Services Act, public safety, natural resources and environmental services by dedicating almost 50 percent of the state's General Fund to local governments (with 74 percent of this funding supporting K-12 public education); and

WHEREAS, if one level of government establishes and ensures a priority, it is then incumbent upon that level of government to adequately fund the services necessary to meet that priority; and

WHEREAS, the current economic environment threatens the sustainability of these critical core public services if the Commonwealth is required to reduce its contribution to the financial partnership between the state and its local governments including Washington County; and

WHEREAS, specific and necessary state budget reductions may impact a wide array of core public services, including but not limited to public education, the Comprehensive Service Act, and public safety, and many local governments, including Washington County, will absorb significant state reductions in 2009 and may be compelled to increase real property taxes to help ensure the continuation of vital core public services; and

WHEREAS, Washington County stands ready to partner with the Commonwealth to make the difficult budgetary decisions required, including thoroughly evaluating programs and working together to maintain a structural balance between revenues and expenditures that promotes the long-term viability of our Commonwealth.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board respectfully offers the following budget and revenue recommendations for the 2009 legislative session to the Governor and Virginia General Assembly including Washington County's Delegates and Senators:

- ***Budget and appropriate sufficient withdrawals from the state's Revenue Stabilization Fund ("Rainy Day Fund") to help offset necessary state budget reductions. Global and national financial markets are imbalanced; consequently, Virginia is one of many states facing a significant state revenue shortfall. The Commonwealth is required to replenish the Fund when economic conditions improve, and Washington County supports recapitalizing the Fund in better economic times.***

- ***Before budgeting and appropriating necessary state budget reductions, revisit recent state tax exemptions. Since the late 1990s the state has enacted more than $1.8 billion in net biennial tax reductions and specific General Fund transfers.***

- ***Oppose the enactment of new unfunded and under-funded state mandates that will impose new costs on local governments. Additionally, consider repealing specific, unfunded and under-funded state mandates. In the area of public education, the Governor and Virginia General Assembly should consider providing localities and school districts maximum flexibility to i) suspend specific mandates and ii) manage specific public education reductions.***

- ***Enact a law authorizing equal taxing authority for counties. Counties should be enabled, like cities and towns, to institute specific taxes, including a meals tax without a referendum. The new sources of revenue would be tailored to the needs of a jurisdiction and could help local governments protect adequate funding for the core government services including K-12 public education, and reduce county dependence on property taxes.***

- ***Consider additional possibilities for mitigating the impact of state cuts on local governments. Local governments will have to make significant cuts in services because of flat or decreasing real estate revenues. Permit local governments, at their option, to implement a one-half percent increase in the sales tax as a way to minimize the potential burden passed on to homeowners through increased real property taxes.***

BE IT FURTHER RESOLVED that the Board offers these recommendations in the spirit of compromise and partnership to the Governor and Virginia General Assembly including Washington County's Delegates and Senators.

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. Reynolds	***Aye***
Mr. Taylor	***Aye***

10. <u>Board Member Reports</u>

Mr. Taylor stated he wants to go to Richmond to attend the State Senate Finance Committee meeting and asked for someone to go with him. To clarify, he will be speaking on his own behalf and not on the behalf of the Board because they did not vote to amend the VACo resolution.

Mr. Price said he will be losing his EMT this year and would like to get a new person to teach the classes. The county is in need of these trained personnel.

Mr. Reynolds said he attended the retirement party for Mrs. Betsy White, Director of William King Art Center. The Town of Abingdon presented her with a Resolution thanking her for all her dedication and hard work at the Arts Center.

Mr. Price mentioned the new By-laws Committee.

Mr. Price stated that his answering machine at home was full, and that he is not avoiding telephone calls.

Mr. Taylor asked that a card of thanks be sent to Footzy Pratt's Assistant, Allison and her husband James, for the use of their car in the Kiwanis Christmas Parade. Mr. Reeter stated that he would send them a letter.

Mr. Taylor stated that VACo had a public meeting and did not inform everyone of the meeting. He said that Roanoke was the closest place to attend. He asked that VACo be contacted about this issue and be asked to inform the Board of Supervisors of future meetings. Mr. Reeter said he would make an inquiry to VACo.

Mr. McCrady said recently the ramp at the Washington County Park was extended at the encouragement of the Board of Supervisors. The expense of the boat ramp extension by the Washington County Park Authority was $25,000.00. He asked that the Board give back half of total cost of $25,000.00 ($12,500.00) from reserve for contingencies to the Washington County Park Authority as it is County property.

On motion of Mr. McCrady, second by Mrs. Mumpower, the Board acted to approve a supplemental appropriation in the amount of $12,500.00 from reserve for contingencies to the Washington County Park Authority.

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. Reynolds	***Aye***
Mr. Taylor	***Aye***

Mr. McCrady also mentioned that due to the draw downs of water at South Holston Lake, the dock at the Washington County Park has not been in the water for many years. He asked that a formal Resolution be sent to the Tennessee Valley Authority asking for recreational funds in the amount of $25,000.00 for a floating dock

Mr. McCrady reported that he and Mr. Reeter attended a meeting of the Southwest Virginia Regional Jail Authority this week, and learned that the Jail Authority's budget will be down by approximately $800,000.00. He asks for an across the board reduction of approximately 10-15% or more in budget funding this year for all agencies due to the economy.

Mr. Taylor reported on the reappraisal notices. He said that his constituents have been calling him saying they cannot get through and get an appointment by the deadline. Mr. Taylor asks for an extension to the end of January, so residents may have additional time to make an appointment to ask questions about their property reappraisal. Ms. Phillips explained that the Board of Supervisors does not have the authority to do this, but it can be put in the form of a request by the Board to the Commissioner of the Revenue. It will be the Commissioner of Revenue's decision. Other board members were in agreement, saying they have received numerous calls on this matter.

On motion of Mr. Taylor, second by Mr. McCrady, the Board acted to request that the Commissioner of Revenue extend the deadline for the public to schedule meetings pertaining to reassessments and further that the deadline extension be advertised.

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. Reynolds	***Aye***
Mr. Taylor	***Aye***

11. Board Information and Reminders

Mr. Reeter stated that the joint Board of Supervisors /School Board Budget workshop meeting on the school's FY 2009-10 budget is scheduled for Thursday, January 29 at 7:00 p.m. at the School Board offices. The Board should recess its regular meeting of January 27 to this date. Also, the week prior to that is the Joint School Budget Committee meeting scheduled for Thursday, January 22 at 6:00 at the School Board offices.

Mr. Reeter stated that the County Offices will be closed on Friday, January 16 in observance of Lee-Jackson Day and on Monday, January 19 for Martin Luther King Day.

Mr. Reeter reviewed the following Board information:

- Virginia Association of Counties Capital Contact Newsletter dated December 30, 2008, that provides a good summary of the FY 2009-10 State Budget
- Virginia Association of Counties 2009 Legislative Program
- 2009 Virginia General Assembly Session Calendar
- Virginia Association of Counties/Virginia Municipal League 2009 Legislative Day on February 5
- Virginia Association of Counties Board Chairperson's Institute – February 5-7

12. Closed Meeting

a. Request for Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(7) for consultation with the County Attorney regarding actual litigation where such discussion in open meeting would adversely affect the litigation posture of the County, more specifically, the lawsuit, Clifton Stewart Rentals, LLC, et al v. Town of Abingdon and County of Washington

On motion of Mr. Owens, second by Mr. McCrady, the Board acted to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(7) for consultation with the County Attorney regarding actual litigation where such discussion in open meeting would adversely affect the litigation posture of the County, more specifically, the lawsuit, Clifton Stewart Rentals, LLC, et al v. Town of Abingdon and County of Washington. All Board members without conflicting interest in the matter to be discussed, the County Attorney and County Administrator are requested to join in the Closed 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. Reynolds	***Aye***
Mr. Taylor	***Aye***

b. Reconvene in Open Meeting and Certification of Closed Meeting

After returning to the meeting, the Chairperson noted that upon motion of Mr. McCrady, second by Mrs. Mumpower, 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 Mrs. Mumpower, 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 was 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 was convened was heard, discussed, or considered in the closed meeting.

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

Mr. McCall	***Abstained***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Taylor	***Aye***

13. <u>Adjourn or Recess</u>

On motion of Mr. Owens, second by Mr. McCall, it was resolved to adjourn the 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. Reynolds	***Aye***
Mr. Taylor	***Aye***

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Prepared by:

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Carol D. Barrett, Administrative Assistant/
Naoma A. Norris, Recording Clerk

Approved by the Washington County Board of Supervisors:

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Kenneth O. Reynolds, Chairman