

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, October 26, 2010, at 6:30 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

Dulcie M. Mumpower, Chair
Odell Owens, Vice Chair
Phillip B. McCall
Nicole M. Price
Kenneth O. Reynolds (Arrived at 6:33 p.m.)
Joseph C. Straten
Thomas G. Taylor

Mark K. Reeter, County Administrator
Lucy E. Phillips, County Attorney
Mark W. Seamon, Accounting Manager
Naoma A. Norris, Recording Clerk

1. Call to Order

The meeting was called to order by Ms. Dulcie M. Mumpower, Chair of the Board, who welcomed everyone in attendance.

Ms. Mumpower noted that Kenneth Reynolds was not present at the time the meeting was called to order.

2. Invocation and Pledge of Allegiance

Supervisor Dulcie Mumpower gave the Invocation and led the Pledge of Allegiance.

3. Public Comment

There were no public comments.

4. Approval of Agenda

Mr. Straten requested the amended agenda item regarding authorization to bid construction of the Damascus Visitor's Center & Branch Library Project be placed as the first item of general business.

On motion of Mr. Straten, second by Mr. Owens, the Board acted to amend the Agenda to add "Consideration of Authorization to Bid Construction of Damascus Visitor's Center & Branch Library Project" as General Business Item 6.a.1.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Ms. Price</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

Mr. Taylor asked that Item 5.b.5, “Request for Supplemental Appropriation for Refilling Vacant Information Systems Manager, County Department of Information Systems” be removed from the Consent Agenda and made an item of General Business for discussion.

On motion of Mr. Taylor, second by Mr. McCall, it was resolved to approve the agenda with the following amendment:

Remove Item 5.b.5 - “Request for Supplemental Appropriation for Refilling Vacant Information Systems Manager, County Department of Information Systems” from the Consent Agenda and place this item under General Business as Item 6.a.2.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Ms. Price</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

5. Consent Agenda:

Ms. Mumpower pointed out the Resolution recognizing veterans for preserving “peace & liberty.” The Resolution will be presented at the Veteran’s Day observance at Abingdon’s Veterans Memorial Park on November 11.

On motion of Ms. Price, second by Mr. Taylor, the Board acted to approve items a, b and d of the Consent Agenda as set forth below.

a. Approval of Minutes:

- 1. September 28, 2010 Regular Meeting**
- 2. September 29, 2010 Recessed Meeting**
- 3. October 12, 2010 Regular Meeting**

b. Approval of Routine Financial Matters:

1. Request for Revenue Refunds - Washington County Sheriff's Office - Animal Sterilization Fees
2. Request for Supplemental Appropriation - Washington County Commonwealth's Attorney Office for Forfeited Asset Seizure Funds of \$186.67
3. Request for Supplemental Appropriation - Washington County Department of Emergency Management for \$5,000.00
4. Request for Supplemental Appropriation - Virginia Department of Transportation for Highway Safety Enforcement Grant for \$31,750.00
5. Request for Supplemental Appropriation for Refilling Vacant Information Systems Manager Position, County Department of Information Systems (item moved to General Business - 6.a.2)
6. Payment of Bills - Period of September 11, 2010 thru October 10, 2010
7. Budget Status Report - As of September 30, 2010

c. Award of Bids and Approval of Contracts:

d. Authorization of Routine Business Matters:

1. Adoption of Resolution Commemorating 2010 Veteran's Day - approved as follows:

**RESOLUTION 2010-40
RECOGNIZING THE CONTRIBUTIONS OF AMERICA'S VETERANS
IN PRESERVING AND PROMOTING PEACE AND LIBERTY**

WHEREAS, America's men and women who have served in our armed forces have made countless sacrifices in the cause of preserving and promoting peace and liberty around the world, and

WHEREAS, our veterans have been this country's greatest ambassadors in extolling the virtues of peace and liberty among the embattled and oppressed peoples of the earth;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board hereby recognizes and commends America's veterans for their past and continuing contributions in the preservation of peace and the promotion of liberty around the world.

2. Authorization for Public Hearing on Proposed Abandonment of Private Right-of-Way in Redwood Subdivision

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

Mr. McCall Aye

Ms. Mumpower *Aye*
Mr. Owens *Aye*
Ms. Price *Aye*
Mr. Reynolds *Aye*
Mr. Straten *Aye*
Mr. Taylor *Aye*

6. General Business:

a. Actionable Items:

1. Consideration of Authorization to Bid Construction of Damascus Visitor’s Center & Branch Library Project

Washington County Public Library Director Charlotte Parsons addressed the Board explained the construction of the Damascus Visitor’s Center & Branch Library Project has been long awaited, and she appreciates the Board’s support and attention over the past few years for this project. Ms. Parsons introduced members of the Washington County Library Board of Trustees in attendance; Ms. Debra Osborne, Vice-Chair and Mr. Kenny Shuman, Chair. Ms. Parsons also introduced Mr. Jeff Johnson with McCarty Hostaple McCarty Architects in Knoxville, TN.

Mr. Jeff Johnson addressed the Board and provided a brief review of the Damascus Library and Visitor’s Center Project. Mr. Johnson reviewed the site plan for the library explaining the library would be constructed near the intersection of Water Street and Beaver Dam Avenue; and will be located 100’ from the Appalachian Trail. He explained the library would face Water Street with parking in the rear of the building. Some improvements will be made to the Wilson Street. Mr. Johnson next reviewed floor plans for the interior/exterior of the building. The new library will have a community room, circulation desk, technical offices for the library staff, children’s and adult areas. Also, a key component of the new library will be the visitor’s center. Mr. Johnson explained the design of the new library and visitor’s center was inspired by the historic architecture in the area, specifically the old train station.

Mr. Johnson next reviewed the budget and funding sources for the project as follows:

Budget:

Site Preparation & Parking	\$ 208,108
Building Construction	\$ 899,836
Contingency	\$ <u>15,000</u>
TOTAL	<u>\$1,122,944</u>

Funding Sources:

Maximum VDOT Funding	\$ 580,000
County of Washington	\$ 419,500
VTC Funding	\$ 100,000
Washington County Library Foundation	\$ <u>15,000</u>
TOTAL	<u>\$1,124,500</u>

Mr. Johnson concluded his presentation by explaining the drawings for the project have been approved by the Washington County Building Officials. The plans were submitted to VDOT on October 21, 2010, for final approval. The Board of Supervisors is now asked to approve for advertisement of bids for the project. He explained once VDOT grants their approval of the plans; the advertisement for bids will be issued.

Discussions ensued among the Board and Mr. Johnson.

Mr. McCall asked if the visitor's center would be completely isolated from the library.

Mr. Johnson explained there will be no access to the library from the visitor's center.

Ms. Parsons added the library circulation desk will have information to compliment the visitor's center.

Mr. McCall inquired about staff for the visitor's center.

Ms. Parson's explained the plan is to use library personnel and volunteers to staff the visitor's center.

Mr. Owens asked if the hours of operation for the new library would change.

Ms. Parsons explained the plan is to expand the hours of operation. Currently, the branch library in Damascus is open ate on Tuesdays and Thursdays, and four hours on Saturday. The plan is to expand the hours and Saturdays, and during the summer extend hours in the evenings.

Further discussions ensued.

On motion of Mr. Straten, second by Mr. Taylor, the Board acted to authorize bidding of construction of Damascus Visitor's Center & Branch Library.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Ms. Price</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

2. Request for Supplemental Appropriation for Refilling Vacant Information Systems Manager Position, County Department of Information Systems

Deputy County Administrator/Operations & Personnel Nadine Culberson addressed the Board and made a presentation concerning the request for supplemental appropriation for refilling the Information Systems Manager Position within the County Department of Information Systems. Ms. Culberson explained this issue was taken to the County Personnel Committee at their October 18 meeting. She asked the Personnel Committee for authorization to begin the search for an Information Systems Manager that would begin in January 2011. Approximately \$28,355.00 will be needed for salary and benefits for six months, January - June 2011. The Personnel Committee approved this request.

Ms. Culberson explained the original plan when she accepted the position of Deputy County Administrator was to have a team management approach for the Information Systems Department. This method of management has not worked as she anticipated. Therefore, she still spends a lot of time doing Information Systems functions.

Mr. Taylor inquired if a decision has been made about the procedure to hire the Information Systems Manager, and if County staff could apply.

Ms. Culberson explained the position would be filled using the same practices of hiring any department head position. There will be a selection committee comprised of the county administrator, deputy county administrator, a constitutional officer and a board member. The position will be advertised in the same manner as all vacant county positions.

Mr. Taylor asked if this was a situation where a current employee in the Information Systems Department could be promoted to the Information Systems Manager Position; then replace the lowest ranking position within the department.

Ms. Culberson explained there has been discussion about this. The Information Systems Manager Position has one of the largest budgets in the County; serves as a consultant; writes grants; and implements projects. The position is also responsible for implementing projects across County borders.

Discussions ensued concerning the responsibilities of the Information Systems Manager Position.

Mr. Reeter asked Ms. Culberson, for purposes of clarification, to address the increase in salary for the Information Systems Technician II position.

Ms. Culberson explained the Information Systems Department lost an Information Systems Technician I employee with over three and a half years experience to the Washington County School Board at the beginning of October. Ms Culberson further explained the other Information Systems Technician I employee has only been employed since May of this year; and the Information Systems Department cannot handle more than one entry level position at a time since it takes 12 months before the employee can work independently.

Ms. Culberson commented the Information Systems Technician II employee has been with the County for 5 ½ years and is only making approximately \$34,000. The Information Systems management team met to discuss staffing issues and recommended adjusting the Information Systems Technician II employee salary to \$40,000.

Ms. Culberson explained she brought these recommendations to the County Personnel Committee and received their approval.

Lengthy discussion ensued among the Board of Supervisors.

On motion of Ms. Price, second by Mr. Taylor, the Board acted to approve a supplemental appropriation from reserves for contingencies in the amount of \$28,355.00 to cover salary and benefits for refilling the vacant Information Systems Manager Position from January - June 2011.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Ms. Price</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

b. Information Items:

1. Presentation Concerning County Erosion & Sediment Control Program

County Engineer and Building Official David Kidd along with representatives from A. Morton Thomas (AMT) addressed the Board and provided an update on the County's Erosion & Sediment Control (ESC) Program.

Prior to beginning the presentation, Mr. Kidd advised that he has relocated his family to Washington County and live in the Harrison Election District. He also provided an update of activities going on in the Department of Building and Developmental Services.

Mr. Kidd began the ESC Program presentation by explaining that AMT has provided ESC services to the County for approximately 16 months. Mr. Preston Breeding and Mr. Jeff Kite with AMT will provide a status of the County's ESC Program.

Mr. Preston Breeding addressed the Board and explained for the last 16 months AMT has handled the ESC Program for County. Mr. Preston explained in 2008 the County's ESC Program was subjected to a program review by the Virginia Department of Conservation & Recreation (DCR). As a result of the review, the County's ESC Program was determined to be non-compliant with the Virginia ECS Program. In May 2008, the County entered into a Corrective Action Agreement with DCR with respect to compliance with the Virginia ESC Program. This prompted action by the County in 2009 to contract with AMT to handle all aspects of the Virginia ESC Program, and enforcement of the County's ESC Ordinance. Mr. Preston advised in August of this year, DCR issued a determination that the County had successfully met all the requirements set forth in the Corrective Action Agreement with respect to compliance with the Virginia ECS Program.

Mr. Breeding next reviewed the ECS Program workload. He explained that 45 plan reviews have been completed; 612 inspections completed; 21 enforcement actions issued; 398 total acres of land have been disturbed; 33 current permitted sites (27 are active); and 9 complaints investigated. Mr. Preston reviewed a map of the county showing the areas of the current workload. He explained that each site must be inspected after a rain event. There is approximately 203 miles of distance to travel from site to site after a rain event. It takes about two days to inspect each of the 27 sites.

Mr. Breeding reviewed ESC Program costs. To date, the plan review costs total \$96,500 and inspection costs to date total \$74,175. He explained over the last six months the inspection costs are down by 50% due to better plans being submitted for review (engineers now understand the rules and the County's ESC Ordinance); increased contractor & developer compliance and program efficiencies. The average monthly support cost for program support and project inspections is \$4,500.

Mr. Breeding stated the ESC Program is a significant cost to the County. It is AMT's opinion that the County's current fee structure for the ESC program is insufficient to cover the costs of inspections. He explained at the request of the County Administrator and County Engineer, AMT conducted research on fee structures that are in place in other localities. As a result of their research it was determined there are many ways to structure fees. AMT recommends variable rates based on the size of disturbance. This is intended to shift the fee burden toward larger developers and projects. The variable rate structure is also easily calculated and understandable. AMT further recommends a premium for excess reviews (example: after three inspections on the same site a premium would be charged); consideration for inspection fees (County currently does not charge an inspection fee) and consistent enforcement actions.

In conclusion, Mr. Breeding explained it is the ultimate goal for the ESC Program to transition back to County management. AMT does see the need for at least the next two years to maintain consultant capability for technical needs, complex projects, inspection assistance, and to assist the County Attorney as requested for enforcement actions.

Mr. Breeding reiterated that the County's ESC program is now fully compliant with DCR. He noted that DCR is praises the County's program, and they are using the last summer's situation at Oak Park as an example of how a problem was turned around and made positive.

Ms. Mumpower questioned if AMT has made recommendations concerning permanent retention ponds at Oak Park to prevent future flooding issues.

Mr. Breeding explained that all retention measures at Oak Park were installed for the construction phase only. When an industry purchases property in Oak Park, it will be the company's responsibility to build storm water drainage measures.

Further discussions ensued about storm water drainage measures in Oak Park until the park is developed.

Substantial discussions ensued among the Board and Mr. Breeding concerning the County's ESC Program and fee structure.

Mr. Reeter provided a review of the County's ESC Program, costs incurred by the County to operate this program, and the County's plan to bring the ESC Program back in-house. He explained the County's ESC Program for the first time is in true compliance with DCR, and it will cost the County a great deal of money to keep the program in compliance. Mr. Reeter stated that operating the ESC Program is putting a strain on County revenues, and some of the costs could be recovered with an improved fee structure. He explained the purpose of tonight's presentation is to ask Board's consent to study and bring back a proposed fee structure that is comparable to what other localities in the area are charging.

Discussions ensued among the Board concerning changes to the County's fee structure. It was consensus of the Board to direct the County Administrator to develop a revised fee structure and bring back to the Board for review.

Mr. Reynolds noted the Board needs to keep in mind the County does not want to curtail development with a large fee structure.

2. Presentation Concerning 2009 Law Enforcement Challenge Grant Competition

Sheriff Fred Newman addressed Board and made a presentation concerning the 2009 Law Enforcement Challenge Grant Competition. Sheriff Newman was accompanied by Deputies Hinchey and Hawk. He explained the Washington County Sheriff's Office placed third in overall competition of Sheriffs' offices between 51-75 deputies. Sheriff Newman stated the Washington County Sheriff's Office has an excellent traffic enforcement program that has resulted in decreased traffic fatalities. He commended his officers for the work they do in traffic enforcement, and thanked the Board of Supervisors for their support of the Sheriff's Office.

Ms. Mumpower thanked the Washington County Sheriff's Office for the work they do to make the County safe for its citizens.

3. Presentation by County Department of Information Systems Concerning On-line Access to Board Meeting Materials

Mr. Kevin Hill with the County Information Systems Department addressed the Board and provided a demonstration of on-line access to the Board of Supervisors Agenda materials. He thanked the Board for allowing the Information Systems Department to present the next phase of Washington County becoming more transparent to its citizens. Mr. Hill explained on-line access to agenda materials will enable the public to have access to all Board Agenda materials via the County's website, and will look exactly like what the Board members see on the electronic agenda provided to them on cd. He further explained for now the on-line materials will be available 24 hours before the regular board meeting. Then 24 hours after a regular Board meeting, the materials will be included on-line with the video of the Board meeting. Mr. Hill stated the ultimate goal of the Information Systems Department will be to have the materials on-line on the Friday prior to the regular Board meeting.

Discussions ensued among the Board and Mr. Hill concerning on-line access to Board Meeting Agenda materials.

Mr. Reeter noted there may be problems with placing videos provided to the Board with their agenda materials on-line; such as the videos presented at the October 12 Board meeting concerning the hazardous railroad crossing. Therefore, from time to time there may not be the ability to place all information on-line that is provided to the Board on cd.

Mr. Owens asked that a representative from the Information Systems Department attend the Tyler Election District Public Information Meeting on November 30 to reveal this information to his constituents, and to show them how to access the on-line agenda materials and watch videos of the Board meetings.

Further discussions ensued.

On motion of Ms. Price, second by Mr. Straten, the Board acted to authorize the County Information Systems Department to move forward with making the October 26 Board Meeting Agenda materials available on-line with the video of the October 26 meeting; and to further move forward with making Board Meeting Agenda materials for regular meetings available on-line on the Friday before the Board meeting.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Ms. Price</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

Ms. Mumpower thanked Mr. Hill for his presentation.

7. Board Member Reports

Ms. Mumpower reported on the Future Farmers of America (FFA) competition in which the FFA students at John S. Battle High School (JSBHS) competed. She accompanied the students to the competition and was very impress with the group of young people. The students were in competition for two days from 8:00 a.m. to 5:00 p.m. with testing and flower arrangements. The competition is an amazing learning experience for the students. Ms. Mumpower reported the JSBHS students placed fourth in the nation with one student placing sixth overall in the nation. She asked that these students be invited to attend a Board meeting and recognized for their achievements.

Mr. Taylor inquired if the School Board recognizes students for accomplishments such as this.

Ms. Mumpower stated that she does not know if the School Board recognizes the students.

Mr. Taylor stated he believes the School Board should do such recognitions if they do not already do so.

Mr. Taylor reported that Dulcie Mumpower and he attended an event at Emory & Henry College announcing a joint venture between Mountain States Health Alliance and Emory & Henry College to establish a Physical Therapy Doctorate Program that will be operated at the old Smyth County Hospital facility. Mr. Taylor said the new program is an economic development project for both Washington and Smyth Counties. It is another positive for Washington County and the region.

Ms. Mumpower said it is a good day for Emory & Henry College. She hopes work can continue on the King College Medical School Project.

Mr. Straten stated he would not object to getting his agenda materials on cd only. He asked to continue to receive the County Operating Budget materials in book form.

8. Board Information and Reminders

Mr. Reeter reviewed the following Board Reminders and Information:

Reminders:

- Virginia Association of Counties' Annual Conference – November 7-9, The Homestead in Hot Springs, VA
- Reviewed the Remaining Schedule of Board of Supervisors Election District Public Information Meetings.

Information:

- Correspondence from Virginia Cooperative Extension (VCE) dated October 7, 2010 regarding restructuring of the VCE.

Mr. Reeter noted that restructure of the VCE would have serious implications to the Washington County Extension Office.

- Proposed Amendments to Virginia State Constitution to be decided in the November 2 General Elections.
- Governor's Transportation Conference – December 8 -9 in Roanoke, VA.
- 2010 Southwest Virginia Legislative Breakfast & Forum to be held November 22, 9:00 a.m. at the General Francis Marion Hotel in Marion, VA.

Ms. Phillips reviewed the following information:

Ms. Phillips reported that she will be attending the Local Government Attorneys (LGA) Conference later this week in Roanoke, and she is appreciative of the Board's support of her participation. She advised the Board that Mr. Joe Howard, the first full time County Attorney for Washington County, has announced his retirement as County Attorney in Stafford County. Ms. Phillips stated that he will receive a prestigious award from the LGA. She asked for Board support to provide Mr. Howard well wishes from the Board.

Ms. Mumpower stated it would be appropriate for the Board of Supervisors to adopt a Resolution to honor him.

Ms. Phillips stated she could draft a Resolution.

It was consensus of the Board to direct the County Attorney to draft a Resolution honoring Joe Howard.

9. Adjourn or Recess

On motion of Ms. Price, second by Mr. McCall, it was resolved to adjourn the meeting.

10-26-10 17309

Prepared by:

Naoma A. Norris, Recording Clerk

Approved by the Washington County Board of Supervisors:

Dulcie M. Mumpower, Chairman