

VIRGINIA:

At a recessed meeting of the Washington County Board of Supervisors held Wednesday, October 14, 2009, at 6:30 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
- Christianne E. "Christy" Parker, Assistant County Administrator
- Mark W. Seamon, Accounting Manager
- Naoma A. Norris, Recording Clerk

1. Call to Order

The meeting was called to order by Mr. Kenneth O. Reynolds, Chairman of the Board, who welcomed everyone in attendance.

2. Invocation and Pledge of Allegiance

Supervisor Kenneth Reynolds gave the Invocation and led the Pledge of Allegiance.

3. Approval of Agenda

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

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

4. Closed Meetings:

- a. Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; specifically relocation of an existing industry; and to convene in closed meeting pursuant to Virginia Code Section 2.2-3711(A)(3) for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically County government office space

On motion of Mr. McCrady, second by Mrs. Mumpower, the Board acted to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; specifically relocation of an existing industry; and to convene in closed meeting pursuant to Virginia Code Section 2.2-3711(A)(3) for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically County government office space. It was further resolved to include the following individuals in the Closed Meeting:

County Administrator Mark Reeter, County Attorney Lucy Phillips, Assistant County Administrator Christy Parker County, Washington County Industrial Development Authority (IDA) Chairman Russell Owens, IDA Vice Chairman Henry Snodgrass, IDA Legal Counsel Joe Lyle, County Consultants Dan Siegel and Roland Kooch and representatives from the company involved.

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

On motion of Mr. McCrady, second by Mr. Taylor, 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)

<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. Reynolds</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

Note: Supervisor Paul Price left the meeting early.

5. Ten-Minute Recess

No recess taken.

6. Closed Meeting

- a. Request to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(1) for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically the position of Emergency Management Coordinator pursuant to Virginia code Section 44-146.19.**

On motion of Mr. McCrady, second by Mr. Owens, the Board acted to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(1) for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically the position of Emergency Management Coordinator pursuant to Virginia code Section 44-146.19. It was further resolved to include County Administrator Mark Reeter and County Attorney Lucy Phillips in the Closed Meeting.

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

<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. Reynolds</i>	<i>Aye</i>

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

On motion of Mr. McCrady, second by Mr. Owens, the members of the Board certified the closed meeting(s) in accordance with the requirements of the Virginia Freedom of Information Act. By vote in favor of this motion, each member certified that the closed meeting 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)

Mr. McCall Aye
Mr. McCrady Aye
Mrs. Mumpower Aye
Mr. Owens Aye
Mr. Reynolds Aye
Mr. Taylor Aye

The following action was taken after reconvening in open meeting:

On motion of Mr. McCrady, second by Mr. Owens, the Board acted to give consent to the County Administrator extending an offer of employment to Ms. L.V “Pokey” Harris Emergency Management Coordinator for Washington County at an initial starting salary of \$65,000 pursuant to § 44-146.19. of the Code of Virginia.

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

Mr. McCall Aye
Mr. McCrady Aye
Mrs. Mumpower Aye
Mr. Owens Aye
Mr. Reynolds Aye
Mr. Taylor Aye

In another matter, Mr. Owens explained that he spoke with representatives from the Washington County Service Authority (WCSA) about sewer issues, and it appears the County needs to proceed with the feasibility study previously authorized by the Board for wastewater treatment options.

A motion was made by Mr. Owens and seconded by Mr. McCall, to direct the County Administrator to work with the WCSA on the wastewater treatment feasibility study.

Discussions ensued among the Board concerning the proposed action.

Mr. Reynolds explained that discussions regarding merger of the WCSA and Bristol Virginia Utilities (BVU) need to resume.

Mr. Owens explained that the WCSA has already authorized a feasibility study about a possible merger and believes that the BVU Board and Board of Supervisors have taken action in the past to participate in the study. However, the study was never completed. He asked the County Administrator to give the Board direction as to what needs to be done to go forward with this feasibility study, and to contact BVU to determine if they still wish to participate in the study.

Mr. Reynolds proposed that the wastewater treatment feasibility study and the feasibility study on the merger of WCSA and BVU be completed simultaneously. Subsequently, Mr. Owens' motion was amended as follows:

On motion of Mr. Owens, second by Mr. McCall, the Board acted to direct the County Administrator to work with the WCSA on the wastewater treatment feasibility study and further to authorize a feasibility study on the merger of WCSA and BVU.

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

<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. Reynolds</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

10. Adjourn or Recess

On motion of Mrs. Mumpower, second by Mr. McCrady, it was resolved to adjourn the meeting.

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

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

Prepared by:

Naoma A. Norris, Recording Clerk

Approved by the Washington County Board of Supervisors:

Kenneth O. Reynolds, Chairman