

**VIRGINIA:**

At a recessed meeting of the Washington County Board of Supervisors held Tuesday, March 31, 2009, 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 (left at 9:30 PM)
- Dulcie M. Mumpower
- Odell Owens
- Paul O. Price
- Thomas G. Taylor

- Mark K. Reeter, County Administrator
- Lucy E. Phillips, County Attorney
- Naoma A. Norris, Recording Clerk

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**1. Call to Order**

The meeting was called to order by Mr. Kenneth O. Reynolds, Chairman of the Board, who welcomed everyone in attendance.

**2. Invocation and Pledge of Allegiance**

Mr. Reynolds gave the Invocation and led the Pledge of Allegiance.

**3. Approval of Agenda**

Mr. Reynolds asked that the Virginia Highlands Airport Authority presentation be moved to the first item of business.

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

*Move the Virginia Highlands Airport Authority presentation to 4.a.1.*

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

**4.     General Business:**

**a.     Actionable Items:**

**1.     **Consideration of Resolution Regarding Virginia Resource Authority Financing for Virginia Highlands Airport Authority****

Virginia Highlands Airport Authority Manager Mickey Hines addressed the Board explaining that the Airport Authority plans to build a new T-Hangar that would house 10-12 aircraft. The Airport Authority is seeking financing for the project through the Virginia Resources Authority because of the low interest rates offered at this time. The Board of Supervisors is asked to adopt a Resolution pledging moral obligation support for the project. Mr. Hines explained that rental fees generated from the new aircraft hangers will pay for the costs of the project. The Airport currently has 25 people on a waitlist for the T-Hangers.

Ms. Phillips provided a review of the proposed Resolution. The Resolution would put in place a moral obligation to pay the debt of bond issuance in the event the Airport Authority could not pay the debt. The Airport Authority has provided information reflecting the rental fees for the aircraft hangers and correspondence stating that the debt could be paid for through these fees. The Resolution further approves a Support Agreement between the Board of Supervisors and the Virginia Highlands Airport Authority; and a Financing Agreement between the Airport Authority and the Virginia Resources Authority. The Resolution also states the principal amount of the borrowing shall not exceed \$500,000 and the interest rate is not to exceed seven percent.

Discussion ensued among the Board and Mr. Hines regarding the term of the debt and questions pertaining to the use of rental fees generated from the new aircraft hangers to pay for the debt on the project.

*On motion of Mr. Owens, second by Mr. Price, it was resolved to adopt the following Resolution:*

**RESOLUTION 2009-06 OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF WASHINGTON, VIRGINIA, REGARDING APPROVAL OF A SUPPORT  
AGREEMENT TO PROVIDE THE MORAL OBLIGATION OF THE COUNTY FOR A LOCAL  
OBLIGATION OF THE VIRGINIA HIGHLANDS AIRPORT AUTHORITY IN A PRINCIPAL  
AMOUNT NOT TO EXCEED \$500,000**

*WHEREAS, the Board of Supervisors (Board) of the County of Washington, Virginia (County) created the "Virginia Highlands Airport Commission" (Commission), with the Town of Abingdon, Virginia (Town), pursuant to Chapter 3, Title 5.1, Code of Virginia of 1950, as amended, to own and operate the Virginia Highlands Airport (Airport) serving the County and the Town, and*

*WHEREAS, by subsequent letter dated January 10, 1983, the Town withdrew its participation in the Commission, and*

*WHEREAS, pursuant to a resolution adopted by the Board on September 25, 1984, effective October 15, 1984 the County restructured the Commission in response to the Town's withdrawal, and*

*WHEREAS, pursuant to Ordinance No. 2007-02, the County renamed the Commission the "Virginia Highlands Airport Authority" (VHAA), and provided in such ordinance that the VHAA would have all the powers that state law authorized to the County to conduct the operations of an airport under Chapter 3, Title 5.1, including the power to borrow money, and*

*WHEREAS, the VHAA has determined that it is in its best interest to issue and sell its airport revenue bond in an original aggregate principal amount of not to exceed \$500,000 (Local Obligation) to the Virginia Resources Authority (VRA) pursuant to the terms of a certain Financing Agreement (a form of which, subject to revision, is attached hereto as Exhibit A) to finance the acquisition, construction and equipping of a 10-unit T-hangar building (Project), and*

*WHEREAS, VHAA has requested the Board enter into a Support Agreement (the form of which is attached hereto as Exhibit B) to provide its moral obligation for the Local Obligation as financial support from the County, and*

*WHEREAS, VHAA expects the Project to be financially self-supporting and has provided acceptable financial information in support thereof, together with other information concerning the Project, and*

*WHEREAS, the Board finds the financing of the Project both necessary and desirable for the continued development of the Airport and its economic development role,*

*NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Washington, Virginia:*

*1. The Board of Supervisors hereby authorizes and consents to VHAA's issuance of the Local Obligation pursuant to Title 5.1, Code of Virginia, in a maximum principal amount not to exceed \$500,000 with a term not to exceed twenty-five years and interest payable not to exceed seven percent (7%) per annum and approves the Support Agreement in substantially the form attached hereto as Exhibit B with such completions, changes, and deletions as may be consented to by the signatory on behalf of the County, as authorized herein, whose consent shall be conclusively evidenced by his execution and delivery of the Support Agreement.*

*2. The Chairman of the Board, Vice Chairman of the Board, and County Administrator and Clerk of the Board, or any one of them are hereby authorized and directed to execute the Support Agreement and such other instruments and documents as are necessary to create and perfect a moral obligation to provide financial support for the Local Obligation.*

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

*4. All other acts of the officers of the County that are in conformity with the purposes and intent of this resolution are hereby approved, ratified and confirmed.*

5. *Nothing in this Resolution, the Local Obligation, the Support Agreement or any documents executed or delivered in relation thereto shall constitute a debt or a pledge of the faith and credit of the VHAA or the County.*

6. *This resolution shall take effect immediately.*

*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. Reynolds</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

Mr. Reynolds remarked that he was in the company of some corporate officials this past week and they talked about their appreciation of the Virginia Highlands Airport.

Discussions ensued concerning the schedule for the runway extension at the Airport.

*Scrivener's Note: The Support Agreement and Financing Agreement referenced above is included as Minutes Exhibits Item 2009-03-31-A and Item 2009-03-31-B, respectively.*

**2. Presentation of Emergency Medical Services Study**

County Emergency Services Committee Members Jack McCrady and Paul Price offered introductory remarks. They thanked Mr. Richard Miller of Public Safety Solutions for a very thorough job on the Emergency Medical Services Study.

Mr. Richard Miller presented the Board with a review of the Washington County Emergency Medical Services Study. Mr. Miller explained that the report should be viewed as a working document to lead system wide improvements over the next five years and beyond as the County's financial situation dictates. Some of the proposed improvements will be easy to implement; others will require direction and both moral and financial support from appointed and elected officials. The Study contains 15 specific recommendations for the Board to consider.

Mr. Miller reviewed the study objectives, they include the review and analysis of the existing Emergency Services Coordinator's office; an operational review of the 9-1-1 Emergency Communications Office to identify operational and organizational deficiencies; an analysis of the Washington County Emergency Medical Services system with a focus on current staffing, workload, and anticipated work load over the next five years; and an analysis of the Washington County contribution to volunteer Emergency Medical Services agencies. The Study's conclusions and proposed recommendations related to each of the study objectives were reviewed in detail.

Discussions among the Board, Mr. Miller and Mr. Reeter occurred throughout the presentation.

*Scrivener's Note: The Emergency Medical Services Study referenced above is included as Minutes Exhibits Item 2009-03-31-C.*

A ten minute recess was taken at this time.

**5. Closed Meeting:**

- a. Request to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(7) for consultation with the County Attorney regarding actual litigation where such discussion in open meeting would adversely affect the litigation posture of the County, more specifically, the lawsuit, Clifton Stewart Rentals, LLC, et al v. Town of Abingdon and County of Washington**

*On motion of Mr. McCrady, second by Mr. Price, the Board acted to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(7) for consultation with the County Attorney regarding actual litigation where such discussion in open meeting would adversely affect the litigation posture of the County, more specifically, the lawsuit, Clifton Stewart Rentals, LLC, et al v. Town of Abingdon and County of Washington. All Board members without conflicting interest in the matter to be discussed, the County Attorney and County Administrator are requested to join in the Closed Meeting.*

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

<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. Reynolds</i>	<i>Aye</i>
<i>Mr. Taylor</i>	<i>Aye</i>

- b. Reconvene in Open Meeting and Certification of Closed Meeting**

*After returning to the meeting, the Chairperson noted that upon motion of Mr. Owens, second by Mr. McCrady and favorable vote, the Board of Supervisors reconvened in open meeting. The Chairperson called for any participant in the closed meeting(s) who believed that there was a departure from the requirements of the Virginia Freedom of Information Act during the closed meeting(s), to state the substance of the departure that they believed took place. No members of the Board responded to the Chairperson’s call for statements.*

*On motion of Mr. McCrady, second by Mr. Price, the members of the Board certified the closed meeting(s) in accordance with the requirements of the Virginia Freedom of Information Act. By vote in favor of this motion, each member certified that the closed meeting was conducted in conformity with Virginia law, and that only public business matters lawfully exempted from open meeting requirements and identified in the motion by which the closed meeting was convened was heard, discussed, or considered in the closed meeting.*

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

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

*Mr. Price*                    *Aye*  
*Mr. Reynolds*            *Aye*  
*Mr. Taylor*                *Aye*

**6.     Recess**

*On motion of Mr. Price, second by Mr. Owens, it was resolved to recess to 7:00 PM on April 7, 2009, to receive agency/departmental comments on the proposed and recommended County Operating Budget for Fiscal Year 2009-2010.*

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

*Mr. McCrady*            *Aye*  
*Mrs. Mumpower*        *Aye*  
*Mr. Owens*               *Aye*  
*Mr. Price*                *Aye*  
*Mr. Taylor*               *Aye*  
*Mr. Reynolds*           *Aye*

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**Prepared by:**

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Naoma A. Norris, Recording Clerk

**Approved by the Washington County Board of Supervisors:**

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Kenneth O. Reynolds, Chairman