V I R G I N I A:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, February 25, 2003, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

Joe W. Derting, Chairman
Phillip B. McCall, Vice Chairman
Jack H. Barker
Bobby D. Ingle
Dulcie M. Mumpower
Anthony S. Rector
John B. Roberts, Sr.

Mark K. Reeter, County Administrator
Lucy E. Phillips, County Attorney
Mark Seamon, Accounting Manager
Naoma A. Mullins, Administrative Supervisor

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1 Call to Order

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

2 Invocation and Pledge of Allegiance – Supervisor Jackson H. Barker

Supervisor Jack Barker gave the Invocation and led the Pledge of Allegiance.

3 Approval of Agenda

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to approve the Agenda with the following amendment:

Addition of Item 13a ***March 12 Joint School Budget Committee Meeting and March 27 Joint Board of Supervisors/School Board Budget Worksession Meeting***

Addition of Item 13b ***Consideration of Request for Agricultural Disaster Declaration, Washington County Extension Office***

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

4 Approval of Minutes of February 4, 2003, Recessed Meeting and February 11, 2003, Regular Meeting

On motion of Mr. Rector, second by Mr. Barker, it was resolved to approve the minutes of the February 4, 2003, meeting with the following correction:

***Page 12806, Agenda Item 5**: Correct paragraph to read, "Supervisor Phillip McCall addressed the Board. Mr. McCall thanked County Planner Fred Crowell and the Comprehensive Plan Steering Committee for their work. In addition, he thanked the citizens for participating in the community meetings and public hearings."*

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to approve the minutes of the February 11, 2003, meeting with the following correction:

Page 12818, Agenda Item 15c: Correct name of "Fred Park" to "Fred Parker"

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

Scribner's Note: *The above corrections have been made to the recorded Minutes of the referenced meetings.*

5 Dog Damage Claims:

a. Larry B. Gobble - $100

Mr. Larry Gobble appeared before the Board to present his dog damage claim.

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to make restitution in the amount of $100.00 to Larry B. Gobble for dog damage loss.

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***

Mrs. Mumpower Aye
Mr. Rector Aye
Mr. Roberts Aye

b. John R. Kling - $40

Mr. John Kling appeared before the Board to present his dog damage claim. He advised the Board that since his previous dog damage claim in January 2003, the Animal Control Department has picked up three dogs; however, the one that is doing the killing remains at large.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to make restitution in the amount of $40.00 to Larry B. Gobble for dog damage loss.

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

Mr. Derting Aye
Mr. Barker Aye
Mr. Ingle Aye
Mr. McCall Aye
Mrs. Mumpower Aye
Mr. Rector Aye
Mr. Roberts Aye

6 <u>Presentation by Washington County Office on Youth</u>

Ms. Linda Midgett, Office on Youth Services Citizen's Board Chair, appeared before the Board to make a presentation on the role and activities of the Washington County Office on Youth. Ms. Midgett explained that since its creation in 1988, the Office on Youth has served a role that no other agency in Washington County can or does serve. Over the 15 years of its existence, the Office on Youth has been a key leader in coordinating and developing services for youths and families. The Office on Youth is in a unique position to provide this coordination and development of services since it is independent from the service providers. Since 1997, the Office on Youth has helped procure $2.5 million dollars in new funding for youth services. These grants pay for direct services such as afterschool programs that have increased SOL scores and substance abuse prevention courses that have reduced drug use. The grants do not pay for administrative services that the Office on Youth provides. In closing, Ms. Midgett advised the Board that the youth under the age of 18 make up 21% of the population in Washington County. Out of this number, 20% of them live in poverty, 35% qualify for free lunch and 15% live in single parent homes. Many of these youth face numerous barriers to becoming productive citizens and without intervention they will become wards and of the State. If this happens there will be no discussions on what is spent on youth. The Office on Youth is a vital service to the young people in Washington County.

Ms. Midget stated that many other localities have joined Washington County in funding the Office on Youth locally. She explained that the Office on Youth Services Citizen's Board proposes that a joint task force consisting of two Board of Supervisor members and two Youth Citizen's Board members be formed and charged with the review of the mission and activities of Office on Youth and to return a recommendation on the future of the Office on Youth to the Board of Supervisors.

Supervisor Jack Barker, a member of the Office on Youth Services Citizen's Board, addressed the Board commenting that the Office on Youth provides valuable services. Mr. Barker suggested that perhaps another board such as the School Board of Highlands Community Services Board should take the Office on Youth Program; however, that would not happen without the County's commitment to funding. He stated that the money given to the program by the County is a good investment. Mr. Barker encouraged Board members to serve on the proposed joint task force.

Responding to an inquiry, Ms. Midgett stated that she is uncertain of the number of Virginia localities that have chosen to locally fund their Office on Youth. She advised the Board that she knew the City of Bristol and Wise County were providing funding for their Offices on Youth.

Supervisor John Roberts commented that he could not foresee making a decision on the Office on Youth until the County learned its financial position for FY 2003-04.

County Administrator Mark Reeter addressed the Board explaining that it would be of assistance to him in preparing his recommended County Operating Budget for FY 2003-04 to know the Board's recommendation regarding the Office on Youth by March 25, 2003.

Further discussion ensued regarding this item. The following action was taken:

On motion of Mr. Ingle, second by Mr. Barker, the Board acted to appoint John Roberts and Phillip McCall to join with Youth Services Board representatives in a study and evaluation of the Office on Youth and to bring recommendations back to the Board no later than the March 25 Board meeting.

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

7 Consideration of Resolution Requesting Incorporation of Fantasy Court into State System of Secondary Highways, The Pines Subdivision

On motion of Mr. Roberts, second by Mrs. Mumpower, it was resolved to adopt the following resolution:

RESOLUTION 2003-10

ADDITION OF 920 LINEAR FEET OF FANTASY COURT
TO SECONDARY SYSTEM OF STATE HIGHWAYS
THE PINES SUBDIVISION

WHEREAS, the street(s) described on the attached Additions Form SR-5A, fully incorporated herein by reference, are shown on the plats recorded in the Clerk's Office of the Circuit Court of Washington County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation; and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form SR-5A to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

Scribner's Note: Additions Form SR-5A referenced above is included as Minutes Exhibits Item 2003-02-25A.

8 Consideration of Approval of County Priorities for Primary and Interstate Highway Improvements for Presentation at March 4 VDOT Bristol District Pre-Allocation Hearing

County Administrator Mark Reeter advised the Board that on March 4, 2003, the Virginia Department of Transportation (VDOT) will hold its Bristol District Pre-Allocation Public Hearing on the Six-Year Plan for Primary and Interstate Highway Improvements for FY 2003-2004 through 2008-2009. Mr. Reeter explained that VDOT is conducting this meeting earlier than in previous years. He advised the Board that the County is again being asked by VDOT to submit at this meeting their official requests and priorities for primary and interstate highway improvements. He recommended that since there were no changes to the Counties priorities that the Board re-endorse the current set of requests and priorities for primary and interstate improvements.

Mr. Ingle commented that Route 80 has been included on the County's list of priorities for as long as he can remember and recommended the County bring this fact to VDOT's attention particularly because the road is a safety hazard.

On motion of Mr. Ingle, second by Mr. McCall, the Board acted to re-endorse the April 4, 2002, letter to Secretary of Transportation Whittington Clement.

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

9 Consideration of Readoption of County Emergency Operations Plan

Emergency Services Coordinator Mary Fraysier appeared before the Board to present the updated Emergency Services Plan and to request the Board act to re-adopt it. Ms. Fraysier explained the Commonwealth of Virginia requires that localities update their Emergency Services Plans every four years.

Responding to an inquiry, Ms. Fraysier replied that the Emergency Services Plan does include a tab section that addresses potential terrorist situations.

On motion of Mr. Barker, second by Mr. Rector, it was resolved to adopt the following resolution readopting the Emergency Operations Plan for Washington County as presented:

RESOLUTION 2003-11

EMERGENCY OPERATIONS PLAN
WASHINGTON COUNTY, VIRGINIA

WHEREAS, there exists many dangers of many types, including man-made disasters, natural disasters, and possible hostile actions of an unknown enemy; and

WHEREAS, the safety and protection of the citizens and property is of foremost concern to the Board of Supervisors of Washington County, Virginia; and

WHEREAS, the Board of Supervisors desires and the Commonwealth of Virginia statues require the adoption of appropriately planned protective measures; and

THEREFORE, BE IT RESOLVED, that the Board of Supervisors hereby adopts the County of Washington, Virginia Emergency Operations Plan as the necessary basic plan for emergency services.

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

Scribner's Note: *The Plan referenced above is included as Minutes Exhibits Item 2003-02-25B.*

In another matter, Supervisor Barker requested that Mary Fraysier come back before the Board at a future meeting to present the counter proposals of the Washington County Fireman's Association and Washington County Emergency Volunteers Association in regards to the newly created Emergency Services Advisory Board.

10 <u>Consideration of Reappointment of Members of the Community Criminal Justice Board</u>

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to reappoint the following individuals to the Community Criminal Justice Board for a term of two years:

William H. Price, Chief of Police Representative
Chuck McHugh, Community Representative
Ida Ashbrook, Education Representative
Kevin Tiller, Defense Attorney Representative
Honorable Birg E. Sergent, Circuit Court Judge Representative
Honorable Elizabeth S. Wills, Juvenile and Domestic Relations Judge Representative

Honorable Suzanne K. Fulton, General District Judge Representative

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

11 Recess

It was consensus of the Board not to take a recess.

12 Consideration of Approval of Service Agreement between Washington County and Southwest Virginia Regional Jail Authority

Ms. Tina Neal of Ferris Baker Watts, Co-Financial Advisor to the Southwest Virginia Regional Jail Authority (SWRJA), presented an update on the current status of the Regional Jail Authority with respect to the pending issuance of approximately $100 million in short and long term bonds as the final permanent financing for the construction of the three regional jail facilities and to present the proposed Service Agreement between the SWRJA and Washington County.

Ms. Neal advised the Board that the SWRJA is in phase three – permanent financing of the financing strategy and is expected to close in early April. The regional jails are projected to be substantially complete by March 2005 at which time the shakedown process will begin. By July 2005 the Regional Jails are projected to be fully operational and the first payments are due by member jurisdictions as well as the state's reimbursement of 50% of eligible costs.

Ms. Neal presented the Service Agreement. She explained that the Agreement is the principal contractual arrangement between the SWRJA and the County establishing the terms and conditions of the County's use of the Abingdon Regional Jail facility for the incarceration of local inmates beginning in 2005. The key components of the Agreement were reviewed. Ms. Neal noted that Buchanan and Lee Counties and the City of Norton had approved the Agreement. The Dickenson County Board of Supervisors is meeting tonight and should approve the Agreement.

In closing, Ms. Neal stated that by being a member of a regional jail system, Washington County would realize annual savings of approximately $829,643.00.

On motion of Mr. Ingle, second by Mr. Roberts the Board acted to adopt the following resolution approving the Service Agreement with the Southwest Virginia Regional Jail Authority as presented:

RESOLUTION 2003-12

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WASHINGTON, VIRGINIA, A PARTICIPATING MEMBER OF THE SOUTHWEST VIRGINIA REGIONAL JAIL AUTHORITY APPROVING THE SERVICE AGREEMENT

WHEREAS, the Southwest Virginia Regional Jail Authority (the "Authority") was created by the Counties of Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Washington and Wise and the City of Norton (together, the "Participating Members"), by each of its Board of Supervisors and City Council (the "Governing Bodies") pursuant to Section 53.1-95.2 of the Code of Virginia of 1950, as amended (the "Act"), for the purpose of constructing and operating a regional jail facility or facilities (the "Jail Facilities");

WHEREAS, the Participating Members had requested the Authority to initiate the design, acquisition, construction and equipping of the Jail Facilities and finance the initiation of the same through the issuance of the Authority's revenue bond anticipation note or notes for a total amount of $1,100,000 and the same were issued in November, 2001 (the "2001 Notes");

WHEREAS, the Participating Members had requested the Authority to continue the design, acquisition, construction and equipping of the Jail Facilities and provide for the interim financing of the same through the issuance of the Authority's revenue bond anticipation note or notes for a total amount of up to $7,500,000 and the same were issued in June, 2002 (the "2002 Notes");

WHEREAS, the Participating Members have requested the Authority complete a permanent financing for the Jail Facilities through the issuance of bonds and notes, a portion of the proceeds of which will be used to repay, in full, the outstanding 2002 Notes and 2001 Notes and to continue the design, acquisition, construction and equipping of the Jail Facilities for a total amount estimated at approximately $100,000,000 (the "2003 Bonds");

WHEREAS, the Authority is willing to issue the 2003 Bonds to provide for the permanent financing of the design, acquisition, construction and equipping of the Jail Facilities and to repay in full the outstanding 2002 Notes and 2001 Notes conditioned upon the Participating Members entering into a Service Agreement (the "Service Agreement") with the Authority to provide sufficient monies for the Authority to pay the principal and interest on the 2003 Bonds when due, each to provide for the health, safety and welfare of the citizens of each Participating Member; and

WHEREAS, the Authority proposes to use the proceeds of the 2003 Bonds to pay the costs of the design, acquisition, construction and equipping of the Jail Facilities (including the issuance costs of the 2003 Bonds) to be secured by the revenues payable under the Service Agreement between the Participating Members and the Authority and as to the notes portion of the 2003 Bonds, a pledge of proceeds from contributions or grants for eligible construction costs from the Commonwealth of Virginia; and

WHEREAS, there have been presented to this meeting a draft of the Service Agreement which the Authority and the Participating Members propose to execute to carry out the transactions described above, copies of which shall be filed with the records of the Participating Members.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WASHINGTON, VIRGINIA:

1. The following plan for the permanent financing of the costs of the Jail Facilities is approved by the Board of Supervisors (the "Governing Body") of the County of Washington, Virginia (the "Participating Member"). The Authority shall use the proceeds from the issuance of the 2003 Bonds to provide for the permanent financing of the design, acquisition, construction and equipping of the Jail Facilities and to repay in full the 2002 Notes and the 2001 Notes. The 2003 Bonds will be secured by the Service Agreement and as to the notes portion of the 2003 Bonds, a pledge by the Authority of any contributions or grants to the Authority from the Commonwealth of Virginia for eligible construction costs.

2. The Chairman or Vice Chairman of the Governing Body, or either of them, is hereby authorized and directed to execute the Service Agreement and such other documents as are necessary to provide for the permanent financing of the costs of the Jail Facilities.

3. Any authorization herein to execute a document shall include authorization to deliver it to the other parties thereto and to record such document where appropriate.

4. All other acts of the officers of the Participating Member that are in conformity with the purposes and intent of this resolution and in furtherance of the issuance and sale of the 2003 Bonds by the Authority, the execution and delivery of the Service Agreement by the Participating Members and the undertaking of the design, acquisition, construction and equipping of the Jail Facilities and the original issuance of the 2002 Notes and 2001 Notes and the repayment of the 2002 Notes and 2001 Notes from a portion of the proceeds of the 2003 Bonds, is hereby approved and ratified.

5. Nothing in this resolution or in the Service Agreement is or shall be deemed to be a lending of the credit of any Participating Member to the Authority or to any holder of any of the 2003 Bonds or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the Participating Member.

6. This resolution shall take effect immediately.

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

Scribner's Note: *The Service Agreement referenced above is included as Minutes Exhibits Item 2003-02-25C.*

13 <u>County Administrator Reports</u>

a. March 12 Joint School Budget Committee Meeting and March 27 Joint Board of Supervisors/School Board Budget Worksession Meeting

County Administrator Mark Reeter advised the Board that a meeting of the Joint School Budget Committee has been scheduled for Wednesday, March 12, 2003, beginning at 5:00 PM at the School Board Offices. A joint meeting of the Board of Supervisors and School Board to discuss school budget matters for the upcoming fiscal year has been set for Thursday, March 27, 2003, beginning at 7:00 PM at the School Board offices. Mr. Reeter asked the Board to place these dates on their calendars.

b. Mr. Reeter explained that Phil Blevins of the Extension Office contacted him regarding the Board's adoption of a resolution requesting that Washington County be declared an agricultural disaster area due to the weather of the past year.

On motion of Mr. Roberts, second Mr. Rector, it was resolved to adopt the following resolution:

RESOLUTION 2003-13

DECLARATION OF DROUGHT DISASTER AREA
WASHINGTON COUNTY, VIRGINIA

WHEREAS, the Washington County Agricultural Extension Office has apprised the Board of Supervisors of the extent of agricultural losses in Washington County due to the extended drought conditions during Calendar Year 2002, and

WHEREAS, these losses have been estimated by the Agricultural Extension Office as follows:

Commodity	***Percent Loss***		***Value***
Hay	***40***		***$3,592,000.00***
Pasture	***40***		***$1,071,000.00***
Livestock	***20***		***$640,000.00***
		Total	***$5,303,000.00***

and

WHEREAS, the loss of these commodities will have a significant negative economic effect on the agricultural sector of Washington County's economy;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it hereby requests the Governor of the Commonwealth of Virginia to declare Washington County a drought disaster area for Calendar Year 2002.

BE IT FURTHER RESOLVED that the Board of Supervisors directs the County Administrator to forward copies of this Resolution to the Governor of the Commonwealth of Virginia, the Washington County Agricultural Extension Office and to Congressman Frederick C. Boucher, 9th Virginia Congressional District.

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

14 County Attorney Reports

No Report.

15 Board Member Reports

Supervisor Bobby Ingle reminded the Board of the grand reopening at the Clinchburg Community Center on March 2, 2003, at 2:00 PM.

Mr. Ingle commented that the County received a good prospect visit from a company interested in Oak Park that would create approximately 250 jobs. He commended Assistant County Administrator Christy Parker and the County Industrial Development Authority for their efforts.
Supervisor Tony Rector reported that Meadowview First will bring their free mobile medical clinic on Wednesday February 26th and then every 4th Wednesday of the month from 9:00 AM – 3:00 PM at the Meadowview Town Square. Mr. Rector stated that District III Governmental Services would provide bus service to qualifying participants.

Supervisor Jack Barker requested certificates of recognition for the volunteers of the Service Corp of Retired Executives (SCORE) for their participation in the recent elections of the Mendota Community Association Board of Directors.

Supervisor Joe Derting commended Assistant County Administrator Christy Parker and the County Industrial Development Authority for their efforts in recruiting new industry and prospective jobs for Washington County.

16 Adjourn

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to adjourn the meeting.

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

Mr. Derting	***Aye***
Mr. Barker	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Rector	***Aye***
Mr. Roberts	***Aye***

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Prepared by:

_____
Naoma A. Mullins, Recording Clerk

Approved by the Washington County Board of Supervisors:

_____
Joe W. Derting, Chairman