

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, November 13, 2007, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

Kenneth O. Reynolds, Chairman
Jack R. McCrady, Jr., Vice Chairman
Phillip B. McCall
Dulcie M. Mumpower
Odell Owens
Paul O. Price
Anthony S. Rector

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. Kenneth Reynolds, Chairman of the Board, who welcomed everyone in attendance.

2. Invocation and Pledge of Allegiance

Supervisor Dulcie Mumpower gave the Invocation and led the Pledge of Allegiance.

3. Approval of Agenda

On motion of Mr. Rector, second by Mr. Price, it was resolved to approve the agenda with the following amendment:

Addition of New Item 13.a. - County Attorney Reports:

Review of Proposed Amendment to the County Code Regarding Taxation of Trailers

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

Mr. McCall Aye
Mr. McCrady Aye
Mrs. Mumpower Aye
Mr. Owens Aye

Mr. Price *Aye*
Mr. Rector *Aye*
Mr. Reynolds *Aye*

4. Approval of Minutes

On motion of Mr. Owens, second by Mr. McCall, it was resolved to approve the minutes of the following meetings as presented:

- October 16, 2007 Joint Recessed Meeting*
- October 23, 2007 Regular Meeting*
- October 24, 2007 Joint Recessed Meeting*
- October 26, 2007 Recessed Meeting*

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

Mr. McCall *Aye*
Mr. McCrady *Aye*
Mrs. Mumpower *Aye*
Mr. Owens *Aye*
Mr. Price *Aye*
Mr. Rector *Aye*
Mr. Reynolds *Aye*

5. Public Hearings:

a. Request for Special Exception Permit:

- (1). Robin C. and Kevin L. Canter, Property Tax Map #103-1-2C1: Request for a Special Exception Permit to operate a day care center in an existing residential dwelling located on the north side of State Route 645 near the intersection of State Route 645/State Route 611 in an A-2 (Agricultural, General) zone, Harrison Magisterial District, G-01 Election District

County Zoning and Subdivision Official Cathie Freeman appeared before the Board to provide introductory remarks for the request for Special Exception Permit.

Ms. Freeman explained that the County Zoning Office received a complaint from an adjoining property owner that a daycare facility was being operated by Robin and Kevin Canter without obtaining a Special Exception Permit from the County to do so. She further explained that a site visit was made to the Canter’s residence on August 23, 2007, to confirm that a daycare was being operated. The Mrs. Canter confirmed that they had operated a daycare for four years and were not aware of the Special Exception Permit requirement. Mrs. Freeman stated that Mrs. Canter advised her that the Virginia State Fire Marshall had inspected their property and that she is currently in the process of obtaining a license from the Department of Social Services. The Canter’s submitted all of the documents required to request a Special Exception Permit and have obtained a license from the Department of Social Services. She explained that when the Planning Commission held their public hearing on this request no one spoke in

opposition. Mrs. Freeman further explained that the Canter's have a license to keep up to 16 children in the daycare center and the hours of operation are 7:00 AM to 5:30 PM Monday through Friday.

Mr. Reynolds opened the public hearing and invited comments both in support of and in opposition to the request for special exception permit.

Mr. Phil McNamara addressed the Board explaining that he and his wife were residents of Kingsport, TN. They have two young children attending the Canter's daycare center for the last two years. Mr. McNamara explained that he travels to Jefferson City, TN to work and that his wife works in Abingdon and brings their children to the daycare center. He further explained that in the two years their children have been at the Canter's daycare they have not received one call about their children. The Canter's provide love, care and affection to the children. Mr. McNamara stated that this daycare is a blessing and his family would be lost if it ceased to operate. He asked the Board to grant the Special Exception Permit.

Mr. Doug Meade, Director of the Washington County Department of Social Services, addressed the Board explaining that he has known the Canter's for several years, and that the Department of Social Services provides financial assistance to some families that place their children in the Canter's daycare center. Mr. Meade recommended that the Board grant the Special Exception Permit.

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

Discussion ensued among the Board. Mrs. Mumpower explained that as a mother she realizes how difficult it is for parents to find safe daycare for their children. It is important to be able to take your child to a daycare where you know they will be safe. She further explained that she has received nothing but praise for this daycare center and stated that there is a need for more centers of this type in the County. Mrs. Mumpower further stated that she was proud to have this daycare center in her district. After further discussions, the following action was taken:

On motion of Mrs. Mumpower, second by Mr. McCrady, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the request of Robin C. and Kevin L. Canter for a Special Exception Permit to operate a day care center in an existing residential dwelling located on the north side of State Route 645 near the intersection of State Route 645/State Route 611 in an A-2 (Agricultural, General) zone, Harrison Magisterial District, G-01 Election District.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

At this time Mr. L.B. Atkins, Vice Chair of Abingdon Senior Services, introduced Mr. Dexter Peltzer the new Executive Director for the Abingdon Senior Services. Mr. Atkins advised the Board that Polly Wirt retired the first of September.

6. Presentation of Annual Report by Washington County Department of Social Services

Mr. Doug Meade, Director of the Washington County Department of Social Services, advised the Board that he will retire on March 1, 2008 after 43 years of service to the State, of which 36 of those years he served as Executive Director for the Department of Social Services. He thanked the Board for the confidence, trust and support he was given over the years.

Mr. Meade presented the Board with the Annual Report for FY 2006-07 for the County Department of Social Services.

Discussion ensued among the Board. The Board expressed their appreciation to Mr. Meade for the outstanding job he has done as Director of the Washington County Department of Social Services.

Scrivener's Note: The Annual Report referenced above is included as Minutes Exhibits Item 2007-11-13-A.

7. Consideration of Approval of Proposed Sale-Purchase Agreement for Joint Town/County Sports Complex

Ms. Phillips reviewed the proposed Sales Purchase Agreement for property for the Joint Town/County Sports Complex. She explained that on October 24, 2007, the Board of Supervisors met with the Abingdon Town Council and resolved to purchase, on an equal ownership basis, certain property for the purpose of development of a Sports Complex to be owned and managed jointly by the two localities. Ms. Phillips further explained that the Sales Purchase Agreement is based on a price per acre of \$40,000.00. The total acreage is 59.334 for a total purchase price of \$2,373,400.00. All of the property is currently owned by Clifton-Stewart. The Agreement establishes contingencies that would allow the localities to terminate the Agreement in the event that environmental contamination or areas of historical/archaeological significance are discovered. The Agreement further provides for an acre per acre swap between the County, Town and Mac Clifton to maximize suitable area for development of sports fields. The Agreement calls for a closing date on the property for November 5, 2008. She stated that Clifton-Stewart asked the closing be delayed due to tax issues. This will allow the County and Town time to conduct site inspections and assessment for design and engineering.

Discussions ensued among the Board. Among the issues discussed were the costs for site preparation and if any unused acreage could be considered as a location to build the County Office Complex. Mr. Reynolds stated that the Town of Abingdon has approved a similar Sales Purchase Agreement. Mr. McCall stated that he would abstain from voting due to conflict of interest.

On motion of Mr. Price, second by Mr. McCrady, the Board acted to approve the Purchase and Sales Agreement and to direct the Chairman of the Board to sign the Agreement and other documents, as necessary, to purchase the property.

The vote on this motion was as follows: (5-1-1)

<i>Mr. McCall</i>	<i>Abstained</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>

Mr. Rector *Nay*
Mr. Reynolds *Aye*

Mr. Reeter discussed the fiscal impact of the land purchase. He explained there is approximately \$490,000.00 within the Capital Improvement Fund – Capital Reserve Account for development of a recreation complex. Mr. Reeter further explained that it is reasonable to assume that at least \$50,000.00 of this remaining set-aside may need to be expended prior to the end of the current fiscal year in support of professional services for planning, design and other related expenses to be incurred by the Joint Town/County Sports Complex Steering Committee. This would leave a balance in this set-aside of \$440,000.000 to be carried over into FY 2008-09 to cover property acquisition costs. The Board would need to budget an additional \$746,700.00 in the FY 2008-09 budget along with carrying over the \$440,000.00 current set aside to cover the County’s share of the purchase price. It is recommended that the Board create a new budgetary department entitled, New County/Abingdon Recreation Complex, within the Capital Improvement Fund and to transfer \$50,000.00 from Line-Item 94900-5900 which contains the \$490,000.00 to this new department and further to authorize that \$2,500.00 be paid from the \$50,000.00 to Clifton-Stewart Rentals, LLC as the County’s share of the deposit. The remaining balance from the \$50,000.00 would be used as the County’s portion to fund the design work on the property.

On motion of Mr. Price, second by Mr. McCrady the Board acted to create a new Budgetary Department 94589 entitled, New County/Abingdon Recreation Complex, within the Capital Improvement Fund and to transfer \$50,000.00 from Line-item 94900-5900 to this new department, and to direct that \$2,500.00 be paid from this amount to Clifton-Stewart Rentals, LLC as the County’s share of the deposit.

The vote on this motion was as follows: (5-1-1)

Mr. McCall *Abstained*
Mr. McCrady *Aye*
Mrs. Mumpower *Aye*
Mr. Owens *Aye*
Mr. Price *Aye*
Mr. Rector *Nay*
Mr. Reynolds *Aye*

Sciivener’s Note: The Sales Purchase Agreement referenced above is included as Minutes Exhibits Item 2007-11-13-B.

8. Consideration of Appointments to Joint Town/County Sports Complex Steering Committee

On motion of Mr. McCrady, second by Mrs. Mumpower, it was resolved to appoint Supervisor Phillip McCall to the Joint Town/County Sports Complex Steering Committee.

The vote on this motion was as follows: (6-0-1)

Mr. McCall *Aye*
Mr. McCrady *Aye*
Mrs. Mumpower *Aye*
Mr. Owens *Aye*

Mr. Price *Aye*
Mr. Rector *Abstained*
Mr. Reynolds *Aye*

Discussion ensued among the Board concerning appointments to the Joint Town/county Sports Complex Steering Committee. The Board talked about possible appointees to represent Washington County on this Committee, but delayed action on the appointments until the November 27 Board meeting to allow time to contact the individuals to see if they would be interested in serving on the Committee.

9. Consideration of Request for Supplemental Appropriation to People, Inc., for Abingdon Day Care Center

Mr. Rob Goldsmith, President and CEO of People, Incorporated addressed the Board to request a supplemental appropriation for the Abingdon Day Care Center. First, Mr. Goldsmith made remarks about Doug Meade. He then commented that People, Incorporated has a program to assist with paying for connection fees and laterals to public water.

Mr. Goldsmith explained that People, Incorporated operates the Abingdon Day Care Center and has about 89 children. The Day Care Center has been struggling financially over the last several months. The current situation is that about \$225,000.00 more than revenue received has been expended on the operation of the three day care centers that People, Incorporated operates in their service area. The Abingdon Day Care Center currently has a deficit of \$69,678.18. He further explained that he proposed to the People, Incorporated Board of Directors that they consider a raise in the rate structure. The Board of Directors feels that affordable daycare is vital and asked that staff seek funds from Washington County. Therefore, Mr. Goldsmith stated that he is respectfully requesting an appropriation in the amount of \$40,000.00. Substantial discussions ensued among the Board. Mr. McCall asked Mr. Goldsmith if there were income guidelines for families that place their children in the Abingdon Day Care. Mr. Goldsmith replied that there were no income guidelines and that the Day Care Center was open to anyone. He further explained that out of the 89 children in the Abingdon Day Care that 41 of the children were from inside the Town of Abingdon corporate limits and 48 children lived elsewhere in the County. Further discussions ensued. Mr. Goldsmith was asked if he had approached the Town of Abingdon with a request for additional funding for Abingdon Day Care. Mr. Goldsmith explained that at this time he had not asked the Town for additional monies. He further explained that the Town provides the building that houses Abingdon Day Care. Mr. McCrady commented about the five percent reduction in state funding for all state agencies and programs, and further commented that the County will be faced with increasing funding to agencies and programs in the County affected by the cuts. Mrs. Mumpower inquired if People, Incorporated could seek other funding sources and then come back to the Board with a request for an additional appropriation. She explained that she could not support the appropriation of the entire \$40,000.00 request without People, Incorporated first trying to identify other funding sources. Mr. Goldsmith stated that the People Incorporated Board of Directors directed him to revise the fee structure if money were not raised to cover the deficit. Further discussions ensued.

On motion of Rector, second by Mr. McCall, the Board acted to approve a supplemental appropriation from Reserve for Contingencies in the amount of \$40,000.00 to People, Incorporated for the Abingdon Day Care Center.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Nay</i>
<i>Mrs. Mumpower</i>	<i>Nay</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

10. Consideration of Dog Damage Claim, James F. Hutton - \$2,000

On motion of Mr. Rector, second by Mr. Price, it was resolved to authorize payment to James F. Hutton in the amount of \$2,400.00 for a dog damage claim.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

At this time the Board took a ten-minute recess.

11. Consideration of Approval of Operating Guidelines of the Board of Supervisors

Mr. Reynolds explained that the proposed operating guidelines of the Board of Supervisors were worked on as part of the Board retreat and the following Board retreat planning worksession. Mr. Reeter explained that the Board is being asked to review the proposed operating guidelines and if it is the pleasure of the Board they would be placed verbatim into the Board’s By-Laws, General Policies and Operating Procedures. Mr. Price commented on Item 4 of the proposed operating guidelines that speaks to abstaining from a vote, and explained that there are times other than when there is a conflict of interest such as if a Board member does not feel they have enough information on a particular item that it would be in order to abstain. Further discussions ensued among the Board.

On motion of Mr. Owens, second by Mrs. Mumpower, the Board acted to authorize that the proposed operating guidelines of the Board of Supervisors be made part of the By-laws, General Policies and Operating Procedures for CY 2008 for Board consideration.

The vote on this motion was as follows: (6-1)

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>

<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Nay</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

12. County Administrator Reports:

- a. November 27 Public Hearing on Secondary Roads Six-Year Plan for Washington County

Mr. Reeter advised the Board that the Virginia Department of Transportation (VDOT) has requested to advertise and hold a public hearing before the Board at its November 27 regular meeting concerning the County’s Six-Year Plan for Secondary Highway Improvements. There will be a public information meeting conducted by VDOT officials to be held in Conference Room 1 beginning at 6:00 PM on November 27.

Discussion ensued among the Board.

- b. November 20 Employee Thanksgiving Lunch, 12:00 Noon, Conference Room 1

Mr. Reeter announced the Employee Thanksgiving Lunch will be held on November 20 at 12:00 PM in Conference Room 1. He invited the Board members to attend.

At this time, Mr. Reeter initiated discussions about a Board of Supervisors Reception to honor newly elected officials and those outgoing elected officials as well as the new General Manager of the Washington County Service Authority. He explained that the Washington County Service Authority has a Board meeting on December 17 so the reception would need to be moved to December 18. Mr. Reeter further explained that he proposes the event be held at the Southwest Virginia Higher Education Center. He stated that the event will run about \$1,800.00 for rental and catering costs. Discussions ensued among the Board. It was consensus of the Board to schedule the reception for December 18 at the Southwest Virginia Higher Education Center and to approve a budget of \$1,800.00 for the event.

- c. December 3, Joint Meeting with Abingdon Town Council for Update on Southwest Virginia Regional Artisan Center Project

Mr. Reeter reported that a joint meeting with the Town of Abingdon has been scheduled for December 3 at 5:00 PM at the Abingdon Town Hall to receive an update on the Southwest Virginia Regional Artisan Center.

13 County Attorney Reports:

Ms. Phillips reviewed a letter from County Treasurer Fred Parker, County Commissioner of Revenue Melvin Ritchie and County Commissioner of Revenue Elect David Henry about changing the current County Code on taxation of recreational trailers. The current license fee of \$6.00 is limited to vehicles with a gross weight of 1,500 lbs. The reason for the proposed change in the County code is that many of the recreational trailers are over the 1,500 lb weight limit, but fall into the recreational or light vehicle category. It is recommended that the County Ordinance be amended for this type of trailer and the weight limit be changed to 7,500 lbs. Ms. Phillips explained that she is asking for Board authorization to prepare

the ordinance and schedule the public hearing to consider the ordinance for December 11. The new ordinance would need to be in effect before the January 1 assessment date. Discussions ensued among the Board. The following action was taken:

On motion of Mr. McCrady, second by Mr. Rector, it was resolved to authorize the County Attorney to prepare an ordinance to amend the County’s Code Section 38-106 and to advertise and schedule the public hearing for December 11, 2007.

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

14. Board Information

No Board information was reviewed.

15. 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 – October 2007*
- b. Revenue Refunds – Animal Sterilization Fees*
- c. Canceled Check – General Fund*
- d. Budget Status Reports for October of 2007*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

At this time, Mr. Seamon provided the Board with an update on the bids that were received for the Hayter’s Gap Library Renovation Project. He explained that only one bid was received in the amount of \$332,000.00. The budget for this project is only \$150,000.00 (\$100,000.00 local money and \$50,000.00 grant money). Mr. Seamon further explained that Library Director Charlotte Parsons is meeting with the

bidder to see what items could be deducted from the project to reduce the costs. Discussions ensued among the Board.

16. Board Member Reports

Mr. Price discussed his concerns regarding the Washington County Service Authority (WCSA) raising the tap fee to \$1,600.00. He reviewed minutes of the June 25, 2007, WCSA meeting wherein it states that 31 taps were made, two wastewater taps were made and 368 notices were sent to customers informing them that their water would be turned off. Mr. Price stated that this bothers him and he would like the Board to consider sending a letter to the WCSA about the high tap fees. Discussions ensued among the Board concerning the tap fees and citizens in the County not having access to clean drinking water.

Mr. Owens asked that a letter be sent to Congressman Rick Boucher and Senators John Warner and Jim Webb asking them to consider introducing legislation that would grant farmers in severe drought conditions a federal income tax deduction. Discussions ensued among the Board. Mr. Reeter proposed drafting a Resolution for the Board to consider at their November 27 meeting. It was consensus of the Board to direct Mr. Reeter to draft a Resolution for Board consideration at the November 27 meeting concerning possible federal legislation granting farmers in severe drought areas a federal income tax deduction.

Mr. McCall asked that a letter be sent to VDOT requesting that "Children at Play" signs be installed on Woodcliffe Drive. Discussions ensued among the Board and it was Board consensus to direct the County Administrator to send a letter to VDOT asking that "Children at Play" signs be installed on Woodcliffe Drive.

Mr. McCrady commented on the proposed procurement officer position for the County. He explained that during the VACo Conference he met with several counties that have procurement officers. One county has a procurement officer that makes purchases for the fire and rescue departments and limited purchases for the school system. Mr. McCrady stated that he would like the procurement officer position to be a top priority.

17. Adjourn

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

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

Prepared by:

Naoma A. Mullins, Recording Clerk

Approved by the Washington County Board of Supervisors:

Kenneth O. Reynolds, Chairman