

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, November 23, 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
Kenneth O. Reynolds
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

ABSENT:

Nicole M. Price

1. Call to Order

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

2. Invocation and Pledge of Allegiance

Supervisor Tom Taylor gave the Invocation and led the Pledge of Allegiance.

3. Public Comment

There were no public comments.

4. Approval of Agenda

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

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

Mr. McCall Aye

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

5. Special Recognitions & Presentations:

a. Announcement Concerning Upgrade to County Bond Rating and Consideration of Amendment to Resolution 2010-41 Authorizing Fall, 2010 Bond Financing

The Board moved to Item 6. Consent Agenda because representatives from Davenport & Company had not arrived from a previous meeting with the Industrial Development Authority of Washington County.

6. Consent Agenda:

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

a. Approval of Minutes:

1. November 9, 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 Revenue Refund – Washington County Department of Building and Development Services Building permit Fee

3. Payment of Bills – Period of October 11, 2010 thru November 10, 2010

4. Budget Status Report – As of October 31, 2010

c. Award of Bids and Approval of Contracts:

No bids or contracts were presented to the Board.

d. Authorization of Routine Business Matters:

1. Approval of Revised Position Description for Administrative Assistant – County Department of Community & Economic Development and Adjustment to Initial Starting Salary Range for Position

2. Request to Approve Monday, December 27, 2010 as Additional Christmas Holiday for County Employees

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</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>

7. Public Hearings:

a. Public Hearing and Consideration of Adoption of An Ordinance to Vacate an Undevelopment Right-of-Way from Redwood Circle (SR 644), Across 10136 Redwood Circle, to Access Property at 21421 Unicorn Drive in the Wilson Magisterial District of the County of Washington, Virginia

County Attorney Lucy Phillips addressed the Board and explained that Glenn Dalton resident of Redwood Circle and Mr. Richard A. Carper, resident of Unicorn Drive, filed a request that the Board of Supervisors adopt an ordinance to vacate the right-of-way that crosses Mr. Dalton's property to provide access to Mr. Carper's property. The right-of-way has never been developed or used because access is gained to Mr. Carper's property from a private road named Unicorn Drive. Ms. Phillips stated the Board was provided with materials in their agenda packets relative to this request.

Discussions ensued among the Board.

Mr. Taylor explained according to one of the plats the Board was provided, it appears there is a structure on the right-of-way.

Ms. Phillips stated that according to the survey plat there does appear to be a structure on the right-of-way, and that one of the property owners could address Mr. Taylor's question.

Mr. Straten asked if vacating the right-of-way would restrict other residents in the subdivision.

Ms. Phillips explained that Mr. Carper is the only resident with access to the right-of-way.

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

Mr. Glenn Dalton addressed the Board in support of the proposed ordinance. Mr. Dalton explained he has living rights to the property left to him by his late wife, and it was his initial understanding that the right-of-way had been closed. However, he recently learned it was not closed. Mr. Dalton further explained there is a shed on the property, but it does not affect the right-of-way.

Mr. Richard Carper addressed the Board in support of the proposed ordinance. Mr. Carper explained he does not need access across Mr. Dalton's property because he has two ways to enter and exit his property as it is. There is no need for the right-of-way.

Mr. Straten inquired of Mr. Carper why the right-of-way was constructed to begin with, and if his property were subdivided would there be access to provide infrastructure without the right-of-way.

Mr. Carper explained he does not know how the right-of-way came about. The property used to be all farmland. When he purchased the property in 1973, the right-of-way was in the deed. Mr. Carper further explained if he were to subdivide his property there would be access to provide infrastructure.

There being no further comments, Ms. Mumpower declared the public hearing closed.

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

AN ORDINANCE

TO VACATE AN UNDEVELOPED RIGHT OF WAY FROM REDWOOD CIRCLE (SR 644), ACROSS 10136 REDWOOD CIRCLE, TO ACCESS PROPERTY AT 21431 UNICORN DRIVE IN THE WILSON MAGISTERIAL DISTRICT OF THE COUNTY OF WASHINGTON, VIRGINIA

WHEREAS, the chain of title for the real property of the Eula R. Dalton estate lands indicates the presence of a forty foot right of way that burdens such parcel, as referenced in the deed recorded in the land records of the Clerk of Circuit Court of the County of Washington, Virginia, (hereinafter, Land Records) in Deed Book 522, Page 113, and is also noted on the deed for the dominant estate, which is recorded as Instrument No. 00-8251, and which right of way was previously depicted on a plat recorded together with the deed to the dominant estate in Deed Book 422, Page 254 (plat on Page 256), which real property is located in the Wilson Magisterial District of the County of Washington, Virginia, and

WHEREAS, the parcels touched by the aforementioned right-of-way are more particularly identified with Tax Parcel No. 140C-1-25, being the servient estate, and 140C-1-25A being the dominant estate, and

WHEREAS, the right-of-way was committed to record but is not presently, nor ever has been, a common means of ingress and egress for the general public nor for the holder of the dominant estate, nor has it ever been paved, improved, or accepted into the Virginia Department of Transportation system of secondary highways, and

WHEREAS, the owners of dominant and servient estates identified, above, have asked the Board of Supervisors of the County of Washington, Virginia (Board) to adopt this ordinance to vacate this forty foot right-of-way pursuant to Section 15.2-2006 of the 1950 Code of Virginia, as amended, and

WHEREAS, notice of intention to vacate this right of way was published at least twice, with at least six days elapsing between the first and second publication, in a newspaper having general circulation in the locality and said notice specified the time and place of a hearing at which persons affected may appear and be heard regarding the proposed vacation, and

WHEREAS, the Board has held said public hearing, as required by Virginia Code §15.2-2006, examined the request to vacate, and concluded that the proposed action would not cause any damage to the interests in neighboring property nor to the public health, safety, and welfare;

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

1. This ordinance is hereby adopted pursuant to Section 15.2-2006 of the 1950 Code of Virginia, as amended:

The 40 foot right of way referenced in the legal description for the Eula R. Dalton estate property in the Deed recorded in Deed Book 522, Page 113 and also referenced in the Deed for the property of Richard A. Carper and Joann F. Carper, which is recorded as Instrument No. 00-8251, and also illustrated on the plat that is recorded together with a deed in Deed Book 422, Page 254 (said plat on Page 256) is hereby vacated from the public domain pursuant to Section 15.2-2006 of the 1950 Code of Virginia, as amended, hereby discontinuing said right of way and extinguishing any public right of passage thereon.

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

3. That this ordinance shall become effective sixty (60) days from the date of its passage and adoption as set out herein unless an appeal is filed pursuant to Virginia Code §15.2-2006 and, in such case, this ordinance shall become effective as shall be decided by a court of competent jurisdiction.

4. The Clerk of the Circuit Court of Washington County, Virginia is requested to record a certified copy of this ordinance pursuant to Virginia Code § 5.2-2006, and to index by cross reference to the deeds recorded in the land records in Deed Book 522, Page 113 and Instrument No. 00-8251.

*[Affecting Tax Parcel Identification Numbers:
140C-1-25 and 140C-1-25A]*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</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. Public Hearing on Bequest of land from Grace Rust Estate to County of Washington and Proposed Conveyance of the Gift Property to Emory & Henry College for Use as a Natural Area Preserve and Outdoor Classroom

Ms. Phillips explained the Last Will and Testament of Grace Estella Rust bequeathed to the County a large tract of mountainous, undeveloped land in the Tyler Magisterial District, subject to the restriction that the land is used only as a wildlife preserve with the further stipulation that the small family cemetery which contains the graves of three members of Ms. Rust's late husband be protected. The Will also specified that the land be conveyed to the Commonwealth, but, if the Commonwealth refused it, then Ms. Rust directed the property should be donated to the County subject to the above noted restrictions. The Commonwealth refused to accept the property. The land is subject to a gas/oil lease that was bequeathed to Ms. Rust's husband's great niece. Ms. Rust is deceased and the executors of the Estate are trying to fulfill her wishes as stated in her Last Will and Testament.

Ms. Phillips further explained that County Administrator Mark Reeter and Mr. Ed Stoots with the Virginia Department of Forestry, looked at the property. Mr. Reeter is uneasy in the County's acceptance of the property because the County does not maintain wildlife preserves. The attorney for the Rust Estate contacted Neil Kilgore with the Virginia Outdoor Foundation, which led to contact with Emory & Henry College, and the proposal before the Board. The College indicated that it would be pleased to accept the property to maintain as a wildlife preserve and to use it, as such, for an outdoor classroom. The Virginia Outdoor Foundation would hold a conservation easement on the property to protect the Estate's interest in the preservation of the property for wildlife. In order to meet the requirements of the bequest by Will, the Estate would convey the property to the County; the County would give the conservation easement to the Virginia Outdoor Foundation; and the County would convey the property, subject to the conversation easement, to the College.

Ms. Phillips read a statement from Dr. Ed Davis with Emory and Henry College, who could not attend the meeting.

Discussions ensued among the Board and Ms. Phillips about other restrictions the Board may want to consider adding to the conveyance. Specifically, Mr. Taylor stated he would to see a restriction that Emory & Henry College does not try to establish an Elk population on the property.

Ms. Mumpower opened the public hearing and invited comments both in support of and in opposition to the proposed conveyance of land.

Mr. Neil Kilgore with the Virginia Outdoor Foundation addressed the Board in support of the proposal. Mr. Kilgore addressed Board questions about restrictions on wildlife. He explained that Virginia is in a position to establish an Elk Program. There is an active program in Kentucky, where there are thousands of elk. They are making their way here. The Virginia Outdoor Foundation is not in a position to monitor what goes on or does not go on property as far as wildlife. The Foundation does have restrictions on the type of structures built or matters pertaining to logging in order to assure no harm is done to the Holston River, which is a premier bass river. Mr. Kilgore stated that Ms. Rust was an educator and believes she would be pleased to know the property was given to an educational institution.

There being no further comments, Ms. Mumpower declared the public hearing closed.

On motion of Mr. Owens, second by Mr. McCall, the Board acted to accept the land bequeathed from the Grace Rust estate, convey to Virginia Outdoor Foundation a conservation easement on it in

accordance with her Last Will and Testament, and convey the Rust Estate property to Emory & Henry College.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</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. Special Recognitions & Presentations:

a. Announcement Concerning Upgrade to County Bond Rating and Consideration of Amendment to Resolution 2010-41 Authorizing Fall, 2010 Bond Financing

Mr. Roland Kooch with Davenport & Company, the County's financial advisors, addressed the Board and made a presentation concerning the upgrading of the County's credit ratings by Standard & Poor's and Moody's Credit Services. Mr. Kooch announced that Standard & Poor's upgraded the County to AA-, which means the County has entered the AA range. He announced the Moody's rating remains unchanged and noted that Moody's recalibrated the County's rating in May of this year; their rating is equivalent to an AA3. The factors in the rating agencies strong credit ratings for the County include ample reserve, low and manageable debt burden, and comparison of other localities in Virginia and across the nation. Mr. Kooch noted the rating agencies did recommend the County implement fiscal policy guidelines.

In a related matter, Mr. Kooch reviewed the current market situation affecting the County Fall 2010 Bond Financing. He explained the market conditions have changed since the Board's adoption of the authorizing Resolution on November 10, 2010. The Resolution provided for a not to exceed True Interest Cost of 5.60%. Based on the November 17 assessment of the market, the True Interest Cost of the 2010 Financing was estimated to be about 5.32%. The increase in the rates has added about \$100,000 to the annual total debt service number which translates into an equivalent tax impact of about 2.9¢ versus 2.6¢. Mr. Kooch stated that even though rates have increased since early November, the rates are still at very low levels which are comparable to the levels of a year ago. He explained factors believed to be behind the increase rates include:

1. Increased investor concern with big state and large local governments and their ability/willingness to pay for debt service (e.g. California and Philadelphia);
2. Quantitative Easing by the Fed not being received as well as was desired; and
3. Year end volume (supply of municipal bonds) coming to market.

Mr. Kooch explained Davenport & Company recommends the County increase the not to exceed True Interest Cost to 6.50% to provide a safety net for the transaction.

Discussions ensued among the Board, Mr. Reeter and Mr. Kooch.

Mr. Reeter addressed the Board and explained the IDA met earlier this evening and adopted a supplemental Resolution to provide a not to exceed 6.50% interest rate cap. He further explained a

second issue taken under consideration by the IDA, was downsizing the bond issuance by \$1,500,000.00 due to the likelihood that the County will be awarded a like amount of funding from the Virginia Tobacco Commission for the Industrial Access Road at Oak Park. Assistant County Administrator Christy Parker met today with Tobacco Commission staff and received positive expressions that the County's application will be favorably received. Mr. Reeter stated however, the County will not formally know the recommendation of the Tobacco Commission staff as to what slate of projects they will fund until December 6. The Tobacco Commission does not meet to formally make the awards until January 11, 2011. Therefore, the County will not know with certainty about the additional funding until that time. He advised the Board that the IDA recommended and would be comfortable if the Board downsizes the bond issuance by \$1,500,000.00 in anticipation the County will receive the additional grant funds from the Tobacco Commission. If the County does not receive the additional funds there will be sufficient funds in the project budget to complete the industrial access road and installation of water lines. What may have to be forgone is the construction of building pads. Mr. Reeter further explained if the Board should want to proceed with the financing package as approved on November 10, and the County is successful in receiving the grant funds; the \$1,500,000.00 could be retained and held for a period of time by the IDA. Then at the point sewer is made available to Oak Park, the money could be reinvested in that project. It is not known when the Washington County Service Authority will bring sewer service to the Oak Park area. However, bond rules state the County would have 36 months to spend the principal proceeds. After the 36 months, if 85% of the money is not expended, then the unexpended portion of funds is placed in escrow and the interest rate is capped. The downside of this possibility is the County would be paying interest on the \$1,500,000.00.

Substantial discussions ensued among the Board concerning downsizing the amount of the Fall Bond Financing Package in anticipation the County will receive the \$1,500,000.00 from the Virginia Tobacco Commission.

The following action was taken by the Board on the supplemental Resolution:

On motion of Mr. Taylor, second by Mr. Straten, the Board adopted the following Resolution:

**SUPPLEMENTAL RESOLUTION 2010-42
OF THE
BOARD OF SUPERVISORS OF THE COUNTY OF WASHINGTON, VIRGINIA**

WHEREAS, in a joint meeting of the Industrial Development Authority of Washington County, Virginia (the "Authority") and the Board of Supervisors of the County of Washington, Virginia (the "Board of Supervisors") held on November 10, 2010, the Board of Supervisors adopted a resolution (the "Approving Resolution") approving the issuance by the Authority of up to \$18,750,000 of its Public Facilities Lease Revenue and Refunding Bonds, Series 2010 (the "Bonds") for the purposes set forth in such Approving Resolution; and

WHEREAS, market conditions have changed materially since the adoption of the Approving Resolution that necessitate the parameters of the interest rate referenced in such resolution be modified;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WASHINGTON, VIRGINIA that the not to exceed true interest rate referenced in paragraph 5 of the Approving Resolution shall be changed to a true interest costs of the Bonds of not to exceed 6.50%.

Other than the modification referenced above, the Approving Resolution is hereby ratified and confirmed in its entirety and is in full force and effect.

This Supplemental Resolution shall take effect immediately.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</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>

Further discussions ensued about downsizing the financing package with the following action being taken:

On motion of Mr. McCall, second by Mr. Reynolds, the Board acted to follow the recommendation of the IDA and reduce the Fall Bond Financing Package by \$1,500,000.00.

The vote on this motion was as follows: (4-2)

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

8. General Business:

a. Actionable Items:

1. Consideration of Resolution Concerning Proposed Restructuring of Virginia Cooperative Extension

Washington County Extension Agent Phil Blevins addressed the Board and made a presentation concerning the proposed restructuring plan for the Virginia Cooperative Extension (VCE) and its negative impact on the VCE programs and services in Washington County. Mr. Blevins thanked the Board for their support.

Discussions ensued among the Board and Mr. Blevins.

Ms. Mumpower explained the VCE/Washington County Extension Office has full support of the Board of Supervisors. The VCE programs are creating leaders and instilling the need for agriculture. The Board will do all it can to prevent the proposed restructuring plan of VCE from being implemented.

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

**RESOLUTION 2010-43
OPPOSING THE PROPOSED PLAN OF RESTRUCTURING
OF THE VIRGINIA COOPERATIVE EXTENSION**

WHEREAS, on October 7, 2010 Virginia Tech University announced a plan to restructure Virginia Cooperative Extension to “better meet the needs of its clientele and address a cumulative (revenue) reduction of \$10.3 million since 2007 for Virginia Cooperative Extension (VCE) and the Virginia Agricultural Experiment Station”, and

WHEREAS, a stated component of the plan will consolidate VCE’s administrative field staff into a regional structure that includes locally-based “Extension educators” clustered around a “business center” serving three- to five-county regions throughout the Commonwealth, and

WHEREAS, the proposed business center model will house support staff as well as one or more state-funded Extension educators who will serve the various regions, with each locality being offered the option of housing one or more Extension educators based on local needs with at least one educator funded in partnership with VCE and the locality, and

WHEREAS, this proposed model effectively eliminates the traditional single-locality Extension agent system which has proven vital to the continuing success of many of Virginia’s agriculturally-oriented counties, potentially spreading VCE’s resources too thin and disrupting a number of local VCE programs and initiatives long based on the specific needs of individual counties, and

WHEREAS, the plan appears insensitive to its impact on specific Virginia localities and the needs of their agricultural interests;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board expresses its continued strong support for the VCE Program in its present form and urges Virginia Tech University and the Virginia General Assembly to abandon the plan as presented in favor of more careful, measured, open and participatory examination of the financial and programmatic needs of the VCE and the effects of any changes in the program on individual localities and their agricultural interests.

BE IT FURTHER RESOLVED that this Resolution be distributed to Washington County’s representatives to the Virginia General Assembly, to the Dean of the College of Agriculture and Life Sciences of Virginia Tech University, and to the Virginia Association of Counties.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</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>

At this time, the Board took a five minute recess.

2. Consideration of Request for County Ordinance Pertaining to Old Trail Road Rail Crossing

Mr. Reeter addressed the Board and explained that correspondence (dated November 4) has been received from Mr. Gerald Thompson, a resident of Old Trail Road, who appeared before the Board at the October 12 regular meeting concerning the unsafe condition of the rail crossing at the intersection of Old Trail Road and Hillman Highway. Mr. Thompson outlines in his letter to the County that he has been in contact with representatives from Norfolk & Southern and the Virginia State Corporation Commission (SCC). The SCC has requested that Norfolk & Southern voluntarily direct its train engineers to sound their horn at this crossing to provide a further audible warning of an approaching train. Mr. Reeter explained the next step to insure this continues would be for the County to adopt an ordinance pursuant to Virginia Code Section 56-414, which allows the County to legally petition the SCC to enter an order to Norfolk & Southern to sound their train's horn at this particular crossing. Under this statute, the County or petitioner would be required to install STOP signs at the crossing (already in place) and to pay any fee to the SCC to enter the order. Mr. Reeter explained this is brought before the Board for their consideration to instruct the County Attorney to draft an ordinance and bring to the Board at a future meeting.

Mr. Reeter stated he continues to pursue grant funding for crossing guards at this crossing. His pursuit of funding thus far from grant sources is contingent upon the road where the crossing is located being a State Secondary road.

Mr. McCall explained the proposed ordinance is the best solution at this time. This crossing is very dangerous.

On motion of Mr. McCall, second by Mr. Taylor, the Board acted to direct the County Attorney to prepare a draft ordinance for Board review and authorization for public hearing.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</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>

3. Consideration of Proposed Addendum No. 2 to Mercy Ambulance Services, Inc., Permit for Operation of Emergency Medical Services

County Director of Emergency Management Pokey Harris addressed the Board and explained the Board is asked to consider the proposed Addendum No. 2 to Mercy Ambulance Services, Inc., permit for operation of emergency medical services in the County. Addendum No. 2 is in lieu of the public hearing previously approved by the Board. Ms. Harris further explained Addendum No. 2 is a result of collaborative work between the County and representatives of Mercy Ambulance Service. The proposed Addendum sets parameters for a one-year period during which Mercy Ambulance Service would be allowed to provide convalescent care transportation services, but is subject to restricted ability to provide medical transportation services that arise from an emergency event. Ms. Harris advised that a

recommendation to the Board will be forthcoming in November 2011, as to Mercy Ambulance Services continued operation in the County.

Ms. Phillips explained the Board was apprised of the problems with Mercy Ambulance Service in June of this year. Since that time, there have been many meetings with Mercy Ambulance Services.

Ms. Harris explained in her role as Director of Emergency Management, she can issue the Addendum. However, she asks the Board to approve the proposed Addendum, support her issuance of the Addendum and to continue the scheduling of a public hearing on the Mercy permit contingent upon further request from her office. She reiterated the Addendum would be in place for a year, and in November 2011, she would bring a recommendation to the Board.

On motion of Mr. Owens, second by Mr. Straten, the Board acted to approve the proposed Addendum, support its issuance by the Director, and to continue the scheduling of a public hearing on the Mercy Permit contingent upon further request from the Director.

Discussions ensued among the Board and Ms. Phillips prior to the vote.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</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. John Honeycutt addressed the Board and explained he represents Mercy Ambulance Services. Mr. Honeycutt expressed appreciation to the Board for considering this matter, and stated they are happy to work with Ms. Harris and Ms. Phillips to have a good relationship.

b. Information Items:

1. Review of Second Draft of Proposed Board By-Laws, General Policies and Operating Procedures for Calendar Year 2011

Mr. Reeter addressed the Board and provided a review of amendments to the second draft of the proposed Board By-Laws, General Policies and Operating Procedures for Calendar Year 2011, including a new section to Article 6 of the Board's General Policies pertaining to fiscal policies.

Discussions ensued among the Board, Mr. Reeter and Ms. Phillips concerning the proposed amendments, and about removing an item from the Consent Agenda for further discussion by the Board.

9. Board Member Reports

Mr. Taylor reported on matters pertaining to road conditions on Highway 91, near the truck stop. He explained there is a differential in the grade on each side of the turning lane into the truck stop. Mr. Taylor requested that the Virginia Department of Transportation be asked to correct the problems.

Mr. Taylor commented on a recent article in the Bristol Herald Courier written by Debra McCown, announcing that he would not be a candidate for the Board of Supervisors in the 2011 General Election. He stated he has additional comments to make it clear for the record that his constituents have treated him well, and to state he has never been cursed at. Mr. Taylor explained the majority of calls he has received from constituents have been on viable issues and about things that could be brought before the Board to address.

Mr. Owens reported that the Tyler Election District Public Information Meeting will be held on Tuesday, November 30, 2010, 7:00 p.m., at Valley Institute Elementary School. The public information meeting will be followed by a Neighborhood Watch organizational meeting.

Discussions ensued among the Board concerning the public information meetings.

Ms. Mumpower asked for consensus of the Board to send a letter of support to the Virginia Tobacco Commission, on behalf of the William King Museum requesting that Tobacco Commission funds received by the museum be reallocated to the museum's new location. A copy of the letter was provided to the Board at their stations for review.

Discussions ensued among the Board. Consensus was given to submit the letter to the Virginia Tobacco Commission.

Ms. Mumpower reported that the Federal Mandatory Collective Bargaining legislation has resurfaced, and stated that the Board was provided with information about this issue at their stations. She explained the Board adopted a Resolution earlier this year opposing Mandatory Collective Bargaining, and asked the Board to consider what action to take at this time.

Lengthy discussions ensued among the Board pertaining to the Mandatory Collective Bargaining legislation.

Mr. Reeter stated he could resubmit the Resolution previously adopted by the Board.

Mr. Taylor opposed resubmitting the Resolution, and explained he opposed the Resolution when it was adopted by the Board.

10. Board Information and Reminders

Mr. Reeter reviewed the following Board Reminders and Information:

Reminders:

- County Offices will be Closed ½ day Wednesday, November 24; Thursday, November 25 and Friday, November 26 in Observance of the Thanksgiving Holiday
- Tyler Election District Public Information Meeting will be held on Tuesday, November 30 at 7:00 p.m., Valley Institute Elementary School

Board Information:

- Washington County School Board 2011-2012 Budget Calendar
- Governor's Transportation Conference to be held December 8-10 in Roanoke, Virginia
- Correspondence from Virginia Department of Transportation Concerning the December 16 Roundtable Discussion Meeting Concerning I-81 Issues in Bristol District
- Correspondence from Virginia Department of Transportation Regarding Status of Traffic Signal Study – U. S. Highway 19 & Rustic Lane Intersection

At this time, Mr. Straten commented about the School Board having unobligated funds of \$750,000 remaining at the end of the fiscal year 2010, which no one from the School Board seemed to remember discussing. He researched archives of the Bristol Herald Courier, and found an article written in mid-July referring to the unobligated funds. Mr. Straten further stated he forwarded the information concerning the article, titled "Sullivan Appointed Interim School Superintendent" to Jim Sullivan and School Board Chair Elizabeth Lowe; and he wanted the record to show that this item was mentioned at a School Board meeting and in the newspaper.

11. Adjourn or Recess

On motion of Mr. Owens, second by Mr. Straten, it was resolved to adjourn the meeting.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</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>

Prepared by:

Naoma A. Norris, Recording Clerk

11-23-10

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Approved by the Washington County Board of Supervisors:

Dulcie M. Mumpower, Chairman