

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, April 26, 2011, at 6:33 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
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.

At this time, Ms. Mumpower introduced Ms. Alicia Roland, the new Administrative Assistant for Christy Parker in the Department of Community and Economic Development. Ms. Mumpower welcomed Alicia to the County.

Ms. Roland addressed the Board and thanked them for the opportunity to be a part of the Washington County team. She explained that her most recent position was Marketing Coordinator for Reline America. Before that she was an Administrative Assistant at General Dynamics.

2. Invocation and Pledge of Allegiance

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

3. Public Comment

The following individuals addressed the Board:

- Mike Abaray
- Ken Fleenor
- Judith McBride

- Dan Ruble

4. Approval of Agenda

Mr. Reeter addressed the Board and explained revisions were made to the proposed Resolution in remembrance of the War of 1812 for the Memorial Day Celebration at Veteran's Memorial Park. A revised copy of the Resolution was provided at board stations.

On motion of Mr. Reynolds, second by Mr. Taylor, 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>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:**

On motion of Mr. Taylor, 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. April 12, 2011 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 and Inter-Department Line Item Transfer – Washington County Sheriff's Office for Bullet Proof Vest Grant

3. Request for Supplemental Appropriation – Washington County Sheriff's Office and Commonwealth's Attorney Office

4. Request for Transfer from Reserve for Contingencies and Washington County recreation Department – Beaverdam Park Expenses

5. Request for Inter-Department Transfers – Health Care Cost Adjustments

6. Request for Supplemental Appropriation – Washington County Clerk of Circuit Court Office

7. *Request to Transfer Funds from Operational Reserves for Contingencies to Washington County Building & Development Services*

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

No bids or contracts were presented to the Board.

d. *Authorization of Routine Business Matters:*

1. *Resolution in Remembrance of the War of 1812 for Memorial Day Celebration at Abingdon Veteran's Memorial Park – approved as follows:*

**RESOLUTION 2011-09
IN REMEMBRANCE OF THE WAR OF 1812**

WHEREAS, the War was fought between the United States and the British Empire declared in 1812 and sometimes referred to as the "Second American Revolutionary War", and

WHEREAS, for the conflict was fought over a number of issues and disputes left unresolved from the first conflict between 1776 and 1781, and

WHEREAS, the War was fought both on sea and on land, with privateers on both sides attacking each other's merchant ships, and

WHEREAS, land and naval battles were fought on the frontier of the new United States, which ran along the Great Lakes and Saint Lawrence River, and

WHEREAS, the South and the Gulf Coast saw a major land battle in which the American forces defeated Britain's Indian allies and the main British invasion force at the famous Battle of New Orleans, and

WHEREAS, America's successful defense of the city of Baltimore during the War inspired the lyrics of the our national anthem, "The Star-Spangled Banner";

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board calls upon all Washington County citizens to note and remember the sacrifices made by our American forefathers during the War of 1812 and to be ever mindful that the price of freedom and liberty is high and requires eternal vigilance.

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>

6. Public Hearings:

- a. Public Hearing Concerning Mendota Community Water System Improvement Project's Effect on Floodplain and Wetlands

The public hearing was delayed until 7:40 p.m. in order to allow additional time for the representative from Mount Rogers Planning District Commission (MRPDC) to arrive.

Note: representatives from MRPDC were not able to attend the meeting.

Mr. Reeter explained the Mendota Community Water System Improvement Project for which the County has applied for funding through the Virginia Community Development Block Grant Program (CDBG) will affect designated floodplain and wetlands areas of the North Fork of the Holston River near the Mendota Community. To complete the Environmental Assessment for the Project, the County is required to conduct a public hearing to receive comments concerning the impact of construction of the project's waterline on these sensitive areas.

Ms. Mumpower opened the public hearing and invited comments in regards to the Mendota Community Water System Improvement Project's effect on floodplain and wetlands.

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

Mr. Taylor added the CDBG Program in previous years required an environmental impact assessment to be conducted if a project received funding. New CDBG rules require the study be conducted before funding decisions are made.

This was a public hearing only; no action by the Board was requested.

7. General Business:**a. Actionable Items:****1. Consideration of Supplemental Appropriation for Intensive Drug Treatment Program**

Washington County Commonwealth's Attorney Dennis Godfrey addressed the Board on behalf of the Planning Team formed for the purpose of establishing an Intensive Drug Treatment Program, referred to as Drug Court. Mr. Godfrey explained the Planning Team is comprised of C. Randall Lowe, Circuit Court Judge, Commonwealth's Attorney, Sheriff, the criminal defense bar, District 17 Probation and Parole, and mental health professionals from Highlands Community Services. The goal is to begin the program in mid July 2011. Mr. Godfrey further explained the Intensive Drug Treatment Program is being established to meet the following three main goals and objectives:

Goal 1: To reduce substance use and recidivism among identified offenders through intensive treatment, community and judicial supervision.

Goal 2: Improve individual and societal accountability among participants.

Goal 3: Reduce drug related costs and workload volumes on Washington County's criminal justice system.

Mr. Godfrey explained other localities in the region have drug treatment programs approved by the Supreme Court. An application for an approved drug treatment program in Washington County was submitted today to the Supreme Court. He further explained this program is voluntary. It will take high risk offenders, previous drug users, or an individual with some type of other substance abuse related charge. The program will require a drug offender to plead guilty to a charge and be under the control of the Circuit Court. Intensive individualized treatment plans will be prepared. They will include drug and alcohol therapy and random, weekly urine screens. In addition, a case manager will be assigned to monitor each offender, and the offender will meet weekly with counselors. Also, the Circuit Court Judge will be very involved in the program. Judicial supervision is critical and gives teeth to the program. The judge will impose sanctions upon the offender if warranted which could mean jail time. Mr. Godfrey further explained that a cost savings is expected with the program as the costs of putting someone in jail range from \$15-\$18 per day.

Mr. Godfrey next explained the Planning Team is working toward the goal of raising \$50,000 to start the program. The United Way has pledged \$10,000, and \$10,000 will be taken from the Forfeited Asset Seizure Funds. The Planning Team respectfully requests a supplemental appropriation of \$10,000 from the County to be used for establishment of the Intensive Drug Treatment Program. The money will be used to pay the salary for a part-time case manager and purchase of the drug screening equipment.

Lengthy discussions ensued among the Board and Mr. Godfrey pertaining to the Intensive Drug Treatment Program. Some issues discussed were the lack of statistics available on the success of other localities' drug treatment programs; costs to house a prisoner in the Southwest Virginia Regional Jail System; the impact drug use has on society and on crime in Washington County.

Mr. Taylor asked if the funding request was for the current fiscal year, or for FY 2012-2013.

Mr. Godfrey explained the program is targeted to begin mid-July 2011, and the request for funding is a onetime request.

Mr. Straten commented that these type intensive drug treatment programs have been in existence for many years and typically do not have a high success rate. He questioned that if the request for funding is a onetime request, could the money be taken from the Federal Asset Seizure Funds instead of from taxpayer dollars. Mr. Straten stated that in visiting with industry over the last few weeks, the plant managers indicated an unwillingness to hire convicted felons, especially those with drug-related charges.

Ms. Price also questioned if the \$10,000 request to the Board could be taken out of the Federal Asset Seizure Funds since these funds are taken from criminals and drug users. She suggested that the Board could offer a resolution of support, and direct the County Administrator to write a letter of support. Ms. Price stated her preference would be that the seed money be taken from the Federal Asset Seizure Funds and not from taxpayer dollars.

Mr. Godfrey explained that he could not argue with the logic of taking the \$10,000 from the Forfeit Asset Seizure Funds.

Further discussions ensued regarding at what point the program would be re-evaluated, if industries have been contacted about hiring successful participants of the drug treatment program, and the importance of community involvement to the success of the program.

On motion of Mr. Reynolds, second by Mr. Taylor, the Board acted to appropriate \$10,000.00 from Operational Reserves for Contingencies for initiation of Intensive Drug Treatment Program serving Washington County.

Discussions ensued among the Board concerning the proposed action.

Sheriff Fred Newman addressed the Board and explained that 80-85% of the crime in Washington County is related to drug use. Individuals steal and pawn items for money to buy drugs. He further explained the Sheriff's Department supports the program, and will do their part to make it work. Sheriff Newman touched on the current problems with drug use, and stated that users are convicted and sent to jail. They serve their time, get out and go back into the same culture. The intensive drug treatment program may not be successful for everyone, but it is better than the alternative.

Further discussions ensued about use of the Forfeit Asset Seizure Funds.

Sheriff Newman explained use of the Forfeited Asset Seizure Funds is handled in a responsible manner. These funds were used to renovate the Public Safety Building (about \$400,000). He is not opposed to using the Forfeit Asset Seizure Funds and does not like to request money from the Board.

Mr. Godfrey explained he was asked by the Planning Team to make a request to the Board of Supervisors for funding to establish the drug court, and he will stay with the mission he was charged with.

Further discussions ensued regarding the intensive drug treatment program.

The vote on this motion was as follows: (5-2)

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

2. Consideration of Mount Rogers Comprehensive Economic Development Strategy (CEDS) for 2011/2012

Assistant County Administrator/Community and Economic Development Christy Parker addressed the Board and explained at the Board's direction the Mount Rogers Planning District Commission Comprehensive Economic Development Strategy (CEDS) was taken to the County Economic Development Committee for review. The Committee recommended all water and sewer infrastructure projects to be given top priority as they are necessary for the health and welfare of the County citizens. Other projects that moved up in priority include: Oak Park Access Road Project (Rt. 1745) and the Regional Sports Multi-Plex project. Heartwood was moved down since all funding is in place and construction is nearing an end. Hayters Gap Library was removed from the list since it is now complete.

On motion of Mr. Straten, second by Mr. Reynolds, the Board acted to approve the list of Local Priorities to be incorporated into the Mount Rogers Planning District Commission's Comprehensive Economic Development Strategy.

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>

3. Consideration of Resolution Designating Week of May 2-6 as Business Appreciation Week in Washington County

Ms. Parker addressed the Board and explained each May; the Commonwealth of Virginia encourages communities statewide to recognize the valuable contributions that are made by existing business and industry. May 2 – 6 has been designated by Governor McDonnell as Existing Industry Appreciation Week. The Washington County Industrial Development Authority and Washington County Chamber of Commerce are working together to plan activities in the County. A full day of events is planned on May 4.

Ms. Parker explained to formalize the support for existing business and industry, the Board is requested to adopt a Resolution designating May 2-6, 2011 as Business Appreciation Week in Washington County.

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

***RESOLUTION 2011-10
2011 BUSINESS APPRECIATION WEEK IN WASHINGTON COUNTY***

WHEREAS, Governor Robert F. McDonnell has recognized May 2-6, 2011 as BUSINESS APPRECIATION WEEK in the COMMONWEALTH OF VIRGINIA, and called this observance to the attention of all citizens; and,

WHEREAS, Virginia and its localities recognize the many charitable, civic, and philanthropic contributions made by businesses and support their involvement in sustaining communities; and

WHEREAS, the citizens of the Washington County benefit from the positive outcomes that voluntary financial, in-kind and service donations by Virginia businesses bring to worthy causes; and

WHEREAS, Washington County has joined the Commonwealth in developing a supportive business climate to encourage investment, job growth and community involvement; and

WHEREAS, businesses in Washington County play a significant role in growing the economy of the Commonwealth and in nurturing charitable and civic organizations; and

WHEREAS, Business Appreciation Week increases public awareness of the valuable contributions that businesses make in our community.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board does hereby recognize May 2-6, 2011 as BUSINESS APPRECIATION WEEK IN WASHINGTON COUNTY, and call this observance to the attention of all our citizens.

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 commented that it is an honor to for Washington County to recognize existing businesses and industries. The businesses and industries very much appreciate representatives from the County meeting with them to talk about their needs and concerns.

b. Information Items:

1. Presentation of 2010 Annual Report of the Smyth-Washington Regional Industrial Facilities Authority

Mr. Russell Owens, Chairman of the Smyth-Washington Regional Industrial Facilities Authority (SWIFA), presented the Board with SWIFA's Annual Report for CY 2010. Mr. Owens provided a review of activities accomplished by SWIFA in the last year. He noted the economy affected economic development in 2010.

Discussions ensued among the Board and Mr. Owens.

Ms. Mumpower thanked Mr. Owens for the report, and expressed appreciation on behalf of the Board for the work of SWIFA and the Industrial Development Authority of Washington County.

Scrivener's Note: The annual report referenced above is included as Minutes Exhibits Item 2010-04-26-A.

8. Board Member Reports

Ms. Price reminded the Board of her radio program, Washington County Connections, on Emory and Henry College's public radio station 90.7. The program airs on Fridays at 1:00 p.m. and Sundays at noon. The guest for this week's show will be Steve Clear, Superintendent, Southwest Virginia Regional Jail Authority. It will be a good opportunity for people who have questions about the regional jail system.

Mr. Straten reported on his participation in the Virginia Certified County Supervisors Program offered through the Virginia Association of Counties. He commented that Washington County is highly regarded

among other localities throughout the state. Mr. Straten encouraged other Board members to participate in the program.

Mr. McCall made a report on the Emergency Services Committee meeting with chiefs of the fire departments and captains of the emergency medical services organizations in the County. He stated that it was a good meeting with a lot of open discussions. Additional meetings with the Emergency Services Committee have been requested.

Mr. Owens reported that he received correspondence from Mr. Charles Bartlett, an expert on gas drilling. Mr. Bartlett extends an invitation to members of the Board to meet with him at his office. Mr. Owens asked for this item to be placed on the agenda for the May 10 meeting so the Board could make a decision about visiting Mr. Bartlett. He commented that he has received calls both in support of and in opposition to the gas drilling.

Ms. Mumpower commented that the industry visitations have gone well. She participated in several tours and it is exciting to see what the industries are doing. Business Appreciation Week is a good opportunity to let businesses and industries know the County appreciates them being here.

Ms. Mumpower echoed Mr. McCall's remarks about the Emergency Services Meeting with the chiefs of the fire departments and captains of the emergency medical services department. These representatives felt free to speak openly with the Committee.

Ms. Mumpower asked that the family of the Clerk of the Virginia House of Delegates be remembered in prayer.

9. Board Information and Reminders

Ms. Phillips reviewed the following information:

Ms. Phillips provided an update on the progress of the County Redistricting Committee. She explained the Committee met earlier this evening, and a proposal was submitted for their consideration. Ms. Phillips commented that she believes a proposal will be brought before the Board at their May 10 meeting.

Mr. Reeter reviewed the following Reminders and Information:

Reminders

- Commonwealth Transportation Board Public Hearing on Fiscal year 2012-2017 Six-Year Improvement Plan for Interstate, Primary Highway and Rail Improvements for the Bristol Transportation District – May 12, 6:00 p.m., Virginia Department of Transportation's Salem Transportation District Offices, Salem, Virginia
- Reception and Dinner for Virginia Association of Counties' President Robert Adkins (Wise County) – April 30, 6:30 p.m., in Wise, Virginia
- Save-the-Date: June 11 – Johnston Memorial Hospital Celebration

10. Closed Meeting:

- a. **Request to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; specifically both a proposed new and an existing industry within the Bristol/Washington County Industrial Park and an existing business within the Town of Abingdon**

On motion of Mr. Owens, second by Mr. Straten, the Board acted to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; specifically both a proposed new and an existing industry within the Bristol/Washington County Industrial Park and an existing business within the Town of Abingdon.

A ten minute recess was taken prior to convening in closed 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. 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 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.

The Chairperson asked that the record show that in addition to members of the Board of Supervisors that Industrial Development Authority Chairman Russell Owens, County Administrator Mark Reeter, County Attorney Lucy Phillips and Assistant County Administrator Christy Parker participated in the Closed Meeting.

On motion of Mr. Owens, second by Mr. Reynolds, 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>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>

9. Adjourn or Recess

On motion of Mr. Reynolds, second by Mr. Straten, 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>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>

Prepared by:

Naoma A. Norris, Recording Clerk

Approved by the Washington County Board of Supervisors:

Dulcie M. Mumpower, Chairman