

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, March 11, 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

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 Phillip B. McCall

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

3 Approval of Agenda

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to approve the Agenda as amended.

Addition of Item 5a Presentation by Mount Rogers Partnership

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 25, 2003, Regular Meeting

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to approve the minutes of the February 25, 2003, regular meeting as presented.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Barker</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

5 Public Hearing to solicit input on local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for a project in Washington County

Mr. Garrett Jackson with Mount Rogers Planning District Commission addressed the Board explaining the nature of the public hearing. Mr. Jackson stated that this was the first of two public hearings required for Community Development Block Grant (CDBG) funding. He advised the Board that this public hearing was to present information about the CDBG Program and solicitation of public input on possible community development needs addressable through the use of CDBG funds.

County Administrator Mark Reeter explained that the County has been asked to apply for grant funding from the Virginia Department of Housing and Community Development's CDBG Program for additional construction funds for the Virginia Highlands Small Business Incubator Project. Mr. Reeter advised the Board that at this time he is not aware of any previously identified community development needs addressable through the use of CDBG funds. Applying for CDBG funding for the Virginia Highlands Small Business Incubator Project would not conflict with any known potential community development projects.

Mr. Derting opened the public hearing to receive comments both in support of and in opposition to local community development and housing needs in relation to Community Development Block Grant (CDBG) funding for a project in Washington County

There being no comments, Mr. Derting declared the public hearing closed.

Chairman Joe Derting addressed the Board explaining that the Virginia Highlands Small Business Incubator Board of Directors met with a CDBG representative to discuss their project. The Board of Directors is trying to obtain grant money in order to reduce the amount they will need to borrow. Mr. Derting explained that the incubator was designed to take a new or small business and allow them to share office space and equipment until they are in the position to stand alone.

On motion of Mr. Ingle, second by Mr. Roberts, the Board acted to authorize preparation of an application for Community Development Block Grant funds for the Virginia Highlands Small Business Incubator Project and to direct that a second public hearing be scheduled at such time as the application is finalized.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Barker</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>

Mr. Rector *Aye*
Mr. Roberts *Aye*

5a Presentation from Mount Rogers Partnership (Virginia's aCorridor)

The Board received a report from Mr. Andy Hall, Executive Director of Virginia's aCorridor on the organization's activities. Mr. Hall explained that "Virginia aCorridor" is the new name for the organization previously called "Peaks of Virginia."

6 Consideration of Proposals for Interstate 81 Improvements – Star Solutions and Fluor

County Administrator Mark Reeter addressed the Board explaining that at the meeting of February 25, 2003, Board members requested information concerning the two proposals regarding improvements to the Interstate 81 corridor in Virginia. Mr. Reeter stated that information from Star Solutions and Fluor was included in their Agenda materials. He advised the Board that the Virginia Department of Transportation (VDOT) would be conducting public hearings on the proposals across the state in the near future and further that both Star Solutions and Fluor had visited the counties in Virginia along the Interstate 81 corridor soliciting support for their respective proposals. Mr. Reeter commented that at this point Washington County has not taken an official position.

Responding to an inquiry, Mr. Reeter stated it is not clear how VDOT will view the recommendations from the counties along the Interstate 81 corridor.

Supervisor Jack Barker commented that the proposals should go to the Transportation Advisory Board for their review and recommendation to the Board of Supervisors.

Supervisor Bobby Ingle stated that his recommendation would be for the Commonwealth of Virginia to support one of the two proposals and a proposal for rail.

Supervisor Tony Rector advised the Board that a group of citizens were in attendance that had formed a Committee to create a proposal for rail as a solution to the Interstate 81 problems and further that they had drafted a resolution they would like the Board to consider.

Mr. Rees Shearer appeared before the Board to present a resolution that proposes the use of rail as a means of hauling freight. Mr. Shearer explained that in some regions of the United States, rail is an important means of freight transportation, but in the east only five percent of freight is hauled by rail. He stated that the Interstate 81 corridor and its improvements are important and have a major impact on the development of this region as well as the entire Interstate 81 corridor. Virginia is the first state to decide how freight will be moved along the east coast.

Mr. Shearer briefly reviewed excerpts from the proposals of Star Solutions and Fluor. He stated VDOT's timeline for the Interstate 81 Improvement Project is set at a fast pace and now is the time to support and submit a proposal for the rail option. Otherwise, the opportunity may be lost forever.

Supervisors offered their views as follows:

Supervisor Roberts commented that he would support a proposal that included the use of rail for passenger and freight transportation.

Chairman Joe Derting commented that Interstate 81 should be improved and that it should be a state and national priority to increase the use of rail for freight and passenger transportation. Mr. Derting remarked that it should be VDOT's responsibility to make the necessary improvements and should not be contracted to private business consortiums.

Supervisor Dulcie Mumpower thanked the Committee for their research of this issue and subsequent information that was provided. Mrs. Mumpower stated that she supports the use of rail to transport freight. She further stated that Interstate 81 should be expanded to three lanes to accommodate the increase of passenger traffic.

Supervisor Bobby Ingle commented that he would support a resolution that includes improvements to Interstate 81 and the use of rail.

Supervisor Tony Rector remarked that he would encourage a meeting of the Transportation Advisory Board to be held as soon as possible, and that Mr. Rees Shearer be invited for the purposes of drafting the appropriate resolution.

Further discussion ensued among the Board on this Item. It was Board consensus to refer the matter to the Transportation Advisory Board and request a report to the Board no later than the April 22, 2003, meeting.

7 Consideration of Personnel Committee Recommendation Concerning Refilling of County Planner Position

County Administrator Mark Reeter addressed the Board explaining that the Personnel Committee had met and discussed the vacant position of County Planner. The Personnel Committee recommends refilling the County Planner position with no changes to the position description. They further recommend an adjustment in the starting salary from \$40,000 - \$50,000 to \$46,500 - \$50,000.

On motion of Mr. Roberts, second by Mr. Ingle, it was resolved to readvertise and refill the position of County Planner and to adjust the positions initial starting salary range to \$46,500 - \$50,000, and also to request that a member of the County Planning Commission serve in the interview panel for this position.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

Mr. Barker was away from the Board table and did not participate in the vote.

8 Consideration of Expiring Appointments:

Mount Rogers Planning District Commission

<u>Name</u>	<u>Representing</u>	<u>Term Expires</u>
W. D. Young, Jr.	At-Large	June 30, 2003

On motion of Mrs. Mumpower, second by Mr. McCall, it was resolved to appoint William S. Canter as the County's local Planning Commission representative on the Mount Rogers Planning District Commission to fill the unexpired term of Mr. W. D. Young. The term shall expire June 30, 2003.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>

Mr. Rector *Aye*
Mr. Roberts *Aye*

Mr. Barker was away from the Board table and did not participate in the vote.

9 Consideration of Purchase of Tractor and Mower for Hayter's Gap Community Center

General Services Manager Frank Canter addressed the Board to present a request from Hayter's Gap Community Center for the Board's financial assistance with purchasing a tractor and tow-behind mower to be kept and used at the Community Center for seasonal mowing.

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to approve the transfer of \$9,975.00 to the Department of General Services budget, account #43200-8220 Equipment, Other) for the purchase of a tractor and mower for the Hayter's Gap Community Center. It was further resolved to take these funds from the following accounts:

<i>Account #94590-8450 (Capital Projects , Other)</i>	<i>\$9,250.00</i>
<i>Account #43200-8404 (Improvements Hayter's Gap Center)</i>	<i>\$ 725.00</i>
	<i>\$9,975.00</i>

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*

10 County Administrator Reports

No report.

11 County Attorney Reports

No report.

12 Recess

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

13 Consent Agenda

On motion of Mr. Rector, second by Mr. McCall, it was resolved to approve the following consent agenda items:

- a. Payment of Bills – March 2003*
- b. Destruction of Records – Legal Services*
- c. \$20.00 Revenue Refund – Recreation Fees*

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Barker</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

14 Board Member Reports

Chairman Joe Derting reported that a press conference was held today for the purpose of announcing the new bond rating of "A3" for Washington County by Moody's Investor Service. The rating was a result of work completed by the Southwest Virginia Regional Jail Authority in preparation for obtaining bonds for the Regional Jail Project. Mr. Derting stated that the Board is to be commended for the sound financial condition of the County.

15 Request for Closed Meeting pursuant to Code of Virginia Section 2.2-3711(A)(5) to discuss a 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 in Washington County, more specifically regarding such location or expansion of business or industry in Washington County's Oak Park industrial park; also pursuant to Code of Virginia Section 2.2-3711(A)(3) to discuss the possibility of acquisition or use of real property for public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, more specifically, regarding such property acquisition or use in the Oak Park industrial park.

On motion of Mr. Ingle, second by Mr. Roberts, the Board acted to convene in closed meeting pursuant to Code of Virginia Section 2.2-3711(A)(5) to discuss a 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 in Washington County, more specifically regarding such location or expansion of business or industry in Washington County's Oak Park industrial park; also pursuant to Code of Virginia Section 2.2-3711(A)(3) to discuss the possibility of acquisition or use of real property for public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, more specifically, regarding such property acquisition or use in the Oak Park industrial park and the Closed Meeting shall include Christy Parker, Assistant County Administrator/Community and Economic Development Director, Russell Owens, Chairman of the Industrial Development Authority of Washington County, Mark Reeter, County Administrator and Lucy Phillips, County Attorney. It was further resolved to take a ten-minute recess prior to the closed meeting.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Barker</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

On motion of Mr. Barker, second by Mrs. Mumpower, the Board of Supervisors reconvened in open meeting.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Barker</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

Mr. Derting asked for any participant in the closed meeting who believes that there was a departure from the requirements of the Virginia Freedom of Information Act during the closed meeting, please state the substance of the departure that you believe has taken place.

Hearing no such statements, on motion of Mr. McCall, second by Mr. Barker, it was resolved to certify the closed meeting 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 were heard, discussed, or considered in the closed meeting.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Barker</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

At this point, County Attorney Lucy Phillips directed the Board's attention to a memorandum she provided that outlines the status of the annexation petition filed by property owners adjoining the City of Bristol.

16 Recess to 6:00 PM March 25 to Receive Presentation on FY 2003-04 County Revenue Projections from Office of County Treasurer

On motion of Mr. Barker, second by Mr. Rector, it was resolved to recess the meeting to 6:00 PM on March 25, 2003, to receive presentation on FY 2003-04 County Revenue Projections from Office of County Treasurer.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Barker</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

Prepared by:

Naoma A. Mullins, Recording Clerk

Approved by the Washington County Board of Supervisors:

Joe W. Derting, Chairman