

**VIRGINIA:**

At a regular meeting of the Washington County Board of Supervisors held Tuesday, October 27, 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  
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 O. Reynolds, Chairman of the Board, who welcomed everyone in attendance.

**2. Invocation and Pledge of Allegiance**

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

**3. Public Comment**

The following individuals addressed the Board during Public Comment speaking about motor cross activity on property located on Providence Road in Abingdon:

Roxanne Holloway, 17567 Meadows Drive, Abingdon, VA 24210  
Mark Osborne, 16522 Providence Road, Abingdon, VA 24210  
Kimberly Osborne, 16522 Providence Road, Abingdon, VA 24210  
Mike Overstreet, 17010 Providence Road, Abingdon, VA 24210

**4. Recognitions and Special Presentations:**

**a. Introduction of Ms. L. V. ‘Pokey’ Harris, County Emergency Management Coordinator**

This presentation was moved until after the conclusion of the Closed Meeting.

**5. Approval of Agenda**

*On motion of Mr. Owens, second by Mr. McCall, it was resolved to approve the agenda 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. Reynolds</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

**6. Closed Meeting:**

**a. Request 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 Mr. Price, the Board acted 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 County Administrator Mark Reeter, County Attorney Lucy Phillips and Assistant County Administrator Christy Parker in the Closed Meeting.*

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

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

**b. Reconvene in Open Meeting and Certification of Closed Meeting**

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

*On motion of Mr. McCrady, second by Mr. McCall, 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: (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. Reynolds</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

**7. Consent Agenda:**

*On motion of Mrs. Mumpower, second by Mr. Owens, the Board acted to approve items a, b and d of the Consent Agenda as set forth below.*

**a. Approval of Minutes:**

- 1. October 13, 2009 Regular Meeting**
- 2. October 24, 2009 Recessed Meeting**

**b. Approval of Routine Financial Matters:**

- 1. Request for Revenue Refund – Washington County Department of Building Inspection for Building Permit Fee**
- 2. Request for Supplemental Appropriation – Washington County Sheriff’s Office for Grants**
- 3. Request for Supplemental Appropriation – Washington County Commonwealth’s Attorney Office for Asset forfeiture Proceeds**

**c. Award of Bids and Approval of Contracts:**

**No contracts bids or contracts were presented to the Board.**

**d. Authorization of Routine Business Matters:**

**1. Approval of Additional Surplus Vehicles Requests by Glade Spring Police Department and Town of Damascus**

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

**4. Recognitions and Special Presentations:**

**a. Introduction of Ms. L. V. ‘Pokey’ Harris, County Emergency Management Coordinator**

Mr. Reeter introduced to the Board Ms. L. V. ‘Pokey’ Harris, the new County Emergency Management Coordinator. Ms. Harris will begin her position on November 1. Mr. Reeter explained that Ms. Harris comes to the County highly recommended.

Mr. Reynolds on behalf of the Board of Supervisors welcomed Ms. Harris to the County.

**8. Public Hearings:**

**a. Public Hearing and Consideration of Adoption of an Ordinance to Form a Regional Entity for the Administration of Workforce Investment Act Funds and Approval of the proposed New River/Mount Rogers Workforce Investment Consortium Agreement**

Ms. Phillips addressed the Board and explained the proposed ordinance would allow the creation of a regional entity (New River/Mount Rogers Workforce Investment Consortium) comprised of the entities in the New River/Mount Rogers Workforce Investment area that would administer the Workforce Investment Funds. These jurisdictions have previously worked together under the Charter Chief Local Elected Officials (CLEO) Agreement which provided guidance for the working relationship between the chief local elected officials from each member locality in regard to requests to the Governor for funds from the Workforce Investment Act. She further explained the proposed New River/Mount Rogers Workforce Investment Consortium Agreement will govern the working relationship between the new consortium and the Workforce Investment Board, which would continue to advise the Consortium as to the best use of funds. The formation of the new regional entity would make the process more clear and provide for more accountability and responsibility. Ms. Phillips discussed how the Workforce Investment funds have been administered in Washington County/Bristol, VA. Agencies such as People Incorporated

of Southwest Virginia and the Virginia Employment Commission's One Stop Office in Bristol benefit from the funds to provide employment related services.

Mr. Reynolds opened the public hearing and invited comments regarding the proposed ordinance.

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

Mr. Reynolds explained that he represents Washington County on the Workforce Investment/CLEO Board and said the proposed Workforce Investment Consortium will strengthen the Workforce Investment Program. He further explained the Workforce Investment Program provides assistance in times of major company layoffs.

The proposed action on ordinance follows:

***On motion of Mr. Taylor, second by Mr. McCall, the Board acted to adopt the following ordinance and approve the Agreement and further to authorize the Board Chairman to execute Agreement on behalf of Washington County:***

Discussions ensued among the Board prior to the vote on the proposed motion.

Mr. Taylor addressed issues and concerns he has with the Workforce Investment Board. He said the elected officials serving on this Board have a great responsibility to the taxpayers in overseeing the expenditure of federal dollars that fund the Workforce Investment Program.

Mr. McCrady inquired if there would be budgetary implications to the County with the establishment of the new entity as has been the case with other entities established in the past. He specifically referenced the Appalachian Juvenile Commission where the County is mandated to provide funding.

Mr. Reynolds explained the new entity should have no budgetary implications to the County.

Mr. Reeter explained that the Workforce Investment Board is not currently a budgetary item in the County's Operating Budget.

***AN ORDINANCE  
AUTHORIZING FORMATION OF A JOINT ENTITY TO BE CALLED THE  
"NEW RIVER / MOUNT ROGERS WORKFORCE INVESTMENT AREA  
CONSORTIUM," TO BE COMPRISED OF THE COUNTIES OF BLAND, CARROLL,  
FLOYD, GILES, GRAYSON, MONTGOMERY, PULASKI, SMYTH, WASHINGTON,  
AND WYTHE AND THE CITIES OF BRISTOL, GALAX, AND RADFORD, VIRGINIA,  
AND TO BESTOW ON SUCH ENTITY ALL POWERS NECESSARY AND PROPER FOR  
THE PERFORMANCE OF ITS DUTIES UNDER THE WORKFORCE INVESTMENT  
ACT AND TO REPEAL ALL PRIOR ORDINANCES CREATING AN ENTITY FOR  
SUCH PURPOSES***

***WHEREAS, the Workforce Investment Act of 1998, codified at 29 U.S.C. S 2801 et seq. (hereinafter the "Act"), provides federal funding to states for the delivery of workforce training and other services; and***

*WHEREAS, 29 U.S.C. §2831 requires that the governor designate local workforce investment areas to deliver workforce investment services within the state; and*

*WHEREAS, the Governor has designated the Counties of Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, Smyth, Washington, and Wythe and the Cities of Bristol, Galax, and Radford, Virginia (the “Member Jurisdictions”) as the Area II Workforce Investment Act Area; and*

*WHEREAS, on February 15, 2000 the Member Jurisdictions entered into an agreement to administer jointly the Workforce Investment Act programs called the “Charter Chief Local Elected Officials Agreement” for the New River/Mount Rogers regional planning areas (the “Charter Agreement”) and have operated continuously under this Charter Agreement; and*

*WHEREAS, the Member Jurisdictions wish to continue to perform jointly the responsibilities prescribed for them under the Act; and*

*WHEREAS, Va. Code §15.2-1300 provides that local governments may enter into agreements for the joint or cooperative exercise of any power, privilege, or authority which each is capable of exercising individually; and*

*WHEREAS, the Member Jurisdictions desire to form a joint entity under Va. Code § 15.2-1300 to be designated as the New River/Mount Rogers Workforce Investment Area Consortium (the “Consortium”) and to be recognized as Virginia’s area II Local Workforce Investment Area which will perform the duties incumbent on them individually under the Workforce Investment Act; and*

*WHEREAS, the creation of a joint entity will permit the delivery and oversight of Workforce services in a manner that will ensure accountability to governing bodies of the Member Jurisdictions,*

*NOW, THEREFORE, ON THE BASIS OF THE FOREGOING, the Board of Supervisors of the Washington County, Virginia, hereby ordains the following:*

- 1. Rescission of the Charter Agreement and any other ordinance creating a local joint entity for the purpose of operating federally funded workforce training programs;*
- 2. Adoption of the Consortium Agreement (the “Agreement”) which is attached hereto and made a part of this Ordinance; and*
- 3. Authorization of its Chairperson to execute the Agreement on behalf of the Board.*

*This ordinance shall be effective immediately.*

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

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

*Mrs. Mumpower*        *Aye*  
*Mr. Owens*            *Aye*  
*Mr. Price*             *Aye*  
*Mr. Reynolds*        *Aye*  
*Mr. Taylor*            *Aye*

*Scrivener's Note: The Workforce Investment Consortium Agreement referenced above is included as Minutes Exhibits Item 2009-10-27-A.*

**9. General Business:**

**a. Actionable Items:**

**1. Consideration of Resolution Approval Application for Energy Efficiency Block Grant on behalf of Washington County Service Authority**

Mr. Jeff Spickard, Vice President of Engineering for Lane Group, addressed the Board and explained that he appears on behalf of the Washington County Service Authority (WCSA) to seek approval for submission of an Energy Efficiency and Conservation Block Grant (EECBG) application to the Department of Mines, Minerals and Energy (DMME) for funding in the amount of \$217,074.00 to assist in the purchase of two energy-efficient turbine pumps for the new water treatment plant expansion. The DMME has available \$9.7 million dollars in grants that will be distributed to localities in Virginia with eligible, ready to go projects that demonstrate reduction in energy consumption and/or reduction in greenhouse gas emissions. This grant program is funded through the American Recovery and Reinvestment Act. Mr. Spickard further explained that Washington County is the qualified lead applicant for the EECBG funds because the WCSA is not qualified to apply. There will be no costs to the County associated with the grant.

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

Discussions ensued among the Board prior to the vote on the motion.

**RESOLUTION 2009-36**

*WHEREAS, the Department of Mines, Minerals, and Energy (DMME) has announced the availability of \$9.7 million in grants for Energy Efficiency and Conservation Block Grants (EECBG) that will be distributed to eligible local governments throughout Virginia; and*

*WHEREAS, the EECBG funds were appropriated as part of the American Recovery and Reinvestment Act of 2009 and funds will be distributed on a competitive basis to "Ready-to-Go" projects that will produce a demonstrable reduction in energy consumption and/or reduction in greenhouse gas emissions; and*

*WHEREAS, applications for the EECBG funds are due November 6, 2009; and*

*WHEREAS, Washington County, Virginia is a qualified lead applicant for the EECBG funds but the Washington County Service Authority is not; and*

*WHEREAS, the Washington County Service Authority is a public Authority created pursuant to a resolution adopted by the Washington County Board of Supervisors, and said Authority is responsible for the supply and distribution of water to County residents; and*

*WHEREAS, the WCSA has identified a qualifying EECBG project that would consist of the installation of two Francis pump turbines at the Middle Fork Water Treatment Plant (the WCSA Energy Recovery Project, or PROJECT); and*

*WHEREAS, the proposed project will produce hydroelectric power from the flow and pressure available in a raw (untreated) water transmission line that is being constructed to supply water to the Middle Fork Water Treatment Plant. Two turbines with a total electrical generating capacity of 150 kW have been proposed to allow flexibility for energy recovery over the range of expected plant operating conditions (4 -12 million gallons per day); and*

*WHEREAS, over the expected life of the project (25 years), it is projected that the turbines will produce more than 13,500,000 kWh of electricity and this will be utilized directly in the water treatment plant to avoid utility electric purchases under a net metering arrangement. The result will be the combustion of 5,060 fewer tons of coal and the emission of 9,695 fewer metric tons of CO<sub>2</sub>; and*

*WHEREAS, the PROJECT, if funded and implemented, would reduce electrical costs for the production of water by an estimated \$40,000/year. These savings will be reflected in lowered rates to over 20,000 County customers (residential, commercial, and industrial) that receive their water supply from the WCSA. Though the impact on rates will be small, it will be on-going and last for the life of the project (estimated to be 25 years). Greater benefits than those projected will be realized if electric rates continue to escalate which is likely; and*

*WHEREAS, the PROJECT has an estimated cost of \$466,950. EECBG funds in the amount of \$217,074 will be requested to purchase the turbines and related accessories for the PROJECT. Local funds in the amount of \$249,376 will be provided by the WCSA to provide the services necessary to engineer the project and install the purchased materials and equipment. This leveraging of federal funds with local funds will double the impact of the funding provided by the EECBG with respect to stimulating the local economy, and it will address DOE direction to DMME "to give priority to projects that leverage federal funds with private resources..." and;*

*WHEREAS, there will be no direct cost to the County associated with this application or subsequent funding; and*

*WHEREAS, the County, by making application for funds on behalf of the WCSA, is not precluded from submitting additional applications for funding for other qualifying projects; and*

*WHEREAS, given all of the potential benefits to County residents, the WCSA has respectfully requested that the Washington County Board of Supervisors act as lead applicant with respect to the submission of an EECBG grant for the PROJECT.*

*NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board hereby affirms and declares its intent to act as lead applicant for the purpose of submission of an EECBG grant application for the heretofore described WCSA Energy Recovery Project; and*

***BE IT FURTHER RESOLVED that County Administrator, Mark K. Reeter, is hereby directed to assist and support the WCSA in the application for and administration of any funds received in connection with the subject grant application.***

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

**2. Consideration of Draft Ordinance regarding Location Signs in the Residential Zoning Districts (R-1 and R-2)**

Ms. Phillips addressed the Board and requested that this item of business be removed from the Agenda. She explained the Washington County Planning Commission reviewed the draft ordinance at their October 26 meeting and acted to send the draft ordinance back to the County Land use Steering Committee.

**10. Board Member Reports**

Mrs. Mumpower discussed concerns regarding need for sewer service in the Wilson District. She requested that the County Utilities Committee study sewer service issues in the Wilson District.

Mr. Reeter explained that the Board has been provided with a copy of the Request for Proposals (RFP) for consulting services to conduct the wastewater treatment feasibility study for the western portion of the County. The RFP will be issued sometime in November with the deadline for submission of RFP's being set for December 4.

Mrs. Mumpower commented that there have been similar studies conducted in the past, but that no action was taken on the studies. The studies that have already been completed show there are sewer related issues throughout the County.

Mr. Owens explained that he and Mr. Reynolds met with their respective representatives on the WCSA Board of Commissioners and WCSA General Manager Robbie Cornett to discuss sewer issues. He further explained that during this meeting the importance of the WCSA taking action on the sewer issues in the County, and the fact that it was their obligation to do so was strongly emphasized. Mr. Owens explained the WCSA was established in 1953 to provide water service in the County. In 1970, the WCSA was expanded and charged with providing sewer service in the County. Mr. Owens encouraged each Board member to communicate this to their respective member of the WCSA Board of Commissioners.

Mrs. Mumpower thanked County Attorney Lucy Phillips for her work on the demolition of the Robert E. Lee Hotel. She stated that she along with the business and residents in the area of the hotel are glad that it has been demolished.

Mr. Price apologized to the Board for leaving the October 14 recessed Board meeting early. He explained that he was not aware that action was going to be taken by the Board feasibility studies.

Mr. Price reported on an issue he encountered with the Washington County Sheriff's Department where he was denied access to the firing range when he went to qualify to be a member of the Damascus Police Department Auxiliary. He was told that the Board of Supervisors established user guidelines for the firing range that prohibited other agencies from utilizing the range. Mr. Price asked for further information about this issue.

Mr. Reeter explained if a zoning action was taken by the Board concerning the firing range it is possible there were restrictions, and that he would research the matter.

Mr. Price said if there are restrictions the Board should consider revisiting the issue. He stated that other agencies in the County have to use the City of Bristol's facility.

Mr. Price discussed at length the noise and other related issues resulting from motor cross activity on property located on Providence Road in Abingdon that was addressed by residents during the Public Comment period. He referenced a recent article appearing in the Bristol Herald Courier that he asserted tells the story about the motor cross activity taking place on the property. Mr. Price expressed his opinion that the motor cross activity clearly violates the County Code.

Mr. Price made a motion to direct the County Attorney to send a letter to the property owner asking them to cease and desist the motor cross activity. He asserted that the proposed action by the Board would provide the Sheriff's Department with the authority to take action should the activity continue. Mr. Price stated his opinion that the burden of taking this issue to court should not be placed on the people living in the area.

Substantial discussions ensued among the Board.

Ms. Phillips explained that enforcement of the County's Noise Ordinance has been in court on different occasions and the cases were not successfully prosecuted. She discussed the recent ruling in the Supreme Court of Virginia involving noise ordinances. Ms. Phillips further explained that she could send a letter to the property owner stating they were in violation of the County's Noise Ordinance, but the court would have to issue an order to cease and desist.

Further discussions ensued among the Board concerning this issue. Mr. Price explained that he believes the property owners need to obtain a Special Exception Permit in order to legally operate the motor cross activity and is adamant that the County should take action to request the property owner cease and desist the motor cross activity. He stated that the motor cross activity is disturbing property owners and disturbing church services. Mrs. Mumpower suggested that the County's Noise Ordinance be revised to include language that would make the ordinance more enforceable, and she agrees that that the motor cross activity is causing serious problems for the people living in the area. Mr. Taylor proposed delaying action on the matter until guidance is provided on strengthening noise ordinances at the State level. He recommended that the Board follow the advice given by the County Attorney on this matter. Mr. Taylor also agreed that the motor cross activity is disturbing to the people, but said the County's Noise Ordinance is not written strong enough to be enforced at this time. He said the Board can take action to strengthen the Noise Ordinance, but patience will be required.

Ms. Phillips advised the Board that she will leave on Wednesday to attend a Local Government Attorneys Conference and will attend a seminar at this conference devoted to amending noise ordinances. She anticipates learning information that will be beneficial to the County on revisions to the Noise Ordinance.

Ms. Phillips discussed issues pertaining to determining if business activity is taking place in regards to the motor cross activity.

At this time, Mr. Price restated his motion to direct the County Attorney to send a letter to the property owner asking them to cease and desist the motor cross activity. A second to the motion was made by Mr. McCrady.

Mr. McCrady explained that he believes land owners rights is the issue and believes the Board must deal with the problem. He agrees if the County's Noise Ordinance cannot be enforced it needs to be strengthened. Mr. McCrady stated that he does not want to see the County Attorney's time wasted because of the lack of confidence that the case would be successfully prosecuted, but believes the issue needs to be addressed.

Further lengthy discussions ensued among the Board concerning this issue and to issues pertaining to delaying action on this matter and giving direction to the County Attorney to provide a recommendation to the Board about how to best legally handle the problem.

Mr. Price withdrew his motion at this time and stated he would bring the issue back before the Board at the next Board meeting.

The following action was taken on the Providence Road issue:

***On motion of Mr. McCrady, second by Mr. Taylor, the Board acted to direct the County Attorney to provide the Board with the best legal advise for pursuing a satisfactory outcome of the situation on Providence Road relating to the motor cross activity. It was further resolved for the County Attorney to provide to the Board several options such as violation of the County Zoning Ordinance, County Noise Ordinance or violation of any other County Codes.***

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

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

Mr. Taylor reported that he recently attended the Association of Tennessee Valley Governments Conference and obtained information regarding an economic incentive program offered by the Tennessee Valley Authority (TVA) that offers incentives to companies that expand within the TVA power service area. He stated this information was given to the County's Economic Development Director.

Mr. Taylor reported on an industry that was recently approved for a loan from the Mount Rogers Planning District Commission Revolving Loan Fund that has plans to expand in the Washington County Industrial Park.

Mr. Owens discussed issues pertaining to a Business and Professional Occupations License (BPOL) ordinance. He explained that Washington County is one of the few local governments in the area that do not have a BPOL ordinance. Mr. Owens stated his opinion that if the County had a BPOL ordinance it may have been able to pinpoint what activities are taking place at the motor cross course on Providence Road. Because the County does not have a BPOL ordinance there is not a good way of knowing what business activities are going on in the County. Mr. Owens proposed the County give serious consideration to implementing a BPOL ordinance in order to track business activity happening within the County.

Mr. Owens reported on a call he received about a bounty on coyotes. He inquired if the County has considered offering a bounty. Mr. Reeter explained this issue has been brought to the Board in the past, and a primary concern is the County has to fund the bounty and it is difficult to prove that the origin of the caucus is in Washington County. For this reason, a bounty on coyotes has never been established. Discussions ensued among the Board concerning a coyote bounty.

Mr. Price further discussed a BPOL ordinance for the County. He would support a BPOL ordinance for many reasons other than it being a source of revenue to the County. The BPOL would be of benefit to contractors working in the County and would allow contractors that obtain a BPOL from the County to do work in other localities across Virginia up to a certain dollar amount.

Mr. McCrady reported that the Green Cove Senior Citizens did not receive the correct budget allocation for FY 2009-2010 due to Washington County United Way's policy of not funding operation and maintenance costs of facilities for senior citizen groups. He explained that the Green Cove Senior Citizens operates and maintains the County owned Green Cove Community Center for the County, and that the \$8,100 cut from their United Way budget needs to be restored in the County's Community Centers Budget.

Discussion ensued among the Board with the following action being taken:

***On motion of Mr. McCrady, second by Mrs. Mumpower, the Board acted to approve a supplemental appropriation in the amount of \$8,100.00 from Reserve for Contingencies to a new Green Cove Community Center line-item (#71350-5945).***

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

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

Discussions ensued among the Board concerning the County's partnership with the United Way.

Mr. McCrady asked that letter be sent to TVA requesting a \$25,000 grant to be used to install a floating dock on South Holston Lake at the Washington County Park, and to request TVA provide more assistance to the County. The following action was taken:

*On motion of Mr. McCrady, second by Mr. Price, the Board acted to direct the County Administrator to send correspondence to the TVA officially requesting a \$25,000 grant that would be used to install a floating dock on South Holston Lake at the Washington County Park, and to further request the TVA to provide more assistance to Washington 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. Taylor</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

Mr. McCrady reported that the Damascus Youth Basketball Program has not received funding from the County for several years due to failure to complete required reports. This organization has now reorganized with a new Board of Directors. They are currently in the process of applying for a non-profit status. Mr. McCrady explained the organization is in need of financial assistance to help pay insurance expenses.

*On motion of Mr. McCrady, second by Mrs. Mumpower, the Board acted to approve a supplemental appropriation in the amount of \$1,500 from Reserve for Contingencies to the Damascus Youth Basketball Program.*

Discussions ensued among the Board concerning the request.

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

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

Mr. Price reported that as he promised he has given back 10% of compensation received from serving on the Board of Supervisors. He assisted with a cleanup project on Tooles Creek Road.

**11. Board Information and Reminders**

Mr. Reeter reviewed the following Board Reminders/Information:

- Reminder of the Virginia Association of Counties (VACo) Annual Conference, November 8-10, to be held at The Homestead
- VACo Preliminary 2010 Legislative Program

Mr. Reeter reported that the closing was held on the Phase II School and Neff Center construction bond issuance. The money has been transferred to the County, and the School Board is beginning the construction bidding process. He explained that the School Board will most likely not request a supplemental appropriation until March 2010. Mr. Reeter advised the Board that there will be a public hearing held at the November 10 regular Board meeting on amendment of the FY 2009-10 County Operating budget. The bond money will be included in the amendment but will not be appropriated until March of 2010.

Ms. Phillips reviewed the following information:

Ms. Phillips reported that at stations the Board was provided with a copy of a letter and map from a Mr. Frank Kelly. Mr. Kelly is requesting the Board take action to close a portion of Rich Valley Avenue, which is a private road. She requested authorization to schedule a public hearing for adoption of a resolution pertaining to this request.

It was consensus of the Board to authorize the County Attorney to schedule a public hearing pertaining to the request of Mr. Frank Kelly.

Ms. Phillips distributed to the Board a copy of a request for an opinion of the Attorney General from the legal counsel (Elliott, Lawson and Minor) for Virginia Highlands Airport Authority. She explained the Airport Authority is not eligible to seek an opinion from the Attorney General; therefore, the request was sent to the Attorney General's Office under the signature of the County Attorney.

**12. Adjourn or Recess**

*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)*

<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>

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10-27-09 16646

**Prepared by:**

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Naoma A. Norris, Recording Clerk

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

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Kenneth O. Reynolds, Chairman