V I R G I N I A:

At regular meeting of the Washington County Board of Supervisors held Tuesday, January 24, 2012, at 6:50 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

Joseph C. Straten, Chairman
Phillip B. McCall, Vice Chairman
William B. Gibson
Dulcie M. Mumpower
Odell Owens
C. Wayne Stevens, Jr.

Mark K. Reeter, County Administrator
Lucy E. Phillips, County Attorney
Mark W. Seamon, Director of Budget & Finance
Naoma A. Norris, CAP, Executive Assistant/Recording Clerk

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1. Call to Order

The meeting was called to order by Mr. Joe Straten, Chairman of the Board, who welcomed everyone in attendance.

2. Invocation and Pledge of Allegiance

Supervisor Phillip McCall gave the Invocation and led the Pledge of Allegiance.

3. Public Comment

The following individuals addressed the Board:

- Richard MacBeth
- James DeBord
- Kristina Morris

4. Approval of Agenda

County Administrator Mark Reeter reviewed an amended agenda for the Board meeting. Mr. Reeter explained a second closed meeting has been added to the beginning of the meeting for the purpose of discussing economic development issues. In addition, an item has been added to the Consent Agenda.

Mr. McCall asked that item 6.b.4 be removed from Consent Agenda and added to General Business for further discussion.

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

New Item 5.c. – Closed Meeting

1. ***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 a new industry proposed for location near the Washington County Industrial Park and a new industry proposed for location in the Bristol/Washington County Industrial Park***

New Item 6.c. – Consent Agenda

1. ***Approval of Amendment to Lease Agreement between county and United Telephone-Southeast LLC for Courthouse Parking***

New Item 7.a. – General Business

4. ***Request for Transfer from Reserve for Contingencies – Local Match Funding for Rescue Squad Assistance Grant (RSAF) Awards (removed from Consent Agenda)***

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

5. Special Recognitions & Presentations:

a. Presentation of County Employee Service Pins and Certificates

Mr. Straten and Mr. Reeter presented service pins and certificates to County employees as follows:

Five Years

Kendall Williams
Budget & Finance Department

Jessica Pasquale
General Services Department

Terry Leonard
Solid Waste Department

Steve Scott
General Services Department

Deborah Elswick
Solid Waste Department

Ten Years

Naoma Norris
County Administration

Twenty Years

Nadine Culberson
County Administration

Keith Owens
Recreation Department

Mr. Straten on behalf of the Board expressed appreciation to these employees for the outstanding job and service they provide to Washington County.

b. Presentation of Board Member Service Pins

Mr. Straten presented services pins to the following Board members

Bill Gibson
First Term

Wayne Stevens
First Term

Odell Owens
Three Terms

Phillip McCall
Four Terms

5.c. 1.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 a new industry proposed for location near the Washington County Industrial Park and a new industry proposed for location in the Bristol/Washington County Industrial Park

On motion of Ms. Mumpower, second by Mr. McCall, 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 a new industry proposed for location near the Washington County Industrial Park and a new industry proposed for location in the Bristol/Washington County Industrial Park. It was further resolved to include County Administrator Mark Reeter, County Attorney Lucy Phillips, Director of Economic Development and Community Relations Christy Parker, and Industrial Development Authority Chairman Henry Snodgrass in the Closed Meeting.

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

Mr. Gibson Aye
Mr. McCall Aye

Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

b. Reconvene in Open Meeting and Certification of Joint Closed Meeting(s):

After returning to the meeting, the Chairperson noted that upon motion of Mr. Owens, second by Mr. Stevens 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. McCall, second by Mr. Owens, 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. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

6. Consent Agenda:

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

a. <u>Approval of Minutes</u>:

1. January 10, 2012 Regular Meeting

b. <u>Approval of Routine Financial Matters</u>:

1. Request for Revenue Refunds – Washington County Sheriff's Office-Animal Sterilization Fees

2. Request for Authorization to Pay VML/VACo APCo Steering Committee Assessment

3. Request for Transfer from Reserve for Contingencies – Funds for Board of Supervisors Reception Held on December 14, 2011

4. Payment of Bills – From December 01, 2011 thru January 10, 2012

5. Budget Status Report – December 31, 2011

c. <u>Award of Bids and Approval of Contracts</u>:

1. Approval of Amendment to Lease Agreement between County and United Telephone – Southeast LLC for Courthouse Parking

d. <u>Authorization of Routine Business Matters</u>:

1. Adoption of Resolution in Support of Nomination of Washington County Long-Term Recovery Group for 2012 Governor's Volunteerism and Community Service Award – approved as follows:

RESOLUTION 2012-03
IN SUPPORT OF NOMINATION OF WASHINGTON COUNTY LONG-TERM RECOVERY GROUP FOR OUTSTANDING COMMUNITY ORGANIZATION FOR THE 2012 GOVERNOR'S VOLUNTEERISM AND COMMUNITY SERVICE AWARDS

WHEREAS, on May 10, 2011, twelve days after Washington County, Virginia, was struck with one F-0, two F-1 and one F-3 tornados, the Washington County Long-Term Recovery Group (LTRG) came together for their first meeting. Twenty-five meetings later, this group of local and county officials, non-profit and governmental organization representatives and volunteers from the business and faith-based communities have been instrumental in coordinating the efforts of rebuilding the communities devastated by these storms, and

WHEREAS, the LTRG has several standing committees which have been extremely busy over the past eight months. Construction, case management, volunteer coordination, finance, emergency management and donations management were identified in the early days of the LTRG as being important to fulfilling the mission. Over the past eight months, the Construction Committee conducted on-sight review of over 70 homes to determine eligibility for assistance in rebuilding or rehabilitating the structures. This committee provided over 500 volunteer hours toward this effort. As of January 1, 2012, with volunteer support, 49 homes have been rebuilt, repaired or rehabilitated and 12 families are currently awaiting construction of new homes through a Community Development Block Grant. The Construction Committee was also instrumental in making appropriate family referrals to Washington County Habitat for Humanity and overseeing the removal of several mobile homes which were damaged beyond repair, and

WHEREAS, working side-by-side with the Construction Committee has been the Case Management Committee. To date approximately 140 repair/build and transportation cases have been opened to provide assistance to families and individuals impacted by the tornados. With the addition of the short-term needs such as housing, groceries, gas and miscellaneous day-to-day items, over 225 families have been assisted. The Case Management Committee has received much support from LTRG members who represent the faith-based communities in Washington County. The volunteers representing houses of worship have been able to assist with unmet needs like rental assistance, kitchen appliances, volunteer labor, transportation and even pet adoption, and

WHEREAS, aside from the work that members are undertaking with the rebuilding and assistance to families, many of the LTRG members have volunteered their time to represent LTRG and

Washington County to the larger community. Members have attended a variety of fund-raising events, accepted a monetary gift from the nation of Taiwan, met with Governor McDonnell in Richmond, distributed snacks and water to volunteer work crews during several summer weekends, assisted with a Feed The Children food distribution event, attended press conferences, assisted families to move into new homes, and as needed have met with individuals and families to discuss problems, concerns and finalize construction plans, and

WHEREAS, the LTRG meetings are extremely lively and productive meetings in which each person at the table shares their talents and their time to ensure that the work continues to move forward. Below is a list of LTRG member organizations:

- ***Abingdon Church of Christ***
- ***Berry's Home Center***
- ***Community Adventist Services***
- ***County of Washington, Virginia***
- ***Ecumenical Faith-in-Action***
- ***Emory & Henry College***
- ***Glade Spring Presbyterian Church***
- ***Mitchell Development***
- ***Mountain Empire Chapter of American Red Cross***
- ***Mount Rogers Planning District Committee***
- ***Occupational Enterprises, Inc.***
- ***Salvation Army***
- ***Southwest Virginia Medical Reserve Corps***
- ***Town of Glade Spring***
- ***United Way of Russell and Washington County***
- ***United Methodist Churches of the Abingdon District***
- ***VOAD Partners (Voluntary Organizations Active in Disaster)***
- ***Virginia Department of Emergency Management***
- ***Washington County Department of Social Services***
- ***Virginia Department of Transportation***
- ***Virginia Extension Service, and***

WHEREAS, the formation of the LTRG as Washington County's primary delivery vehicle for tornado disaster recovery oversight, coordination and inter-agency management has proven so successful that it is offered as a model for other communities within the Commonwealth to emulate, and the continued existence of the LTRG will be assured long after Washington County fully recovers from the April, 2011 tornado events as a standing structure for dealing with future disaster responses (both large and small), as well as other pressing community needs which no single public or private organization or entity is prepared to handle on its own.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia, that the Board fully endorses and supports the nomination of the Washington County Long-Term Recovery Group to receive a 2012 Governor's Volunteerism and Community Service Award.

2. Adoption of Resolution in Opposition to 'Devolution' and Cost-Shifting by the Virginia General Assembly – approved as follows:

RESOLUTION 2012-04
OPPOSING 'DEVOLUTON' AND COST-SHIFTING
BY THE COMMONWEALTH TO LOCAL GOVERNMENTS

WHEREAS, the Board of Supervisors of Washington County, Virginia joins the efforts of the Commonwealth's counties in encouraging the 2012 General Assembly to continue the state and local partnership funding of core government services, and

WHEREAS, the transfer of funding for core services from the state to local governments is 'devolution'. Sadly, it is recognized that devolution will continue to be used throughout the 2012 General Assembly to develop a state budget for Fiscal Years 2011-2013, and

WHEREAS, the Board understands that program devolution is the shifting of state responsibilities to local governments. Counties across Virginia have already experienced significant shifts in funding for local programs and are already saddled with additional responsibilities in providing services for foster care children, police, line- of-duty costs, maintenance of local libraries and in many other areas, and

WHEREAS, core government services that include public education, police, fire and social services must be funded through an equitable state and local partnership. "Passing the buck" to localities only perpetuates increases in real estate and business taxes at the local level while insulating state elected officials from the political repercussions of such increases, and

WHEREAS, for the past several years, Virginia localities have been mandated to give back to the Commonwealth funding that was designed to support these local programs. Last year, Virginia local governments had to write checks or receive reduced reimbursements from the Commonwealth for $60 million under a program known as "Aid to Localities." Governor McDonnell has chosen to "chip" away at this annual local contribution by reducing the yearly required payment by $10 million in his introduced budget, and

WHEREAS, the General Assembly originally introduced this reduction to balance the state's budget, but as the economy improves and state revenue increases, state legislators must promptly eliminate this funding reduction and sustain local services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board calls for Virginia local governments and the Commonwealth to continue their partnership and provide core government functions without shifting or shirking responsibilities.

BE IT FURTHER RESOLVED, in order to address the mandates and financial responsibilities which have been shifted to all Virginia localities, that our state legislators and Governor act to ensure that county governments have the tools to fund their core services by providing county governments with taxing authority on par with that of the Commonwealth's cities and towns and to immediately begin a process to initiate meaningful tax reform for state and local government.

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

Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Ms. Price	***Aye***

Mr. Reynolds ***Aye***
Mr. Straten ***Aye***
Mr. Taylor ***Aye***

7. General Business:

a. <u>Actionable Items</u>:

1. Consideration of Appointments to Various Boards, Authorities and Commissions Tabled from January 10 Annual Meeting

<u>Appointments to Joint County Utilities Committee</u>

These appointments were tabled until the February 14, 2012 regular meeting.

<u>Appointment of Board Representative to Bristol Convention and Visitors Bureau</u>

On motion of Mr. McCall, second by Ms. Mumpower the Board acted to reappoint Mike Duckett to represent Washington County at-large on the Bristol Virginia-Tennessee Chamber of Commerce Board of Directors for a one year term beginning January 1, 2012 and expiring on December 31, 2012.

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

Mr. Gibson ***Aye***
Mr. McCall ***Aye***
Ms. Mumpower ***Aye***
Mr. Owens ***Aye***
Mr. Stevens ***Aye***
Mr. Straten ***Aye***

<u>Appointment of Board Representative to New River/Mount Rogers Workforce Investment Area Consortium Board</u>

This appointment was tabled until the February 14, 2012 board meeting.

<u>Washington County Board of Zoning Appeals</u>

On motion of Ms. Mumpower, second by Mr. Owens, the Board acted to recommend to the Circuit Court the reappointment of Joe Lyle to the Washington County Board of Zoning Appeals for a five year term.

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

Mr. Gibson ***Aye***
Mr. McCall ***Aye***
Ms. Mumpower ***Aye***
Mr. Owens ***Aye***
Mr. Stevens ***Aye***

Mr. Straten Aye

Mount Rogers Planning District Commission Board of Directors

These appointments were tabled until the February 14, 2012 board meeting.

Virginia's aCorridor Board of Directors

On motion of Ms. Mumpower, second by Mr. McCall, the Board acted to appoint Board of Supervisor Chairman Joe Straten to the Virginia's aCorridor Board of Directors for calendar year 2012.

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

Mr. Gibson Aye
Mr. McCall Aye
Ms. Mumpower Aye
Mr. Owens Aye
Mr. Stevens Aye
Mr. Straten Aye

2. Consideration of Various Matters Pertaining to Washington County Disaster Recovery Community Development Block Grant Project

Mr. Greg Vanhoy of Mount Rogers Planning District Commission addressed the Board and provided review of documents pertaining to the Washington County Disaster Recovery Community Development Block Grant (CDBG) Project. Mr. Vanhoy made a notation of changes to the program design document.

Mr. Vanhoy next provided an overview of the project explaining Washington County was awarded CDBG funds in the amount of $700,000.00 to assist in the rehabilitation or complete replacement/reconstruction of eleven homes in the Glade Spring area damaged or destroyed by the April 2011 tornados. The owners of the homes identified had no insurance or were underinsured.

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

RESOLUTION 2012-05
ADOPTING WASHINGTON COUNTY, VIRGINIA
NON-DISCRIMINATION POLICY

BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the County of Washington, Virginia or any employee thereof will not discriminate against an employee or applicant for employment because of race, color, religion, national origin, sex, age, familial status, or handicap. Administrative personnel officials will take affirmative action to insure that the policy shall include, but not be limited to, to the following: employment, upgrading, demotion, or transfer; rates of pay or other forms of compensation; and selection of training.

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RESOLUTION 2012-06
ADOPTING WASHINGTON COUNTY, VIRGINIA'S LOCAL BUSINESS AND EMPLOYMENT PLAN

1. ***The Washington County Board of Supervisors (hereinafter Board) designates as its Local Business and Employment Project area the boundaries of Washington County, Virginia.***

2. ***The Board of Supervisors, its contractors, and designated third parties shall in utilizing Community Development Block Grant (CDBG) funds utilize businesses and lower income residents of the project area in carrying out all activities, to the greatest extent feasible.***

3. ***In awarding contracts for work and for procurement of materials, equipment or services of the County, its contractors, designated third parties shall take the following steps to utilize businesses which are located in or owned in substantial part by the persons residing in the Project Area are:***

   a) The Board shall ascertain what work and procurement are likely to take place through the Community Development Block Grant Funds.

   b) The Board shall ascertain through various and appropriate sources including:

   Bristol Herald Courier -Project Area Newspaper of General Circulation

   the business concerns within the Project Area which are likely to provide materials, equipment and services which will be utilized in the activities funded through the Community Development Block Grant Funds.

   c) The identified business concerns shall be apprised of opportunities to submit bids, quotes or proposals for work or procurement contracts which utilize CDBG funds.

   d) To the greatest extent feasible the identified business and any other project area business concerns shall be utilized in activities which are funded with CDBGs.

4. ***In the utilization of trainees or employees for activities funded through CDBG's, Washington County its contractors and designated third parties shall take the following steps to utilize lower income persons residing in the Project Area.***

   a) The Board in consultation with its contractors (including design professionals) shall ascertain the types and number of positions for both trainees and employees which are likely to be utilized during the project by CDBGs.

   b) The Board shall advertise through the following sources:

   Bristol Herald Courier- Project Area Newspaper of General Circulation

   the availability of such positions with the information on how many to apply.

   c) The Board, its contractors, and designated third parties shall be required to maintain a record of inquiries and applications by project area residents who respond to advertisements, and shall maintain a record of the status of such inquiries and applications.

d) To the greatest extent feasible, the Board, its contractors, and designated third parties shall utilize lower income and project area residents in filling training and employment positions necessary for implementing activities funded by CDBGs.

5. In order to ascertain substantial compliance with the above affirmative actions and Section 3 of the Housing and Community Development Act of 1968, Washington County shall keep, and require to be kept by contractors and designated third parties, listings of all persons employed and all procurement made through the implementation of activities funded by CDBGs. Such listings shall be completed and shall be verified by site visits and interviews, cross checking of payroll reports and invoices, and through audits if necessary.

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RESOLUTION 2012-07
ADOPTING SECTION 504 GRIEVANCE PROCEDURE
REQUIRED UNDER U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT REGULATIONS
(24 CFR PART 8.53(B)

Washington County, Virginia (hereinafter the County) has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Department of Housing and Urban Development's (HUD) (24 CFR 8.53(b) implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794). Section 504 states, in part, that "no otherwise qualified handicapped individual... shall solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance...."

Complaints should be addressed to: Greg Vannoy, Project Manager, 1021 Terrace Dr., Marion, VA 24354 (276)783-5103, who has been designated to coordinate Section 504 compliance efforts.

1. A complaint should be filed in writing or verbally contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.

2. A complaint should be filed within five (5) days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.)

3. An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by Greg Vannoy. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint. Under 24 CFR 8.53(b), the County need not process complaint form applicants for employment or from applicants for admission to housing.

4. A written determination as to the validity of the complaint and description of resolution, if any, shall be issued by Greg Vannoy and a copy forwarded to the complainant no later than five (5) days after its filing.

5. The Section 504 coordinator shall maintain the files and records of the County relating to the complaints filed.

6. ***The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within five (5) days to Greg Vannoy, Project Manager.***

7. ***The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as filing of a section 504 complaint with the Department of Housing and Urban Development. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies.***

8. ***These rules shall be constructed to protect the substantive rights of interested persons, to meet appropriate due process standards and to assure that the County complies with Section 504 and the HUD regulations.***

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RESOLUTION 2012-08
ADOPTING FAIR HOUSING CERTIFICATION IN COMPLIANCE WITH
TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968

WHEREAS, Washington County, VA has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and

WHEREAS, recipients of funding under the Act are required to take action to affirmatively further fair housing;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County Virginia that the Board agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

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RESOLUTION 2012-09
AFFIRMING THE CONCEPT OF FAIR HOUSING

WHEREAS, the Congress of the United States has enacted the Federal Fair Housing Act of 1968 as amended; and

WHEREAS, federal and state law provide equal housing opportunity for all citizens regardless of race, color, religion, national origin, sex, age, familial status, or handicap; and

WHEREAS, Washington County, Virginia has provided programs to assist the development of decent, affordable housing for citizens of all incomes; now

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County Virginia that the Board does enforce the concept of Fair Housing and call upon the citizens of Washington

County and government officials along with those in the banking and housing industries to join and work together in this observance for free and equal housing treatment for all.

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

3. Consideration of Authorization for Participation in 2012 Southwest Virginia International Business Study in Germany Program

Economic Development and Community Relations Director Christy Parker addressed the Board and presented an opportunity for her to participate in the 2012 Southwest Virginia International Business Study in Germany Program. Ms. Parker explained the Southwest Virginia International Business Study Program has offered a scholarship for her to participate in a study trip to Germany, May 18-June 1, 2012. The program is funded via grants from the U. S. Department of Education and the Virginia Tobacco Commission. The 2012 Germany group will consist of about 26 people composed of students and faculty from area regional schools in Southwest Virginia as well as professionals like herself. Germany is a global leader in the creation of clean energy technologies and other 'Science Technology and Math' (STEM)-related jobs. Improving the skill sets of employees in Washington County to be prepared for jobs in advanced manufacturing technology is a relevant emphasis for Washington County's economic development efforts. Having the opportunity to visit high tech companies like STIHL, other key German automotive and electronics companies, and the Technical University-Dortmund will give an understanding of how Germany is equipping their workforce for these high tech jobs, which will be instructive to Washington County's efforts in this regard.

Ms. Parker reviewed an itinerary from the 2011 study trip to give the Board an idea of the activities she would be involved with. She explained the cost to the County to cover travel expenses is $800.00. There are funds available in the County Department of Economic Development & Community Relations' current budget to cover the cost of the trip.

Discussions ensued among the Board and Ms. Parker.

On motion of Mr. Owens, second by Mr. Gibson, the Board acted to approve an expenditure of $800.00 for international travel expenses by County Director of Economic Development & Community Relations. It was further resolved that these funds are to be taken from the Department of Economic Development & Community Relations' budget.

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***

Mr. Owens ***Aye***
Mr. Stevens ***Aye***
Mr. Straten ***Aye***

4. Request for Transfer from Reserve for Contingencies – Local Match Funding for Rescue Squad Assistance Grant (RSAF) Awards

Director of Emergency Management Pokey Harris addressed the Board and explained this request was reviewed by the Emergency Services Committee. The question from the Emergency Services Committee is that the request for matching funds came to the County after the fact. The Board is asked to consider granting the request as the equipment that will be purchased is essential for quality care and life saving measures.

Mr. McCall explained his reason for asking this request be removed from the Consent Agenda is discussion needs to be devoted to organizations asking for matching grant funds in the middle of a fiscal year, as the requests are often for large amounts.

Discussions ensued among the Board.

On motion of Mr. McCall, second by Ms. Mumpower, the Board acted to approve the request for a transfer from Reserve for Contingencies for local match funding for the Rescue Squad Assistant Grant Awards.

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

Mr. Gibson ***Aye***
Mr. McCall ***Aye***
Ms. Mumpower ***Aye***
Mr. Owens ***Aye***
Mr. Stevens ***Aye***
Mr. Straten ***Aye***

b. <u>Information Items</u>:

1. Update on County Economic Development Activities

Washington County Industrial Development Authority Chairman Henry Snodgrass and Director of Economic Development and Community Relations Christy Parker presented a quarterly update on economic development activities relative to the following:

- Oak Park Center for Business and Industry – Phase IV and Access Road Progress

  Ms. Mumpower encouraged the Industrial Development Authority to work toward restricting Westinghouse Road as limited access road for entry into Oak Park. This issue has been discussed in the past with no progress being made.

  Mr. Snodgrass explained the Industrial Development Authority will encourage use of the new alternate access road as the main entrance into Oak Park.

- Virginia Tobacco Commission Mega-Site Grant Award for Oak Park Sewer of $3.8 million

- Regional Workforce Training Center Needs Assessment/Feasibility Study – Request for Proposals (RFP) Process

- Existing Industry Activity Summary/Gates Corporation Update

  Ms. Parker advised that on January 6, 2012 Gates Corporation officially communicated with the County they would not be rebuilding their Washington County facility. Gates will build their tubing facility somewhere in the mid-west, which is located near more of their customer base. Gates Corporation officials thanked the Commonwealth of Virginia and Washington County for the incentive package offered to them.

- Prospect Industry Activity Summary

- Current Marketing Efforts

8. <u>Board Member Reports</u>

Mr. Stevens reported on the Smyth-Washington Industrial Facilities Authority and District III Governmental Cooperative meetings he attended.

Mr. Gibson addressed his motion at the January 10, 2012 annual meeting to strike Article 8.4.m from the Board's By-Laws that reads "If a primary or substitute motion is made at a Board meeting where at least six (6) members are present and the motion is voted on and fails, the same or a substantively similar motion cannot be reconsidered by the Board during that fiscal year except by a primary or substitute motion made by a member of the Board who voted on the prevailing side where there are no less than six (6) Board members present, and only if two-thirds (2/3) of the Board members present vote to reconsider the action previously decided." Mr. Gibson stated it was explained to him at the annual meeting that this article is controlled by Roberts Rules of Order; however, after researching Roberts Rules of Order this rule does not exist. He read from Roberts Rules of Order, Second and Eleventh Editions. Mr. Gibson further stated it appears the Board at some point implemented the special rule to place a year stipulation on when a failed motion can be brought back before the Board. Mr. Gibson asked for understanding as to why the rule is in place and said he believes it's against the will of the people.

Mr. Straten explained that typically the Board does not consider action items during Board Member Reports. He asked the County Attorney and County Administrator to research this issue for Mr. Gibson.

Mr. Gibson commented on the excellent job done with the January 23 natural gas forum. The meeting was an excellent example of open government. The pros and cons of natural gas extraction were presented, as well as an abundance of information received from the speakers. Board and Planning Commission members not only heard from the speakers but engaged the public. He thanked those involved in setting up the meeting. Mr. Gibson said during the process of purchasing the Alpha Natural Resources Building, he wondered why this type meeting was not held by the past Board and administration to give the people of Washington County on both sides of the issue a chance to comment on the purchase. A large amount of money was expended to buy the building, and the acquisition placed an enormous debt on the County. There should have been a public forum for questions and answers. He

stated his belief the reason such a public forum was not held is because the purchase of the building would not have happened if a public meeting had been held. Mr. Gibson further stated he believes a public forum should be held in regards to the King College Medical School.

Mr. Owens said there has been a lot of talk about the purchase of the Alpha Natural Resources Building. He explained approximately three years was spent working on obtaining the building and nothing was done in secret. The Industrial Development Authority procured the building and incurred the debt. Mr. Owens commented when he looked at where the County has been with buildings it was obvious something needed to be done. He believes in years to come it will be determined there was foresight by the County to purchase the building to consolidate county offices.

Mr. Owens reported the representative from the Department of Mines, Minerals and Energy that made a presentation at the natural gas forum indicated he would be glad to make another presentation to the Board and Planning Commission. Mr. Owens asked Board members to give this some thought and stated this issue is important to the citizens in the Tyler District.

Mr. McCall reported on his opportunity to work with the 4-H Program on their awards ceremony. The number of young adults impacted by the 4-H Program is amazing. He commended the staff of the Washington County Extension Office. Mr. McCall commented that he was assisted by Board Chairman Joe Straten.

Ms. Mumpower commented on the recent article in the Richmond Times about the tornado in Glade Spring. She commended Emergency Management Director Pokey Harris, all the volunteers and County staff for their excellent work.

Ms. Mumpower stated she is pleased and relieved that the new alternate access road into Oak Park will be completed soon.

Ms. Mumpower explained the County needs to focus on the workforce training center. Industries in the County have indicated finding employees is an issue for them.

Mr. Straten commented on the 4-H Programs' award ceremony. The program includes children from six years of age to young adults. It is refreshing to see such talented young people.

Mr. Straten extended congratulations to the long-term county employees for their service to the County. It is a pleasure to have long-standing employees that are happy and who provide stability to local government.

9. Board Information and Reminders

County Attorney Report

Ms. Phillips recognized the Assistant County Attorney Matthew Crum for providing a great deal of assistance in getting the natural gas forum together, and for preparing a memorandum to Board and Planning Commission members in advance of the meeting that outlined the regulations governing natural gas extraction. She thanked the Board for providing the Assistant County Attorney's position.

County Administrator

Mr. Reeter reminded the Board of the following:

- Joint Meeting of the Board of Supervisors and Washington County School Board concerning FY 2012-13 School Budget Request on Thursday, January 26, 2012 at 7:00 p.m. at the Washington County School Board Offices.

- Virginia Association of Counties/Virginia Municipal League (VACo/VML) 2012 Legislative Day – Thursday, February 9, Marriott Hotel, Richmond

- Board of Supervisors group photograpy session scheduled for Tuesday, February 14, 4:30 p.m., Board Meeting Room

10. Closed Meeting:

a. Request to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(1) for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically the appointment by the Board of Supervisors of an Interim Supervisor to represent the B-11 'Jefferson' Election District

On motion of Ms. Mumpower, second by Mr. McCall, the Board acted to convene in closed meeting pursuant to Virginia Code Section 2.2-3711(A)(1) for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically the appointment by the Board of Supervisors of an Interim Supervisor to represent the B-11 'Jefferson' Election District.

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

b. Reconvene in Open Meeting and Certification of Joint Closed Meeting(s):

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. McCall, second by Ms. Mumpower, 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.

Mr. Straten explained the subject of the Closed Meeting involved an interim appointment of a supervisor to represent the Jefferson 'Election' District. The Board is now in a position to consider a motion to make the interim appointment.

On motion of Mr. Stevens, second by Mr. McCall the Board acted to appoint Randy L. Pennington to represent the B-11 'Jefferson' Election District on the Board of Supervisors until a special election is held.

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

Mr. Gibson Aye
Mr. McCall Aye
Ms. Mumpower Aye
Mr. Owens Aye
Mr. Stevens Aye
Mr. Straten Aye

Mr. Straten explained the decision by the Board on an interim appointment was extremely difficult as all the candidates were qualified.

11. <u>Adjourn or Recess</u>

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

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

Mr. Gibson Aye
Mr. McCall Aye
Ms. Mumpower Aye
Mr. Owens Aye
Mr. Stevens Aye
Mr. Straten Aye

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Prepared by:

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Naoma A. Norris, Recording Clerk

Approved by the Washington County Board of Supervisors:

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Joseph C. Straten, Chairman