

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, August 24, 2004, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

John B. Roberts, Sr. Chairman
Phillip B. McCall, Vice Chairman
Bobby D. Ingle
Dulcie M. Mumpower
Odell Owens
Anthony S. Rector
Kenneth O. Reynolds

Mark K. Reeter, County Administrator
Lucy E. Phillips, County Attorney
Mark W. Seamon, Accounting Manager
Naoma A. Mullins, Recording Clerk

1. Call to Order

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

2. Invocation and Pledge of Allegiance

Supervisor Bobby Ingle gave the Invocation and led the Pledge of Allegiance.

3. Approval of Agenda

County Administrator Mark Reeter addressed the Board explaining that he had no amendments to the Agenda to offer. However, Mr. Reeter pointed out that at Board stations was a revised lease agreement for Agenda Item 10. The changes made to the lease agreement were not substantial.

On motion of Mr. Ingle, second by Mr. Owens, it was resolved to approve the agenda as presented.

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

Mr. Ingle Aye
Mr. McCall Aye
Mrs. Mumpower Aye
Mr. Owens Aye
Mr. Rector Aye
Mr. Reynolds Aye

Mr. Roberts *Aye*

4. Approval of Minutes

On motion of Mr. Reynolds, second by Mr. Rector, it was resolved to approve the minutes of the August 10, 2004, as presented.

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

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

5. Presentation by Land Trust of Southwest Virginia

Mr. Brad Kreps representing the Land Trust of Southwest Virginia made a presentation to the Board regarding the Land Trust organization. Mr. Kreps explained that the Land Trust of Southwest Virginia was a citizen based conservation organization formed several years ago out of concerns over the sprawling development in Southwest Virginia and its negative impact on the scenic beauty of the area, as well as, the decrease of open space. Mr. Kreps further explained that the Land Trust is an outreach organization that provides education and public awareness of the value and necessity for natural resource protection and the options available to private landowners to protect and conserve their lands. Statewide, land trusts have taken the lead in the promotion of private conservation measures, especially conservation easements, which are perpetual agreements between a landowner and a qualified conservation organization.

The Land Trust is interested in working with farmers, landowners, public officials, and interested citizens to encourage non-regulatory, private land conservation and sensible land-use policies that sustain working farms and forests, open spaces and cultural heritage for future generations.

Mr. Kreps explained one of the voluntary tools available to private landowners was a conservation easement. A conservation easement is a voluntary legal agreement between a private landowner and a qualified conservation organization such as the Land Trust of Southwest Virginia. A conservation easement permanently protects the agricultural, natural, cultural, historic and/or open space value of land while keeping it in private ownership. It allows landowners to continue farming, timber harvesting, recreating, hunting, fishing and engaging in other compatible land uses. Land protected by a conservation easement can be sold or passed on to heirs; however, the provisions of the conservation easement are permanent and all future owners must comply with its terms.

In conclusion, Mr. Kreps stated that the Land Trust of Southwest Virginia would offer speakers and presentations to community groups, citizens, elected officials, professionals and landowners concerning the Land Trust of Southwest Virginia and services the organization provides.

Discussion ensued among the Board.

6. Presentation by Jamestown 2007 Planning Committee for Washington County

Mrs. Suzanne Lay, Executive Director for the Washington County Chamber of Commerce addressed the Board. Ms. Lay explained that in 2007, the nation would celebrate the 400th anniversary of the Jamestown settlement. She presented the Board with a certificate recognizing Washington County as a pilot community, the official flag of the 400th anniversary celebration and a compact disc containing music relative to the Jamestown Settlement.

Mr. Steve Galyean addressed the Board explaining that the Town of Abingdon and Washington County were named as pilot communities for the Jamestown 2007 celebration. Mr. Galyean further explained that a steering committee has been established and asked that the Board appoint a representative to serve on this Committee. He stated that many special events were being planned including a special production by the Barter Theater. Mr. Galyean asked that any project or event the County may conduct in the next three years be named a legacy project to commemorate the significance and importance of the Jamestown 2007 celebration.

Ms. Jennifer Wagner addressed the Board providing more details about the Jamestown 2007 celebration. The theme for the celebration is “Come Home to Virginia.”

7. Consideration of FY 2004-05 Performance Contract between Highland Community Services Board and Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services

Mr. Hunter Widener, Executive Director, Highlands Community Services addressed the Board requesting approval of their FY 2005 Performance Contract. Mr. Widener thanked the Board for their support of Highlands Community Services.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to approve the proposed FY 2004-05 Performance Contract between Highland Community Services Board and Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services.

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

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

Scrivener’s Note: The Performance Contract referenced above is included as Minutes Exhibits Item 2004-08-24-A.

8. Consideration of Appointment to Southwest Virginia Regional Litter Task Force

On motion of Mr. McCall, second by Mrs. Mumpower, it was resolved to appoint County Recycling & Special Projects Manager Stephen Richardson for a one-year term to the Southwest Virginia Regional Litter Task Force.

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

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

In another matter, Supervisor Phillip McCall expressed appreciation to the Washington County Sheriff's Department for the work the inmates are doing to cleanup trash in the County.

9. Consideration of Resolution Commemorating the 100th Anniversary of the Incorporation of the Town of Damascus

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

**RESOLUTION 2004-18
COMMEMORATING THE CENTENNIAL ANNIVERSARY OF THE
TOWN OF DAMASCUS**

WHEREAS, the Town of Damascus was granted a charter as an incorporated community by the Virginia General Assembly on March 12, 1904, and

WHEREAS, on September 10 – 12, 2004, the Town of Damascus will officially commemorate this anniversary by conducting a Centennial Celebration, and

WHEREAS, the Town of Damascus is one of three incorporated jurisdictions within Washington County, and has contributed significantly to the history, growth and development of the County as a whole, and

WHEREAS, the citizens and officials of the Town of Damascus are to be commended for the town's renaissance over the past decade into a thriving center for tourism in Washington County, and

WHEREAS, the future for the Town appears brighter now than at any other time in its 100-year history;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it hereby commemorates the 100th anniversary of the incorporation of the Town of

Damascus, Virginia, and encourages all citizens of Washington County to observe and recognize this important event in the history of this community.

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

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

10. Consideration of Lease of Property from Virginia Department of Game and Inland Fisheries for County Radio Communication Tower

Emergency Services Coordinator Mary Fraysier addressed the Board explaining that the County would like to construct a new County radio communication facility on a site within the “Signal Hill” complex on Clinch Mountain owned by the Virginia Department of Game and Inland Fisheries (DGIF) as part of the Clinch Mountain Wildlife Reserve. Funds for the construction of this facility will originate from two grants awarded to the County by the Virginia Department of Emergency Management – one for Domestic Preparedness (total grant amount \$52,184) and a second from Homeland Security (total grant amount \$155,745). These grants are part of the federal Homeland Security funds being made available in the wake of the September 11 attacks. The total radio communication project is estimated to cost approximately \$80,000 and will consist of the construction of a 150-foot tall radio antennae tower and associated radio equipment building on a site presently being leased from DGIF by Holston Broadcasting. The County now leases antennae space on a tower owned by Two-Way Radio of Wytheville, Virginia to support law enforcement and emergency responder radio communications. The present location of Two-Way’s tower is increasingly subject to electronic interference by other signals originating from the Signal Hill complex, resulting in poor radio communication receptivity for law enforcement and emergency responders. Since clear radio communication is an absolute imperative for emergency services, it is strongly recommended the County develop a communication facility on a site not as subject to electronic interference as is the present Two-Way site. The Holston Broadcasting site is presently located away from the more intensely developed part of the Signal Hill complex and should provide a better location for a permanent, County-owned radio communication tower. In addition to eliminating some of the electronic interference, the proposed new facility will permit a taller antennae tower that is expected to enhance radio communication penetration to more remote areas of the County where there are currently some “dead spots,” or areas where radio communication is not available. The project also proposed to replace some aging radio transmitter equipment presently in use by the County as well as provide better telemetry or remote monitoring capability between County Central Dispatch in Abingdon and the communication tower on Clinch Mountain.

Mrs. Fraysier further explained that Phase I of the project is Board approval of a proposed lease of the current Holston Broadcasting site with DGIF. Phase II of the project will consist of the County identifying other areas in the County that could transmit and receive communication signals.

Discussion ensued among the Board.

County Administrator Mark Reeter addressed Board explaining that the proposed radio communication tower will not solve all of the County’s communication problems. Mr. Reeter explained that repeaters could be installed at each of the County’s convenient stations. He brought to the Board’s attention that Holston Broadcasting has agreed to surrender its site to the County at no charge in exchange for being permitted to maintain repeater/transmitter equipment on the site to support its commercial broadcast signals into Southwest Virginia.

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to approve the proposed lease agreement for a radio communications facility site within the Signal Hill complex on Clinch Mountain and with the Virginia Department of Game and Inland Fisheries.

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

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

Scrivener’s Note: The Lease Agreement with the Virginia Department of Game and Inland Fisheries referenced above is included as Minutes Exhibits Item 2004-08-24-B.

11. Consideration of Request from Washington County Sheriff’s Office to Develop Small-arms Firing Range on Closed County Landfill Property

Sheriff Fred Newman addressed the Board explaining that his department would like to develop a small arms firing range and range house on a portion of the closed County Landfill property. The range will be used for required firearms training for members of the Sheriff’s Office and will not be open to the public. The department currently use a firing range located in the Benhams Community owned by the Bristol, Virginia Sheriff’s Department. Sheriff Newman advised the Board that he had met with Solid Waste Director Coy Martin and personnel from the Virginia Department of Environmental Quality and they see no problem with the proposed location of the range. He stated that residents in the vicinity of the firing range would be notified when a training session will take place.

Sheriff Newman further explained the project will be financed entirely with funds within the Sheriff’s Office budget, primarily money from drug seizure. There will be no local funds requested.

Discussion ensued among the Board.

Responding to inquiries from the Board, Sheriff Newman explained that officers from the incorporated towns in Washington County could utilize the firing range. He further explained the hours of operation would include day and night firing. The night firing will conclude by 9:00 PM. The firing range will be located several hundred feet from the closest neighbor and trees would be used to create a buffer zone.

County Administrator Mark Reeter addressed the Board explaining that since the proposed range will be a law enforcement related facility, a zoning Special Exception Permit pursuant to County Code Section 66-

323(2) will need to be applied for and obtained by the Washington County Sheriff’s Office (Agriculture, General A-2 Zoning District). The Virginia Department of Environmental Quality (DEQ) has preliminarily reviewed the proposed firing range location and has expressed no immediate concerns. Mr. Reeter stated that formal clearance from DEQ to develop the range would need to be sought.

On motion of Mr. Rector, second by Mr. Reynolds, the Board acted to approve development of a small-arms firing range on the closed County Landfill property to be operated by the Washington County Sheriff’s Office contingent upon issuance of a zoning Special Exception Permit and clearance by the Virginia Department of Environmental Quality.

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

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

12. Consideration of County Projects for Mount Rogers Planning District Commission’s FY 2005 Priority Regional and Local Economic Development Project List

Assistant County Administrator Christy Parker addressed the Board explaining that each year the Mount Rogers Planning District Commission (MRPDC) develops a list of projects by jurisdictions, which they use to compose a regional master list called the Comprehensive Economic Development Strategy. Many of the grant agencies such as the U. S. Economic Development Administration (EDA), Appalachian Regional Commission (ARC), and Department of Housing & Community Development (DHCD), require that projects be listed in this regional strategic plan before they can be funded. The list is divided into two categories – Infrastructure and Economic Development.

Ms. Parker reviewed the County’s proposed list and discussed the differences from the list submitted last year. She explained the West-Central Washington County Sewer System (Phase 1B: Larwood Acres, Lowery Hills; High Meadows) was renamed to 604B Bristol Area Sewer Study/System, and a County wide comprehensive housing rehabilitation survey/activity has been added to the list.

Ms. Parker discussed the possibility of adding to the list of the Nature’s Conservancy Clinch Mountain property (the Cravasses). The Nature Conservancy would like the property be designated as a State Park.

County Administrator Mark Reeter addressed the Board explaining that the Joint Parks & Recreation Committee at their last meeting received an extensive presentation from the Nature Conservancy regarding their Clinch Mountain Property (the Cravasses). The Nature Conservancy has an interest in developing a good portion of the logging roads located on this property into hiking and biking trails. They feel there is the need to conserve “the Cravasses” and have no plans to develop that portion of the property. Their long-term goal is to transfer all of this property to the State. The County will be looking at obtaining grant monies to fund a planning study.

Supervisor Kenneth Reynolds and member of the Joint Parks & Recreation Committee addressed the Board explaining the Committee believes that land has much potential for recreational development.

Discussion ensued at length among the Board regarding the local economic development project list and about the Clinch Mountain property (the Cravesses).

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to approve submission of the Priority Project List for Washington County for FY 2005 with the addition of the Clinch Mountain Project to the Mount Rogers Planning District Commission.

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

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

Scrivener’s Note: The FY 2005 Priority Local Economic Development Project List referenced above is included as Minutes Exhibits Item 2004-08-24-C.

13. Recess

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

14. County Administrator Reports

a. Status of Washington County’s Six-Year Plan for Secondary Highways

County Administrator Mark Reeter addressed the Board explaining that Mr. Steve Buston, Abingdon Resident Engineer with the Virginia Department of Transportation, has submitted correspondence advising that the County will experience a 27% reduction in secondary road improvement funds from that expected in the Fall of 2003. Consequently, a number of secondary road improvement projects have been placed in “storage” – temporarily dropped from the Six-Year Plan and hopefully to be reinstated when funding becomes available. Also, Mr. Buston is requesting the Board advertise and conduct a public hearing concerning the FY 2005-06 Six-Year Plan for Secondary Highway Improvements at its October 12 regular meeting.

On motion of Mr. McCall, second by Mr. Owens, it was resolved to schedule a public hearing on the FY 2005-06 Six-Year Plan for Secondary Highway Improvements for the October 12 Board meeting.

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

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>

<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

b. Presentation Regarding Liability Insurance

Accounting Manager Mark Seamon explained that in October the process would begin for renewing liability insurance for the County. Mr. Seamon explained that during the renewal process for liability insurance five years ago, the County issued invitation for bids. Only two vendors were identified at that time. Mr. Seamon proposed to the Board that request for proposals be issued for this renewal. Also, he asked for a Board member to serve on the selection committee.

Chairman John Roberts agreed to serve on the committee.

15. County Attorney Reports

No report.

16. Board Information

County Administrator Mark Reeter drew attention to materials in the Board Information section. Particularly, correspondence from the Virginia Department of Transportation concerning the public hearing schedule on the FY 2006-2011 Six-Year Improvement Program; correspondence from Barter Theater requesting financial assistance for the Barter Green project, and correspondence from the Washington County Fair Association asking for names of Supervisors who will participate in the Fair Parade.

John Roberts, Phillip McCall and Kenneth Reynolds stated that they would be participating in the parade.

17. Board Member Reports

Supervisor Dulcie Mumpower thanked Board members and staff for their expressions of sympathy during the loss of her sister.

Supervisor Bobby Ingle reported that he attended a meeting concerning the 604B Bristol Area Sewer Study. Work on the study has begun and will take approximately four months to complete.

Supervisor Odell Owens reported that he attended dedication ceremonies a new building constructed by the Farmer’s Market. During the ceremony, Mayor David Shumaker recognized Washington County and mentioned that a majority of the participants in the Farmer’s Market were from Washington County.

18. **Closed Meeting:**

Request for Closed Meeting pursuant to §2.2-3711 A.5. of the 1950 Code of Virginia for discussion concerning 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 its facilities in the community; specifically two existing industries considering expansion

On motion of Mr. Rector, second by Mr. Ingle, the Board acted to convene in Closed Meeting pursuant to §2.2-3711 A.5. of the 1950 Code of Virginia for discussion concerning 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 its facilities in the community; specifically two existing industries considering expansion. It was further resolved to include County Attorney Lucy Phillips, Assistant County Administrator Christy Parker and Industrial Development Authority Chairman Russell Owens.

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

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

On motion of Mr. Owens, second by Mr. Rector, and favorable vote, the Board of Supervisors now reconvenes in open meeting. At this time, 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. Owens, 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 certifies 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.

19. **Adjourn**

On motion of Mr. McCall, second by Mr. Rector, it was resolved to adjourn the meeting.

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

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

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

Prepared by:

Naoma A. Mullins, Recording Clerk

Approved by the Washington County Board of Supervisors:

John B. Roberts, Sr., Chairman