

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, July 28, 2009, at 6:30 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
Thomas G. Taylor

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

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

Supervisor Paul Price gave the Invocation and led the Pledge of Allegiance.

3. Public Comment

No public comments.

Mr. Reynolds noted that Mr. McCrady is out of town and will be unable to attend the meeting.

4. Approval of Agenda

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

Item 9.a. Closed Meeting

Request to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning 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 the expansion of an existing industry located in Washington County

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

<i>Mr. McCall</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>

5. Consent Agenda:

Mr. Taylor asked that item 5.d.2 – Authorization to Renew County Solid Waste Hauler Permits e removed from the Consent Agenda for discussion. Mr. Reeter proposed moving this item to the General Business section as Item 7.a.3.

On motion of Mr. McCall, second by Mr. Price, the Board acted to approve Items a, b and d.1. of the Consent Agenda as set forth below.

a. Approval of Minutes:

- 1. July 7, 2009, Joint Recessed Meeting**

Note: Mr. Price abstained from voting on approval of the minutes

b. Approval of Routine Financial Matters:

- 1. Supplemental Appropriation of \$3,700.00 to Beaverdam Creek Park Project**

c. Award of Bids and Approval of Contracts

d. Authorization of Routine Business Matters:

- 1. Approval of Parade Permit, 26th Annual Schoolhouse 5K Road Race**

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

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

6. Public Hearings:

a. Public Hearing and Consideration of Adoption of an Ordinance to Vacate the Portion of Holly Lane that Adjoins Property of the Harvest Fellowship Church in Meadowview in the Monroe Magisterial District of the County of Washington, Virginia

Ms. Phillips addressed the Board and explained that Board members had been provided at their stations with correspondence from Harvest Fellowship Church explaining their request to vacate a public right of way known as Holly Lane along with photographs of the alley way/right-of-way proposed to be vacated. This section of roadway is publicly dedicated, but is not incorporated into the state system of secondary highways for maintenance by the Virginia Department of Transportation. There are alternate routes to access the adjoining properties as shown on the maps included in the agenda materials. She explained that state law requires that the Board of Supervisors adopt an ordinance to vacate a state right-of-way.

Mr. Reynolds opened the public hearing and invited comments concerning the proposed ordinance.

Mr. Allen Newman, Elder, Harvest Fellowship Church, addressed the Board in regards to their request. Mr. Newman explained that Holly Lane bisects a portion of the church parking lot. He further explained that the church owns land on both sides of Holly Lane and abandoning the lane would allow the church to update their parking lot and in future to perhaps expand the church on the west side of their property. Mr. Newman provided the Board with information about the church membership and service times, and he explained that they have members from throughout the County. He explained that the church makes a request for the abandonment of Holly Lane and asks the Board to vote in favor of their request.

At this time discussions ensued among the Board and Mr. Newman.

Mr. Owens asked if Holly Lane was originally publicly dedicated with the intention that it would serve the adjoining properties. Mr. Newman explained that he did not know the reason why the lane was constructed, but the purpose for the lane has never materialized.

Mr. Mr. Call asked if this request has been discussed with adjoining property owners. Mr. Newman explained that church representatives have spoken with property owners between Ryan Road and Sherwood Drive (the connector roads) to get their comments about the request. The comments have been positive.

Mr. Reynolds stated that according to information provided to the Board the adjoining property owners have agreed to access their property via Sherwood Drive. Mr. Newman replied that was correct.

Mr. Newman explained that Ira Taylor and Bertha Parsons are the two property owners that live adjacent to the lane. They are attending this meeting. He explained that both property owners have stated that the lane is a nuisance to them. When it rains mud from the lane goes into their yards. These two property owners have been the only ones to put gravel on the lane. Mr. Newman stated that the lane is of no benefit to anyone and is rarely used.

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

On motion of Mr. Taylor, second by Mrs. Mumpower, the Board acted to adopt the following ordinance:

AN ORDINANCE TO VACATE THE PORTION OF HOLLY LANE THAT ADJOINS PROPERTY OF THE HARVEST FELLOWSHIP CHURCH IN MEADOWVIEW IN THE MONROE MAGISTERIAL DISTRICT OF THE COUNTY OF WASHINGTON, VIRGINIA

WHEREAS, an easement for ingress and egress located in the Town of Meadowview in the Monroe Magisterial District of the County of Washington, Virginia, is commonly known, as Holly Lane and has, by historical reference, been recognized as a public right of way, referenced as an “alley” in deeds of conveyance of the adjoining real property; and

WHEREAS, an approximately 223.5 foot portion of this easement that lies between State Route 806 and Sherwood Drive is not presently, nor has ever been a common means of ingress and egress for the general public, nor has it ever been paved, improved, or accepted into the Virginia Department of Transportation system of secondary highways, and

WHEREAS, an owner of property burdened by this easement has requested the Board of Supervisors of Washington County, Virginia (Board) to adopt this ordinance to vacate this public right of way pursuant to section 15.2-2006 of the 1950 Code of Virginia, as amended (hereinafter, Va. Code);

WHEREAS notice of intention to vacate this public right of way has been published at least twice, with at least six days elapsing between the first and second publication, in a newspaper having general circulation in the locality and said notice specified the time and place of a hearing at which persons affected may appear and be heard regarding the proposed abandonment; and

WHEREAS, the Board has held said public hearing, examined the request to abandon, and concluded that there appear to be no damages to the interests in neighboring property;

NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of the County of Washington, Virginia, after notice and public hearing, as required by law:

- 1. This ordinance is hereby adopted pursuant to section 15.2-2006 of the 1950 Code of Virginia, as amended:*

The following easement is hereby vacated from the public domain pursuant to section 15.2-2006 of the 1950 Code of Virginia, as amended, hereby extinguishing said portion of easement, more specifically described as follows:

An approximate 223.5’ portion of the public alley commonly known as “Holly Lane” in Meadowview in the Monroe Magisterial District of the County of Washington, Virginia, being from the intersection of Holly Lane and Ryan Road/State Route 806 towards Sherwood Drive to the northwestern corner of the boundary of the property of the Harvest Fellowship Church, Inc. property, which property is described in the deed of conveyance on file in the records of the Clerk of Circuit Court of the County of Washington, Virginia, as Instrument Number 08-7663;

And further, the boundary lines of the adjoining parcels shall be relocated to the center of the vacated right of way where separate parcels adjoin Holly Lane on either side (tax parcels 067A2-A-11 and 067A1-A-35A) and where a single parcel lies on both sides of Holly Lane, the fee simple formerly burdened by the easement shall be consolidated with said parcel (tax parcel 067A2-A-12).

2. That should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Washington County Code.

3. That this ordinance shall become effective sixty (60) days from the date of its passage and adoption as set out herein unless an appeal is filed pursuant to Va. Code § 15.2-2006 and in such case this ordinance shall become effective as shall be decided by a court of competent jurisdiction.

4. The Clerk of the Circuit Court of Washington County, Virginia is requested to record a certified copy of this ordinance pursuant to Va. Code § 15.2-2006.

*[Affecting Tax Parcel Identification Numbers:
tax parcels nos. 067A2-A-11, 067A1-A-35A, 067A2-A-12]*

Further discussions ensued.

Mr. McCall inquired if the vacation would create a dead end at the property line of Holly Lane. Ms. Phillips explained that Harvest Fellowship Church would have a parking lot located on the property and people would have a place to turn around.

Mr. Reynolds asked for clarification if the church expands in the future would the expansion be built on the right of way. Mr. Newman explained at this time there are no plans for expansion of the church. However, he believes if an expansion were to occur in the future it would not go across the alley way.

Ms. Phillips addressed the Board and provided explanations to the inquiries of Mr. McCall and Mr. Reynolds. She explained that by operation of the state statute when a thoroughfare is vacated the land is consolidated with the adjoining parcels. In this case, a portion of the vacated land would be combined with the church's property giving them the right to build. In regards to a cul de sac, the existing thoroughfare (Holly Lane) was never accepted into the state system of secondary highways and is referred to as an alley way in the descriptive easements. There is no requirement for a turnaround or cul de sac. However, the Board could require the church to construct a turn around area.

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

<i>Mr. McCall</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>

7. General Business:

a. Actionable Items:

1. Consideration of Approval for Application for Literary Loan Funds for Neff Center Expansion

Washington County Schools Assistant School Superintendent Dr. Tom Graves addressed the Board and explained that the Washington County School Board requests the Board of Supervisors authorization to add the Neff Center Expansion Project to the Literary Loan Application that includes seven other projects referred to as the Phase II School Construction Project.

Discussions ensued among the Board and Dr. Graves.

Mr. McCall and Mrs. Mumpower asked for a clarification that the School Board's request is only to add the Neff Center Expansion Project to the list of projects to be considered for Literary Loan funds, and that the Board is not being asked at this time to authorize the School Board to apply for literary loan funds. Mr. Reeter explained that in order for the Neff Center Expansion Project to be added to Literary Loan Bond list, an application to request the project be added has to be submitted. The Neff Center Expansion Project was never part of the Phase II Construction projects that are on the Literary Loan bond list. He further explained that the Board of Supervisors must authorize the School Board to submit this application.

Further discussions ensued.

On motion of Mr. Taylor, second by Mrs. Mumpower, the Board acted to adopt the following Resolution:

RESOLUTION 2009-20

WHEREAS, the Washington County School Board presented to this Board on July 29, 2009 an application addressed to the Virginia Board of Education for the purpose of borrowing \$3,100,000.00 from the Literary Fund for the purpose set out in said application for William N. Neff Center (Technical High School) to be paid in 20 annual installments, and the interest thereon at 3 percent paid annually;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the application of the Washington County School Board to the Virginia Board of Education for a loan of \$3,100,000.00 from the Literary Fund is hereby approved, and authority is hereby granted to the Washington County School Board to borrow \$3,100,000.00 for the purpose set out in said application.

BE IT FURTHER RESOLVED that the Board of Supervisors for said County will each year during the life of this loan, at the time they fix the regular levies, fix a rate of levy for schools or make a cash appropriation sufficient for operation expenses and to pay this loan in annual installments and the interest thereon, as required by law regulating loans from the Literary Fund.

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

<i>Mr. McCall</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>

At this time, Mr. Price explained that he voted in the affirmative on the Consent Agenda which included approval of the minutes of the July 7, 2009 joint Board of Supervisors/School Board Meeting and asked that it be noted that he did not attend the joint meeting. The records will note that Mr. Price abstained from voting on approval of the minutes.

2. Consideration of Supplemental Appropriations for Year-End Carryover Funds

Mr. Seamon addressed the Board and explained that the Board is requested to authorize supplemental appropriations of the year end carryover funds for outstanding commitments and restricted funds from FY 2008-2009 into the FY 2009-2010 County Operating Budget. Mr. Seamon explained that based upon newly revised preliminary numbers for the carryover, the County should meet the targeted carryover balance of \$1,250,000.

Mr. Seamon explained that a report on the reconciliation of the FY 2008-2009 General Fund, a supplemental appropriation request from the Washington School Board in regards to their carryover from FY 2008-2009 and a public hearing to amendment to the FY 2009-2010 County Budget is scheduled for the Board of Supervisors meeting on August 11, 2009. He further explained that it is estimated the School Board had approximately \$2,400,000.00 remaining in local unspent funds. Approximately \$1,050,000.00 will need to be re-appropriated for carryover projects and commitments, \$750,000.00 has been earmarked for Phase II, and the School Board is asking for about \$600,000 to be placed in the County's School Capital Reserve Account.

Discussions ensued among the Board.

Mr. Taylor inquired about the audit of the School Board's Early Retirement Program. Mr. Seamon explained that the field work for the audit of this program is finished; however, the County has not received the report from the auditor. Mr. Taylor stated it would be good to get this report prior to the budget reconciliation.

Mr. Reeter reviewed with the Board carryover requests for General Services for electricity for the Washington County Sheriff's Office; the Road Improvement Fund; the Capital Improvement Fund Blight Abatement Project for the Robert E. Lee Motel and the Economic Development Fund Opportunity Account.

Discussions ensued among the Board and Mr. Reeter.

On motion of Mr. Owens, second by Mr. Price, the Board acted to approve the following Resolution approving supplemental appropriations for carryover of FY 2008-2009 outstanding commitments and restricted funds:

RESOLUTION 2009-21
SUPPLEMENTAL APPROPRIATIONS TO ADOPTED COUNTY OPERATING BUDGET
FISCAL YEAR 2009-2010

IT IS HEREBY RESOLVED by the Board of Supervisors of Washington County, Virginia that the following supplemental appropriations of funds are made for the fiscal year beginning July 1, 2009 and ending June 30, 2010 for the functions and purposes indicated hereafter:

<u>FUND AND DEPARTMENT</u>	<u>AMOUNT</u>	<u>DEPT#</u>
001 GENERAL FUND:		
County Audit-School Early Retirement Audit	\$ 15,000.00	12240-3120
Treasurer-Miscellaneous (DMV Funds)	\$ 27,420.13	12410-5890
Accounting-Purchased Services-Nonpro	\$ 1,850.00	12420-3190
Special Magistrates-Office Equipment	\$ 830.85	21300-8202
WCSO-Special Investigation Activities	\$ 2,513.62	31500-5891
WCSO-DCJS Byrne Jag Grant-2009	\$ 1,466.00	31820-8220
WCSO-Traffic Enforcement-Comp-PT	\$ 17,500.00	31210-1800
WCSO-Traffic Enforcement-FICA	\$ 1,338.00	31210-2100
WCSO-Traffic Enforcement-Motor Vehicles	\$ 18,862.00	31210-8205
WCSO-Traffic Enforcement-SUV	\$ 18,900.00	31210-8206
WCSO-Traffic Enforcement-Vehicle Equip	\$ 4,000.00	31210-8209
Solid Waste-Repairs & Maintenance	\$ 2,083.40	42600-3310
Solid Waste-CS Lease	\$ 1,800.00	42600-5431
General Services-Electricity Elliott	\$ 5,000.00	43200-5110-05
General Services-Electricity WCSO	\$ 120,000.00	43200-5110-06
General Services-Imp Courthouse	\$ 39,985.00	43200-8404-04
Engineering-Purchased Services-Pro	\$ 25,700.00	81070-3140
TOTAL GENERAL FUND	<u>\$ 304,249.00</u>	
002 FEDERAL ASSET SHARING FUND:		
Commonwealth Attorney-State	\$ 16,169.51	22800-5851
Commonwealth Attorney-Federal	\$ 1,662.73	22810-5851
Sheriff-State	7,426.60	31800-5851
Sheriff-Federal	271,458.29	31810-8405
TOTAL FED ASSET SHARING FUND	<u>\$ 296,717.13</u>	

(Resolution Continues on Following Page)

	<u>FUND AND DEPARTMENT</u>	<u>AMOUNT</u>	<u>DEPT#</u>
003	LAW LIBRARY FUND:		
	W.C. Law library	<u>\$ 1,495.10</u>	21800-5901
	TOTAL LAW LIBRARY FUND	<u>\$ 1,495.10</u>	
004	ROAD IMPROVEMENT FUND:		
	Improvement Projects-Undesignated	<u>\$ 36,578.95</u>	92900-5699
	TOTAL LAW LIBRARY FUND	<u>\$ 36,578.95</u>	
005	CAPITAL IMPROVEMENT FUND:		
	Blight Abatement Projects-Robert E Lee Motel	\$ 40,880.16	94191-8420
	Damascus Branch Library-Purchased Serv-Pro	34,084.92	94321-3145
	Glade Branch Library-Purchased Services-Pro	2,000.00	94330-3145
	Beaverdam Creek Park-Purchased Serv-Pro	8,445.06	94533-3145
	Noonkestner Field Improvements-Contribution	<u>25,182.51</u>	94829-5970
	TOTAL CAPITAL IMPROVEMENT FUND	<u>\$ 110,592.65</u>	
006	ECONOMIC DEVELOPMENT FUND:		
	NOM Performance Agreement	\$ 72,232.68	94510-8454
	WC Opportunity Account-Undesignated	<u>100,000.00</u>	94550-8499
	TOTAL ECONOMIC DEVELOPMENT FUND	<u>\$ 172,232.68</u>	
007	UTILITIES FUND:		
	Sewer Subsidy-Exit 19	<u>\$ 1,907.00</u>	98200-5193
	TOTAL UTILITIES FUND	<u>\$ 1,907.00</u>	
008	TRAFFIC ENFORCEMENT FUND:		
	Reimburse General Fund Expenses	<u>\$ 228,658.15</u>	31210-8299
	TOTAL TRAFFIC ENFORCEMENT FUND	<u>\$ 228,658.15</u>	
010	SPECIAL GRANT PROJECTS FUND:		
	CDBG Grant-Rush Creek Housing Rehab	<u>\$ 4,362.37</u>	99100-8453
	TOTAL UTILITIES FUND	<u>\$ 4,362.37</u>	

<u>FUND AND DEPARTMENT</u>	<u>AMOUNT</u>	<u>DEPT#</u>
108 COUNTY LIBRARY FUND:		
Library Grants-Rose Greer Akers	\$ 59,016.15	73900-5883
Library Donation-Town of Abingdon	2,383.29	73900-5885
Library Donation-Kiwanis	3,906.53	73900-5887
Library Glade Branch-Repairs & Maintenance	3,250.00	73600-3310
Library Grants-Gates Opportunities Grant	13,650.00	73900-5863
Library Miscellaneous Donations	2,403.65	73900-5886
Library Main-Capital Improvements-	30,000.00	73100-8440
Library Main-Purchased Services-Pro	<u>2,300.00</u>	73100-3130
TOTAL LIBRARY FUND	<u>\$ 116,909.62</u>	
206 VIRGINIA PUBLIC ASSISTANCE FUND:		
Outstanding Projects & Commitments	<u>\$ 29,652.62</u>	53100-8205, 53100-8220

BE IT FURTHER RESOLVED that Fred W. Parker, Treasurer of Washington County, Virginia is hereby authorized to transfer to other funds from the general fund from time to time as the monies become available, the sum equal to, but not to exceed the supplemental appropriations made to these funds from the General Fund for the period covered by this supplemental appropriation resolution.

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

<i>Mr. McCall</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>

3. Authorization to Renew County Solid Waste Hauler Permits

Mr. Taylor asked for an explanation of the solid waste hauler permit process.

Ms. Phillips explained the renewal of solid waste hauler permits is an annual process that all solid waste haulers are required to go through to allow them to transport waste through the County. She provided background information as to how the program began in the County. Ms. Phillips further explained that the permit renewal process for each solid waste hauler includes payment of a license fee in the amount of \$500 per vehicle; vehicle inspections; a toll-free telephone number must be provided; and each hauler must provide schedule of prices or fees for service type or class.

Ms. Phillips explained that the County does not regulate the fees charged by the solid waste haulers and stated that she is not aware of significant increases in any of the solid waste haulers fee schedules. She further explained that County Solid Waste Manager Coy Martin reviews the fee schedules and alerts her of any changes. Mr. Martin did not indicate there were increases.

Mr. Reeter explained that Chapter 50 of the County Code addresses Solid Waste Hauler Permits.

Mr. Taylor asked if any of the solid waste haulers received payments from the County. Mr. Reeter explained that they did not. The Solid Waste Hauler Permits is a franchising process.

Mr. Taylor inquired about the process for a new solid waste hauler wishing to obtain a permit from the County. Ms. Phillips explained that new haulers may obtain a permit anytime during the year. However, the permit fee of \$500 per vehicle is not prorated. Also, the permits are issued on an annual basis running from September 1 through August 31.

Further discussions ensued among the Board concerning solid waste hauler permits.

On motion of Mr. Taylor, second by Mr. Price, the Board acted to renew solid Waste Hauler Permits for all applicants as presented.

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

<i>Mr. McCall</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. Informational Items:

1. Presentation of County Annual Report for 2008-2009

Mr. Reeter explained that several Supervisors expressed interest in the preparation of an annual report summarizing the accomplishments of the County government during the 2008-2009 period and outlining goals for 2009-2010. He presented the Board with the County’s first Annual Report for 2008-2009 that he prepared in-house with input from various County agencies and offices. The Annual Report summarizes the major accomplishments for CY 2008-2009 and the goals for CY 2009-2010. It also highlights several major projects that will have a positive impact on the quality of life for the residents of the County.

Mr. Reeter explained that if the Board is pleased with the 2008-2009 Annual Report it can be posted to the County’s website and paper copies can be made available. Normally Annual Reports are completed by a professional marketing and public relations firm and have a mass distribution. He explained however that he is not proposing to mass produce the 2008-2009 Annual Report. If the Board is interested in doing annual reports in the future then he recommends that a professional firm be procured to produce such documents.

Mr. Reynolds explained that the County’s first Annual Report is a good report and a good start for the Board of Supervisors.

Mr. Owens agreed that the Annual Report is a good start for the Board. He explained that it consolidates the major accomplishments and goals for the County. Mr. Owens explained that the Annual Report would be of benefit to a newcomer to the County. He suggested that the report be made available to the

Chamber of Commerce. The Chamber could include the Annual Report in the packets of information they provide to newcomers. Mr. Owens proposed that the Economic Development Department use the report in their recruiting efforts.

Mr. Taylor commented that the Annual Report is a good report and proposed that it be published on the County's and Chamber of Commerce's websites.

Several Board members commented on the positive feedback they have received about the County's new website.

It was consensus of the Board to approve the 2008-2009 Annual Report and to authorize the County Administrator to post the Annual Report on the County's website.

Mr. Reynolds explained that if the Board decides there is a need for future annual reports then consideration could be given to contracting with a public relations and marketing firm.

Scrivener's Note: The 2008-2009 Annual Report referenced above is included as Minutes Exhibits Item 2009-07-28-A.

2. Presentation of Preliminary FY 2010-11 County Budget Preparation Calendar

Mr. Reeter presented the preliminary FY 2010-2011 County Budget Preparation Calendar. The calendar provides the Board with an idea of what the FY 2010-2011 County Budget process will be like. He explained that due to the transition to semi-annual tax collections in 2010, it is imperative for the Board to establish the local tax rates no later than the fourth Tuesday in March each year. The budget does not need to be finalized by this time; however, the work on the budget needs to be substantially completed to provide enough information for the Board to set the tax rate. Mr. Reeter stated that the majority of the budget activity will occur in February and March.

Mr. Owens proposed that the Board give further consider to establishing a budget committee because of the implementation to semi-annual tax collections. He explained that he has talked with officials from other localities about their budget committees and suggested that it would be helpful to obtain information from the localities about how they operate their budget committees.

Mr. Reeter explained that the major change in the timeline for preparing the County Budget will require consideration of changes and additions to the Board's Budget Policy (Article 6 of the Board's General Policies). A draft of proposed amendments to Article 6 will be presented for Board consider at the August 11 regular meeting. He further explained that one of the proposed recommendations may be for the Board to form a budget committee or working group to review budget issues on a year round basis.

Discussions ensued among the Board concerning the establishment of a budget committee. It was discussed that a budget committee would not replace the decision making of the Board of Supervisors on the County Budget, but would refine the issues that now take the Board many hours to deliberate. The Board further discussed that the new emergency management coordinator will bring to the Board recommendations for the fire and rescue organizations, and the United Way now makes recommendations on many agencies that receive funding from the County. These factors contribute to streamlining the budget process. Mr. McCall stated that he would like the language in the advertisement for the public hearing on the County Budget to be revised to remove the word "proposed."

8. Board Member Reports

Mr. Price discussed issues pertaining to the proposed noise ordinance. He explained that it is important for the public to understand that the proposed noise ordinance does not pertain to agricultural areas of the County. Mr. Price further explained there are serious problems with noise issues in the County, and he would like action taken on the proposed ordinance by the end of this year.

Mr. Owens explained that the proposed noise ordinance that the County Attorney provided the Board for review did not include an exemption for dogs barking in the act of hunting. He proposed that this exemption be included.

Mr. Taylor reported on the activities of the County's Land Use Planning Committee. He explained that the Commission is working on a Purchase of Development Rights Program (PDR) for the County. The Committee will bring a recommendation for a PDR Program to the Board in the fall along with a request for the County to set aside money for the program and further to authorize farming organizations to go forward with funding applications to the Virginia Tobacco Commission. Mr. Taylor stated that a PDR Program is important to the County.

Mr. Taylor reported that the VACo Committee on which he serves has been working on issues relating to VDOT's new subdivision requirements. This Committee has been asked to make it a priority to have a double standard for rural areas as compared to urban areas with regards to compliance with VDOT's new standards. This request is because VDOT does not have sufficient staff at this time to do the things required to make the new program work efficiently and also because many rural counties do not have the professional staff available to make the program work efficiently. The rural counties need more time before VDOT implements their new rules.

Owens asked the County Attorney for a status on the contracts for the Erosion and Sedimentation Control Program (ESC). Ms. Phillips explained that the contract is in place with the firm selected to do ESC work for the County. This firm has been performing land disturbance evaluations. Mr. Reeter explained that the contract is with A. Morton Thomas and has been in place since May. This firm has been doing the major inspections for commercial land use disturbance projects such as the Lowe's development and the new Johnston Memorial Hospital site.

Mr. Owens commented that he has received copies of the applications for the Emergency Management Coordinator's position. The County has had a good response.

Mr. Owens reported that he met with Washington County Service Authority (WCSA) General Services Manager Robbie Cornett last week. He explained that during this meeting he advised Mr. Cornett that he was not happy with WCSA's new rate structure. Mr. Owens further explained that he advised Mr. Cornett that this issue been discussed by the Board at several recent meetings, and many Board members are not happy with the new fee structure. He stated that he provided Mr. Cornett with the Board's reasons. Mr. Owens proposed that the Board send formal correspondence to the WCSA Board of Commissioners advising them that the Board of Supervisors does not support their new fee structure and to request further consideration of the new fee structure.

Mr. McCall proposed that the Board of Supervisors request a joint meeting with the WCSA Board of Commissioners.

Lengthy discussions ensued among the Board concerning issues pertaining to the new fee structure adopted by the WCSA Board of Commissioners and wastewater treatment capacity issues. Mr. Owens requested that a Closed Meeting be added to the Agenda for the August 11 Board meeting to discuss matters pertaining to the WCSA.

Mr. McCall expanded on Mr. Taylor's comments about a PDR Program for the County. He explained that representatives from the Holston River Soil and Water Conservation District made a presentation at the last meeting of the Joint Land Use Planning Committee and will be assisting the Committee with creating a PDR Program for the County.

9. Board Information and Reminders

Mr. Reeter reviewed the following Board Information:

- Groundbreaking for Heartwood: Southwest Virginia's Artisan Center, Thursday, August 6, 2009 at 10:00 AM on the grounds of the Southwest Virginia Higher Education Center
- Consideration of additional worksession on the interim financing for the Phase II School Construction Project

Mr. Reeter proposed that the Board schedule a worksession with representatives from Davenport & Company to discuss interim or bridge financing for the Phase II School Construction Project. He explained that representatives from Davenport are available to conduct a worksession on Tuesday, August 18 or Thursday, August 20 and would present various financing proposals. Mr. Reeter stated that the County's Bond Counsel Mr. Dan Siegel would also attend the worksession.

It was consensus of the Board to schedule the worksession for Tuesday, August 18 at 6:30 PM in Conference Room 1.

Mr. Taylor requested two presentations be made by Davenport & Company. One that includes the Neff Center expansion and one that does not.

- Correspondence from County of Roanoke, Virginia soliciting financial contributions for the Interstate 81 Corridor Coalition
- Correspondence from Virginia Department of Health providing an update on the H1N1 Virus
- Proposed Dedication Plaque for the Washington County Public Safety Building

Mr. Reeter explained that he would like to get the Board's approval on the proposed dedication plaque for the Washington County Public Service Building. Mr. McCall stated there was an error in his name and it should read "Phillip B. McCall."

Ms. Phillips reviewed the following information:

Ms. Phillips discussed the proposed ordinance concerning barking dogs. She explained that the draft ordinance was written in a manner to attempt to keep neighbors from harassing one another. The

proposed ordinance states that there would need to be complaints from two or more households and that the plaintiffs would be required to go to the magistrate's office to swear out a complaint. The proposed ordinance defines dog barking as barking going on for long periods of time and over a period of days. Ms. Phillips explained that she noted the request for exemption of hunting dogs. She further explained that she will await guidance from the Board as to their wish to have the proposed ordinance brought before them for formal review and consideration.

Discussions ensued among the Board and Ms. Phillips concerning the proposed ordinance.

Ms. Phillips advised the Board that the Bristol Herald Courier is doing a series of stories regarding Statements of Economic Interests required of public officials. The story about localities in Virginia will be featured within the two Sunday editions of the newspaper. She explained that she was interviewed by a reporter from the newspaper last week about Washington County. The focus of the story is more towards instructions provided on the Statements of Economic Interests and guidance provided by the State.

9.a. Closed Meeting:

- 1. Request to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning 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 the expansion of an existing industry located in Washington County**

On motion of Mrs. Mumpower, second by Mr. Owens, the Board acted to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5) for discussion concerning 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 the expansion of an existing industry located in Washington County. It was further resolved to include County Administrator Mark Reeter, County Attorney Lucy Phillips, County Economic Development Director Christy Parker and Washington County Industrial Development Authority Chairman Russell Owens, in the Closed Meeting.

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

<i>Mr. McCall</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>

The Board took a five minute recess before convening in Closed Meeting.

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. McCall 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. McCall second by Mr. Owens, 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. McCall</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>

10. Adjourn or Recess

On motion of Mr. Price, second by Mr. Taylor, it was resolved to adjourn the meeting.

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

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

Prepared by:

Naoma A. Norris, Recording Clerk

Approved by the Washington County Board of Supervisors:

Kenneth O. Reynolds, Chairman