

**VIRGINIA:**

At a regular meeting of the Washington County Board of Supervisors held Tuesday, September 8, 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

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

**ABSENT:**

Thomas G. Taylor

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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**

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

**3. Approval of Agenda**

Mr. Reeter noted there was an amended agenda; however, the item has been withdrawn to request further recommendations.

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

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

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

*Mr. Owens*                    *Aye*  
*Mr. Price*                    *Aye*  
*Mr. Reynolds*                *Aye*

#### **4. Consent Agenda:**

Ms. Phillips addressed the Board and provided a review of Item 4.c.1., relating to the demolition of the Robert E. Lee Motel and proposed agreement for relocation of the Robert E. Lee Motel sign. She explained that at a previous meeting of the Board it was discussed that a museum in Cincinnati was interested in the Robert E. Lee Motel sign. Now, there are property owners in Washington County, Ronald R. and Tracey A.T. Counts, who would like the sign. The Counts' own a storage business located across the road from the Robert E. Lee Motel and also restore items such as the Robert E. Lee Motel sign. Ms. Phillips explained that the Board is asked to approve the proposed contract with the Counts' for renovation of the sign and once renovated the sign would be erected on their property on Lee Highway for general public enjoyment. Also, the Counts' will restore and remove the sign at their expense.

Mr. Price addressed the Board concerning the publication of the Delinquent Real Estate and Personal Property Tax Lists for 2008. He explained that he does not support the request for several reasons. There are many people in the County with the same last name so it may appear that an individual who paid there taxes it may appear that they did not. Mr. Price expressed his viewpoint that the publication is a way of embarrassing people who have not pay their taxes. Also, the list includes names of people who may have paid their taxes since June 30, 2009. Mr. Price stated that some people were not able to pay taxes because of financial hardships.

*On motion of Mrs. Mumpower, second by Mr. Owens, the Board acted to approve items a, b, c and d of the Consent Agenda as set forth below.*

##### **a. Approval of Minutes:**

1. August 18, 2009, Recessed Meeting
2. August 25, 2009 Regular Meeting

##### **b. Approval of Routine Financial Matters:**

1. Payment of Bills – Month of August 2009
2. Request for Revenue Refunds – Washington County Sheriff's Office – Animal Sterilization Fees
3. Budget Status Reports – June 30, 2009 and July 31, 2009

##### **c. Award of Bids and Approval of Contracts:**

1. Award of Bid for Demolition of former Robert E. Lee Motel Property and Agreement for Relocation of Motel's Sign

- 2. **Approval of Design Services Agreement for White’s Mill Renovation and Trail Project**

**d. Authorization of Routine Business Matters:**

- 1. **Authorization for Publication of Delinquent Real Estate and Personal Property Tax Lists by County Treasurer’s Office**
- 2. **Consideration of Resolution Requesting Adjustment of Alignment of Monroe Road (State Route 91) – approved as follows:**

***RESOLUTION 2009-27***

*WHEREAS, the Virginia Department of Transportation has constructed Monroe Road on a new alignment under Project. 0091-095-102, C505, and*

*WHEREAS, the project sketch and VDOT Form AM4.3, attached and incorporated herein as a part of this resolution, define adjustments required in the secondary system of state highways as a result of that construction, and*

*NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it hereby requests the Virginia Department of Transportation to add Section B-C to the secondary system of state highways, pursuant to §33.1-229 of the Code of Virginia, for which sections this Board hereby guarantees the right of way to be clear and unrestricted, including any necessary easements for cuts, fills, and drainage, and*

*BE IT FURTHER RESOLVED, this Board orders that a certified copy of this resolution be forwarded to the Resident Administrator for the Virginia Department of Transportation.*

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

<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. Reynolds</i>	<i>Aye</i>

**5. General Business:**

**a. Actionable Items:**

**1. Consideration of Authorization to Bid Construction of Beaverdam Creek Park Project**

Ms. Jennifer Salyers, with Barge Waggoner Sumner & Cannon, addressed the Board and made a presentation concerning bid construction of the Beaverdam Creek Park Project. Ms. Salyers provided a summary review of the project and outlined the add alternates included in the construction bid. The project design includes a multiuse field, a 200' baseball field, a 175' softball field and a tee ball field. The design also includes a restroom building, graveled parking lot, lighting for the 200' baseball field, seeded grass fields and a chain link fence around the property. She explained that eight add alternates have been identified in the bid including lighting of the 175' softball field, upgrading lighting systems which includes installing a more energy efficient system with a 25 year maintenance plan, adding a concession area to the restroom building, adding a graveled plaza, using sod versus seeded grass on the fields and installing a decorative metal fence around the perimeters of the property as opposed to the chain link fence. Ms. Salyers noted that the design plan includes two asphalted entrances, and a drainage plan. All fields will include covered dugouts and an area for blenchers. She reviewed the budget for the project and explained that the base bid is \$700,000.00. The bid will be awarded to the lowest bidder that provides the most work within the project budget.

Discussions ensued among the Board.

Mr. McCrady explained that the Beaverdam Creek Park Project was ready to bid in March of this year; however; several issues arose including an issue with drainage that delayed the project. The project is now ready to go forward. Mr. McCrady thanked Barge Waggoner Sumner and Cannon for their work and thanked the Board for their support and patience for this project.

Mr. Owens inquired if the sports fields would be built to tournament size. Ms. Salyers explained the fields would be built to meet youth baseball regulations, but not high school. Mr. McCrady explained the 200' field included in the project is the average size field. He stated most all fields were built to this size.

Mr. McCall inquired if there would be spoils from the site development. Ms. Salyers explained that extra soil and river rock is anticipated. The plan is to screen the rock and possibly use the soil on the Damascus Branch Library site.

Mr. Reynolds asked about permits that would be required for the project. Ms. Salyers explained various permits would be needed. The last major issue the project is facing relates to the delineated wetlands on the project site and the adjacent property. She further explained that a meeting is scheduled for the next week with the Army Corp of Engineers to seek final approval of wetland delineation.

Ms. Salyers explained that it is anticipated the project will break ground by the end of the year. If so, the fields should be ready for play by the fall of 2010.

Further discussions ensued among the Board.

Mr. Reeter advised the Board the authorization to award the bid for the project would be presented to the Board at the last October or first November meeting.

*On motion of Mr. McCrady, second by Mr. Price, the Board acted to authorize construction bidding for the Beaverdam Creek Park Project.*

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

<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>

**2. Consideration of Approval of FY 10 Performance Contract with Highlands Community Services Board**

This item was moved to a later time in the meeting due to the participants not being present.

**b. Informational Items:**

**1. Presentation Concerning Norfolk Southern Railroad ‘Crescent Corridor’ Project**

Mr. Dan Motley, Industrial Development Manager for Western Virginia region of Norfolk Southern, made a presentation to the Board concerning Norfolk Southern’s Crescent Corridor project. Mr. Motley explained that Norfolk Southern has been working to develop the Crescent Corridor, a green initiative that will help to increase their business and help to remove trucks from the highways. The Crescent Corridor will pass through Washington County and will be the most comprehensive public-private partnership for improving freight rail transportation in the East; it will provide more options for shippers and will be a benefit to the environment. The Crescent Corridor is an economic advantage for communities and the country. Utilizing rail to carry more freight will reduce fuel consumption, provide cleaner air, remove a lot of truck traffic from the highways, and provide for safer roads. Mr. Motley reviewed the intermodal terminals (places to bring trucks to be placed on the trains) planned for the Crescent Corridor and explained that a new terminal has been constructed in Knoxville, TN that will serve this region. Other new terminals are in Memphis, TN and Green Castle, PA. Norfolk Southern plans expansion of existing terminals in Charlotte, NC and Atlanta, GA. He noted that Norfolk Southern’s largest customers are UPS and JD Hunt.

Mr. Motley next reviewed the Crescent Corridors impact on Washington County and the Commonwealth of Virginia. In the area between Bristol and Radford, Norfolk Southern is looking at a \$38,000,000.00 investment to improve the rail lines to move the trains and to increase the number of trains. In Washington County, the number of trains would increase by three a day. The increase would be all intermodal, double stacked trains. The trains currently travel through Washington County at about 50 mph. Mr. Motley stated that the speed will increase to enable Norfolk Southern to be more competitive with the trucks. However, Norfolk Southern will not go to high speed rail. The Crescent Corridor is important to Virginia. Governor Kaine supports the project and has submitted a plan to the Federal government for funding.

Mr. Motley explained that Norfolk Southern is requesting letters of support from the localities that the Crescent Corridor passes through.

Discussions ensued among the Board.

Mr. McCall inquired about the number of truck containers per train car. Mr. Motley explained that each train car will hold up to four containers.

Mr. McCrady inquired if Norfolk Southern would be competing with the local day to day truckers. Mr. Motley explained that the competition would be trucks moving freight from port to port with an average trip of 1100 miles. Trips 300 miles or less is not the target for Norfolk Southern.

Mr. Owens inquired about the new port in Norfolk, VA. Mr. Motley explained the new port is part of the corridor and is helping Virginia to be more competitive with ports in New York, Charleston, SC and Savannah, GA.

Mr. Reynolds stated that Norfolk Southern is an innovative group and serves Southwest Virginia well. He explained that the Board may have further questions in the future regarding the Crescent Corridor Project.

Mr. Reeter explained he would draft a letter of support for the Crescent Corridor Project and include it in the Consent Agenda for the September 22 regular Board meeting.

**2. Consideration of Approval of FY 10 Performance Contract with Highlands Community Services Board**

Mr. Jeff Fox, Executive Director, Highlands Community Services, addressed the Board and presented the FY 2010 Performance Contract between Highlands Community Services Board and the Department of Behavioral Health and Developmental Services. Mr. Fox provided a review of the contract and talked the success of their programs and the move into their new facilities in Abingdon. He thanked the Board for their support of Highlands Community Services and asked for their approval of the FY 10 Performance Contract.

Discussions ensued among the Board.

Mr. McCrady inquired about the state’s restricted funds. Mr. Fox explained that he did not have the information at this time, but would get an answer to Mr. McCrady.

Mr. Fox advised the Board that Highlands Community Services has purchased property on Ivy Street in Abingdon (located across from the little league ball fields) and are in the negotiation process for a third building to house one of their programs. He invited the Board to take a tour of the Highlands Community Services facility.

***On motion of Mr. Owens, second by Mrs. Mumpower, the Board acted to approve the FY 2010 Performance Agreement with Highlands Community Services Board.***

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

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

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

*Scrivener's Note: The Performance Agreement referenced above is included as Minutes Exhibits Item 2009-09-08-A.*

**6.     Board Member Reports**

Mrs. Mumpower reported that inspectors were in the Wyndale community this week to assess the property damage from the flood events. She explained the people in the Wyndale community have been patient and good to work with. It is her hope their issues will be resolved soon. Mrs. Mumpower explained that she has talked with Rob Goldsmith of People Incorporated about housing for Brenda Taylor.

Mr. Price expressed appreciation to Mrs. Mumpower for the way she has handled the Wyndale community flooding issues.

Mr. Price reported on Childress Hollow Road, a road that divides the Jefferson and Wilson Election Districts. He explained this road has a bad curve going around a hill that needs to be fixed. Mr. Price inquired if a portion of the money in the Road Improvement Fund could be used to designate this portion of Childress Hollow Road as rural rustic.

Mr. Price requested that the noise ordinance be ready for Board review by the end of November. He asked for a Board member to join him in reviewing the draft ordinance. Mr. Price explained he would like an ordinance that is fair to all citizens of the County.

Discussions ensued among the Board.

Ms. Phillips explained that the County has a noise ordinance already in place. The Local Government Attorneys of Virginia (LGA) recently published a report on their guidance with preparing a noise ordinance. Ms. Phillips recommended the current ordinance may be valid in some respects, but it should be reviewed for updates.

Further discussions ensued among the Board concerning the noise ordinance and a proposed ordinance dealing with barking dogs.

Mr. Price stated he would like to be involved with revising the noise ordinance.

Ms. Phillips explained that she would revise the ordinance as directed by the Board. Also, she would send Board members a copy of the ordinance as it is written now and show how the ordinance relates to a recent Supreme Court ruling.

Further discussions ensued among the Board and Ms. Phillips concerning the proposed barking dog ordinance.

Mr. Owens reported the Emergency Services Committee will conduct a second set of interviews for the Emergency Management Coordinator's position. After this round of interviews, the Committee may have a recommendation for the Board.

Mr. Reynolds reported that the Washington County Fair will be held September 14-19 and will be celebrating 60 years. Invitations were sent to the Board members to attend the 60<sup>th</sup> anniversary party on Monday, September 14. There will also be a chili cook off that same evening. The annual fair parade will be held on Saturday, September 19 and Board members are invited to ride in the parade. Mr. Reynolds stated the Washington County Fair is one of the oldest fairs in Southwest Virginia.

Mr. Reynolds reported on Mount Rogers Planning District Commission's semi-annual dinner held on September 3 at the Wytheville Meeting Center in Wytheville, VA where their 40<sup>th</sup> anniversary was celebrated. Former Governor Linwood Holt was the guest speaker and did a wonderful job. Mr. Holt was the Governor at the time when the planning district commissions were established. There are now 21 planning district commissions across Virginia. The planning districts do a lot of work for the communities they serve on projects such as water/sewer. Many planning districts are undertaking joint projects among the localities. Mr. Reynolds stated that the County received a plaque during the meeting and asked the County Administrator to display it in the County Administration Building.

Mr. McCrady again thanked the Board for their support and patience for the Beaverdam Park Project.

Mr. McCrady reported on the Virginia Stormwater Management Regulations and explained there are serious issues and budgetary implications with these regulations. He explained that the County needs to go on record opposing the stormwater regulations and to request the state to reevaluate the regulations. Mr. McCrady asked the Board to review the regulations and that this item be placed on a future board meeting agenda.

## **7. Board Information and Reminders**

Mr. Reeter reviewed the following Board Information:

- Reminder of the County Employee Picnic scheduled for Sunday, September 13, 4:00-6:00 PM at the Washington County Park.
- Reviewed the need for a recessed Board of Supervisors Worksession Meeting for approval of Phase I and Neff Center School Projects Financing Proposals. The meeting is proposed for Thursday, September 24, at 6:30 PM in Conference Room 1. This meeting will possibly be a joint meeting with the Washington County Industrial Development Authority.
- Discussion ensued among the Board. Board members indicated that September 24 was a good date to schedule the recessed worksession meeting.
- Reviewed correspondence from the Virginia Association of Counties concerning Regional Rural Caucus Meetings. The meeting for the Mount Rogers Planning District Commission is scheduled for September 23, 2009, at Wytheville Community College.
- The 60<sup>th</sup> County Fair Parade will be held on Saturday, September 19. Board members were asked to let the County Administrator's Office know if they planned to participate in the parade.

**10. Adjourn or Recess**

*On motion of Mr. Owens, second by Mr. McCall, 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>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>

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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