**V I R G I N I A**:

At a recessed joint meeting of the Washington County Board of Supervisors, Washington County Service Authority and Industrial Development Authority of Washington County held Thursday, April 21, 2011, at 7:00 p.m., at the Southwest Virginia Higher Education Center in Abingdon, Virginia the following were present:

**PRESENT:**

**Washington County Board of Supervisors:**

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
Christianne E. Parker "Christy" Parker, Assistant County Administrator/
Community and Economic Development
Naoma A. Norris, Recording Clerk

**Washington County Service Authority:**

Joe L. Chase
Prince A. Coleman
Wanson D. "Devere" Hutchinson
Dwain D. Miller
Frank J. Stephon, IV
Donald L. Stout
Kenneth Taylor

Robbie Cornett, General Manager
Dawn Figueiras, Legal Counsel
Amanda Paukovitz, Administrative Assistant

**Industrial Development Authority of Washington County**:

Russell U. Owens, Chair
Henry S. Snodgrass, Vice Chair
Patrick D. "Pat" Callebs
Clarence B. "C. B." Hale
John B. Roberts, Sr.

Joe Lyle, Legal Counsel

**ABSENT:**

**Washington County Board of Supervisors:**

Nicole M. Price

**Industrial Development Authority of Washington County**:

Chad E. Gardner
Curtis R. Woodward

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**1. Call to Order**

**Washington County Board of Supervisors:**

The meeting was called to order by Ms. Dulcie M. Mumpower, Chair of the Board, who welcomed everyone in attendance. Ms. Mumpower thanked the Washington County Service Authority for hosting the meeting.

**Washington County Service Authority**:

Action was taken to call the meeting of the Washington County Service Authority to order.

**Industrial Development Authority of Washington County:**

Mr. Russell Owens, Chairman, Industrial Development Authority of Washington County (IDA), called the recessed meeting of the IDA to order. Mr. Owens noted for the record that the IDA had a quorum.

**2. Approval of Agenda**

**Washington County Board of Supervisors:**

***On motion of Mr. Reynolds, second by Mr. Owens, 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*** |

**Washington County Service Authority:**

Action to approve the agenda was taken by the Washington County Service Authority.

**Industrial Development Authority of Washington County:**

***On motion of Mr. Snodgrass, second by Mr. Callebs, the IDA acted to approve the agenda as presented.***

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

| | |
|---|---|
| ***Mr. Hale*** | ***Aye*** |
| ***Mr. Owens*** | ***Aye*** |
| ***Mr. Snodgrass*** | ***Aye*** |
| ***Mr. Roberts*** | ***Aye*** |
| ***Mr. Callebs*** | ***Aye*** |

**4. <u>Presentation of Western Washington County Sewer Study</u>**

Washington County Service Authority (WCSA) General Manager Robbie Cornett addressed the group and provided introductory remarks about the Western Washington County Sewer Study. Mr. Cornett explained the importance of the western Washington County area to the WCSA. This area includes Old Jonesboro Road, Lee Highway/I-81 from Exit 13 to the Tennessee state line. There are a number of maturing subdivisions with the need for sewer service. In addition, there is a lot of commercial development and two industrial parks; Oak Park and Washington County/Bristol Industrial Park. Mr. Cornett further explained that sewer capacity is important if the County wishes to provide sewer service to the residents and future business/industries in the area of western Washington County. He stated a couple years ago, the Board of Supervisors and WCSA agreed to conduct a sewer study of western Washington County, and procured the Lane Group, who worked with Olver, Incorporated to complete the study. At this time, Mr. Cornett introduced Bobby Lane and Matthew Lane with the Lane Group, and Doug Hutchins with Olver Incorporated.

Mr. Bobby Lane on behalf of Lane Group and Olver Incorporated presented the findings of the Western Washington County Sewer Study. The study included a review of the purpose, study area, existing facilities in the Abingdon and Bristol areas, the sewer system infiltration and inflow, existing and projected flow for the service area from Exit 7 to Exit 14. Mr. Lane concluded his presentation by reviewing the following alternatives and recommendations identified in the study:

<u>Alternatives</u>

- Negotiate expanded capacity with Bristol Virginia Utilities;
- Negotiate expanded capacity with the Town of Abingdon;
- Negotiate capacity with Bristol, Tennessee;
- New WCSA-owned Waste Water Treatment Plan with discharge to:
  - Spring Creek
  - Sinking Creek
  - Beaver Creek
  - North Fork Holston River
- Balancing Line;
- Water Reuse;
- Decentralized Wastewater Treatment;

- No action

Recommendations

WCSA Should:

1. Continue on a dual approach to investigate the two viable alternatives:
   a. Negotiate Expanded Capacity with the Town of Abingdon
   b. Balancing Line with New WCSA-Owned 0.5 MGD Waste Water Treatment Plant
2. Submit VPDES discharge permit application for minimum discharge of 0.5 MGD to Beaver Creek (with a tier permit requirement for 1.5 MGD).
3. Initiate Negotiations with the Town of Abingdon for an additional 1 MGD of capacity at the WCWRF.
4. Finalize a Schedule of Development for the Study Area and Develop a Phased Approach for the Selected Alternative.
5. Pursue Funding for Implementation.

IDA Should:

1. Confirm the sufficiency of 1 MGD of industrial reserve capacity within Oak Park and Bristol/Washington County Industrial Park.

This concluded the presentation.

Discussions ensued among the group and Mr. Lane.

***Scrivener's Note: The Western Washington County Sewer Study referenced above is included as Minutes Exhibits Item 2010-04-21-A.***

**5. Ten-Minute Recess**

A ten minute recess was taken.

**6. Closed Meeting:**

**a. Request to convene in Joint Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)6 for discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interests of the governmental units would be adversely affected; specifically to review and discuss options for the provision of certain public utility services to the western portion of Washington County**

**Washington County Board of Supervisors:**

***On motion of Mr. Owens, second by Mr. Taylor, the Board acted to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)6 for discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial***

***interests of the governmental units would be adversely affected; specifically to review and discuss options for the provision of certain public utility services to the western portion of Washington County. 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: (6-0)***

| | |
|---|---|
| ***Mr. McCall*** | ***Aye*** |
| ***Ms. Mumpower*** | ***Aye*** |
| ***Mr. Owens*** | ***Aye*** |
| ***Mr. Reynolds*** | ***Aye*** |
| ***Mr. Straten*** | ***Aye*** |
| ***Mr. Taylor*** | ***Aye*** |

**Industrial Development Authority of Washington County:**

***On motion of Mr. Snodgrass, second by Mr. Callebs, the IDA acted to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)6 for discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interests of the governmental units would be adversely affected; specifically to review and discuss options for the provision of certain public utility services to the western portion of Washington County. It was further resolved to include Legal Counsel Joe Lyle in the Closed Meeting.***

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

| | |
|---|---|
| ***Mr. Hale*** | ***Aye*** |
| ***Mr. Owens*** | ***Aye*** |
| ***Mr. Snodgrass*** | ***Aye*** |
| ***Mr. Roberts*** | ***Aye*** |
| ***Mr. Callebs*** | ***Aye*** |

**Washington County Service Authority:**

Action was taken by the Washington County Service Authority to convene in Closed Meeting.

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

**Washington County Board of Supervisors:**

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

***On motion of Mr. Owens, 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: (6-0)***

| | |
|---|---|
| ***Mr. McCall*** | ***Aye*** |
| ***Ms. Mumpower*** | ***Aye*** |
| ***Mr. Owens*** | ***Aye*** |
| ***Mr. Reynolds*** | ***Aye*** |
| ***Mr. Straten*** | ***Aye*** |
| ***Mr. Taylor*** | ***Aye*** |

**Industrial Development Authority of Washington County:**

***After returning to the meeting, the Chairman noted that upon motion of Mr. Snodgrass, second by Mr. Callebs, and favorable vote, the Industrial Development Authority reconvened in open meeting. The Chairman 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 Industrial Development Authority responded to the Chairperson's call for statements.***

***On motion of Mr. Callebs, second by Mr. Snodgrass, the members of the Industrial Development Authority 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: (5-0)***

| | |
|---|---|
| ***Mr. Hale*** | ***Aye*** |
| ***Mr. Owens*** | ***Aye*** |
| ***Mr. Snodgrass*** | ***Aye*** |
| ***Mr. Roberts*** | ***Aye*** |
| ***Mr. Callebs*** | ***Aye*** |

**Washington County Service Authority:**

Action was taken by the Washington County Service Authority to certify the Closed Meeting.

**7. <u>Action(s) to be Taken Resulting from Closed Meeting</u>**

**Industrial Development Authority of Washington County:**

***On motion of Mr. Snodgrass, second by Mr. Roberts, the Industrial Development Authority of Washington County acted to adopt the following joint resolution:***

**JOINT RESOLUTION OF**
***BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA***
***BOARD OF COMMISSIONERS OF WASHINGTON COUNTY SERVICE AUTHORITY***
***And***
***BOARD OF DIRECTORS OF INDUSTRIAL DEVELOPMENT AUTHORITY OF WASHINGTON COUNTY, VIRGINIA***

***WHEREAS, on March 17, 2009, the Board of Supervisors of Washington County, Virginia ("County") and the Board of Commissioners of the Washington County Service Authority ("WCSA") considered obtaining a study of future sewer service requirements for western portion of Washington County, Virginia, which would recommend solutions therefor ("the study");***

***WHEREAS, The Lane Group partnering with Olver Incorporated (together, the "Engineers") was procured to perform the study;***

***WHEREAS, the Engineers subsequently performed the study, produced written documentation thereof, and on April 21, 2010, presented their findings and recommendations in a Power Point presentation at a joint meeting of County, WCSA, and the Board of Directors of the Industrial Development Authority of Washington County, Virginia ("IDA");***

***WHEREAS, after receiving and considering the Engineers' findings and recommendations, County, WCSA, and IDA in joint meeting assembled, have concluded that the Engineers' recommendations are in the best long-term interest of the residents of Washington County, Virginia;***

***NOW, THEREFORE, BE IT RESOLVED by COUNTY, WCSA, and IDA that the Engineers' recommendations be, and they are hereby, adopted by each of County, WCSA, and IDA; that the Engineers' presentation is made a part of the record of said meeting; and that each County, WCSA, and IDA resolves to do all things reasonably necessary to implement the Engineers' recommendations, which include without limitation the following:***

***1. WCSA is to:***

- ***A. Simultaneously explore alternatives of:***
  - ***i. Negotiating with the Town of Abingdon for additional sewer capacity, and***
  - ***ii. Developing a variable-flow system with a WCSA-owned 0.5 MGD WWTP***
- ***B. Submit a VPDES discharge permit application for the WWTP referred to above for a minimum discharge of 0.5 MGD to Beaver Creek with a tiered permit requirement of 1.5 MGD***
- ***C. Finalize a schedule of development for the study area and develop a phased approach for the alternatives above***

***D. Pursue funding for implementation of the Engineers' recommendations***

***2. IDA is to:***

***A. Confirm the sufficiency of the 1 MGD of industrial reserve capacity within Oak Park and BWCIP.***
***B. Support WCSA in the pursuit of funding as pertains to the industrial reserve capacity.***

***3. County is to:***

***A. Support WCSA and/or the IDA in the pursuit of funding, negotiations, permits, approvals as pertains to the implementation of any or all projects in the study area.***

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

| | |
|---|---|
| ***Mr. Hale*** | ***Aye*** |
| ***Mr. Owens*** | ***Aye*** |
| ***Mr. Snodgrass*** | ***Aye*** |
| ***Mr. Roberts*** | ***Aye*** |
| ***Mr. Callebs*** | ***Aye*** |

**Washington County Service Authority:**

Action was taken by the Washington County Service Authority to adopt the same joint resolution.

**Washington County Board of Supervisors:**

Mr. Owens addressed the group and explained because Board Member Nicole Price is absent; the Board wishes to discuss the proposed Resolution with Ms. Price in Closed Meeting on April 26. Therefore, the Board deferred action on the Joint Resolution.

**8. <u>Adjourn</u>**

**Washington County Board of Supervisors:**

***On motion of Mr. Owens, second by Mr. Taylor, the Board acted to adjourn the meeting.***

***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***

**Industrial Development Authority of Washington County:**

Mr. Owens explained the IDA had other issues to discuss and would not be adjourning at this time.

Note: The other matters considered by the IDA are not recorded in these minutes.

**Washington County Service Authority:**

Action was taken by the Washington County Service Authority to adjourn their meeting.

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**Prepared by**:

_____
Naoma A. Norris, Recording Clerk

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

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Dulcie M. Mumpower, Chairman