V I R G I N I A:

At the organizational meeting of the Washington County Board of Supervisors held Tuesday, January 12, 2010, at 6:30 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

Kenneth O. Reynolds, Chairman
Phillip B. McCall
Dulcie M. Mumpower
Odell Owens
Nicole M. Price
Joseph C. Straten
Thomas G. Taylor

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

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1. Call to Order

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

Mr. Reynolds welcomed new Board members Nicole Price and Joseph Straten.

2. Invocation and Pledge of Allegiance

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

3. Approval of Agenda

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

Addition of New Item 9.d.1 - Consent Agenda:

1. Adoption of Resolution Regarding Authorized Signatures on County Checks

Addition of New Item 10.b.1 – General Business:

b. Information Items:

1. Consideration of Proposed Amendment of County Code Chapter 58, Division 3 Concerning Exemption from Taxation of Certain Elderly and Handicapped Persons

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

4. <u>Election of Officers of the Board of Supervisors, Calendar Year 2010:</u>

a. Election of Chairman

Mr. Taylor initiated discussions among the Board regarding the expectations for the Board member elected to be Chairman.

On motion of Mr. Owens, second by Mrs. Price, the Board acted to nominate and elect Dulcie Mumpower to serve as Chair for Calendar Year 2010.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Abstained***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Nay***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

b. Election of Vice-Chairman

On motion of Mr. Straten, second by Mrs. Mumpower, the Board acted to nominate and elect Odell Owens to serve as Vice Chair for Calendar Year 2010.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Abstained***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

5. Consideration of Adoption of By-Laws, General Policies & Operating Procedures of the Board of Supervisors, Calendar Year 2010

Mr. Reeter presented to the Board for their approval the final version of the By-Laws, General Policies & Operating Procedures for Calendar Year 2010. He explained that he did not receive feedback from Board members concerning the recommended changes reviewed during the past three regular meetings of the Board.

On motion of Mr. Taylor, second by Mr. McCall, the Board acted to adopt the following By-Laws, General Policies & Operating Procedures of the Board of Supervisors for Calendar Year 2010 as presented:

CHAPTER 01 – BY-LAWS FOR CALENDAR YEAR 2010

Effective Date: Adopted January 12, 2010

STATEMENT OF INTENT AND PURPOSE

The intent of these By-laws of the Washington County, Virginia Board of Supervisors is as follows:

(1). To establish ways and means by which the Board of Supervisors as the governing body of Washington County, Virginia shall conduct itself in the performance of its duties and responsibilities;

(2). To establish certain procedures to be followed by the Board of Supervisors as individual members and as a governing body, and by appointed officials and employees of the Board of Supervisors, to help ensure legality, fairness and consistency in the conduct of governance of Washington County; and

(3). To establish certain rules and guidelines considered vital to the conduct of the Washington County government and the proper functioning of its elected and appointed officials, employees, agencies, departments, organizations; and the promotion and protection of the interests of the citizens of the county.

To these ends these By-laws are so adopted.

BY-LAWS DEFINITIONS

As used in these By-laws, the following terms are defined:

Action of Record:

An action taken or decision made by the Board recorded in the Minutes of the Meetings. Action of Record may take the following forms:

a. Motions and seconds with votes of the members of the Board recorded.

b. Consensus agreement of the Board without vote by the Board.

c. Directive of the Chairman in the exercise of that office during the conduct of an official meeting of the Board.

Advisory Board: Pursuant to § 15.2-1411 of the Virginia Code, a designated group of persons other than members of the Board formed by the Board for the purpose of undertaking work on matters germane to the interests of the Board or county.

Board: The Washington County Board of Supervisors.

Committee: Pursuant to § 15.2-1411 of the Virginia Code, a designated group of persons that may be formed by the Board for the purpose of undertaking work on matters germane to the interests of the Board or county. A Committee shall be composed of up to three (3) members of the Board and such other persons as may be appointed by the Board and/or Committee members to serve

Consensus: A unanimous agreement of all Board members present at a meeting without vote by the Board. In the absence of such unanimous agreement a vote shall be required to affect an Action of Record.

County Code: The Washington County Code.

Directive: An exercise of discretionary authority granted to the Chairman from the Board empowering the Chairman as follows:

a. To enforce the protocols of Article 8.5. of these By-laws for the conduct of business and discourse before the Board to ensure proper decorum, civility, fairness and order.

b. To cause the removal of any person or persons without charge of civil or criminal offense for misconduct, disruption or disturbance of a meeting of the Board of Supervisors consistent with adopted policies and procedures of the Board;

c. To charge any person or persons with civil or criminal offenses pursuant to federal, state or local laws for the misconduct, disruption or disturbance of a meeting of the Board;

Ex-officio: A form of membership or appointment to a body or group where the individual may participate in proceedings or discussions, but shall not serve in an official leadership capacity nor vote in an official manner.
Item of Business: A matter to be presented before the Board at an official meeting, specified on the Meeting Agenda or modification thereof, and which may be subject to an Action of Record.

Meeting or official meeting: Any Annual, Regular, Recessed , Special or Called Special Meeting of the Board of Supervisors. The following terms may also be used to further define and specify purposes for meetings. Meetings as defined herein are not exclusive of each other and may be concurrently conducted.

a. Annual Meeting: Pursuant to § 15.2-1416 of the Virginia Code, the Board's first meeting in the month of January. This meeting may also be referred to as the "Organizational Meeting."

b. Joint Meeting: A Joint Meeting may be conducted simultaneously with one or more corporate and politic bodies for the purpose of review, inquiry and discussion of matters of mutual interest or in the interest of expedient disposition of public business matters. Action of Record may be taken at said

meeting, and a quorum of both the Board and other body(ies) is required to Call to Order and conduct a Joint Meeting.

c. Public Information Meeting: A Public Information Meeting shall be limited to the dissemination of information to and/or from the public where the Board of Supervisors will take no Action of Record at said meeting. A quorum of the Board of Supervisors is not required to Call to Order and conduct a Public Information Meeting. Public Information Meetings may be called in the name of the Board of Supervisors or administratively by the County Administrator or his designee.

d. Public Hearing: A public hearing shall be conducted at said meeting and the Board of Supervisors may take Action of Record on such matters as may arise from the Public Hearing. A quorum of the Board of Supervisors is required to Call to Order and conduct a Public Hearing. A Public Hearing shall be advertised and/or notice thereof served as required pursuant to the Virginia Code.

e. Recessed Meeting: A meeting conducted at a date, place and time set by the Board of Supervisors as a continuation of a previously held meeting. A Recessed Meeting shall be scheduled no later that the date of the next Regular Meeting.

f. Rescheduled Meeting: A Rescheduled Meeting shall be for the purpose of conducting a meeting of the Board of Supervisors where, by virtue of necessity or at the discretion of the Board of Supervisors, the originally scheduled meeting cannot be conducted on its prescribed date or time or at its prescribed location pursuant to these By-laws. Action of Record may be taken on any Item of Business presented at a Rescheduled Meeting, and a quorum of the Board of Supervisors is required to Call to Order and conduct a Rescheduled Meeting.

g. Worksession or Workshop Meeting: A Worksession or Workshop Meeting shall be for the purpose of in-depth review, inquiry and discussion of specified Items of Business where Action of Record may be taken by the Board of Supervisors. A quorum of the Board of Supervisors is not required to Call to Order and conduct said meeting, but no Action of Record shall be taken in the absence of a quorum. Worksession or Workshop Meetings may also be called and scheduled for the purposes of presentations to the Board of Supervisors, for educational and informational purposes, and for preparation of the County Operating Budget.

Primary Motion: The first motion presented following informal discussion of any Item of Business at a Board meeting.

Substitute Motion: A motion presented succeeding and in lieu of a primary motion on any Item of Business at a Board meeting.

Virginia Code: The 1950 Code of Virginia, as amended.

CONSTRUCTION

As used in these By-laws, the masculine shall include the feminine, and the singular the plural unless otherwise specified herein. The word "shall" is mandatory and not directory; the word "may" is permissive and discretionary. The word "approve" shall be considered to be followed by the words "or disapprove".

ARTICLE 1. GENERAL

1.1. The County of Washington is a political subdivision of the Commonwealth of Virginia, and is bestowed all powers and authorities granted generally to counties without charters as set forth in the Virginia Code.

ARTICLE 2. BOARD OF SUPERVISORS

2.1. The County of Washington is governed by a Board consisting of seven (7) Supervisors elected from the citizenry of Washington County, one (1) Supervisor from each of the county's seven (7) Election Districts. Terms of each Supervisor are for four (4) years and may be successive. Qualifications for election to the Board of Supervisors are prescribed in the Virginia Code and Election Districts shall be defined by ordinance and set out in the County Code.

2.2. The Board of Supervisors is the governing body of the County of Washington and exercises all powers and authorities granted generally to counties without charters as set forth in the Virginia Code.

2.3. The Board of Supervisors at its discretion may authorize by appropriate action and annually provide for such sums for their salaries and expenses as members of the Board pursuant to the Virginia Code.

ARTICLE 3. OFFICERS OF THE BOARD OF SUPERVISORS

3.1. Pursuant to § 15.2-1422 of the Virginia Code, the Board shall elect annually from its membership a Chairman and Vice-Chairman.

3.2. The term of office of the Chairman and Vice-Chairman shall be one (1) calendar year beginning at the end of the Annual Meeting at which they were elected through the end of the Board's next Annual Meeting the following calendar year.

3.3. No member of the Board may serve more than two consecutive terms as Chairman and Vice Chairman unless at the Annual Meeting no other member(s) of the Board wishes to be considered for the office(s). If after nominations for the offices are called for and no other member wishes to be nominated for the offices, the Chairman and/or the Vice Chairman may be elected to successive terms.

ARTICLE 4. ELECTION OF OFFICERS

4.1. Election of officers of the Board shall be held at the Annual Meeting. In the absence of a quorum of the Board at the Annual Meeting, the current seated officers shall continue to exercise their offices until such time as a quorum is present at a subsequent Regular Meeting of the Board, at which time election of officers shall be held. The Board may defer election of officers to a Recessed Meeting from the Annual Meeting upon motion and vote of a majority of Board members present.

4.2. Election of officers of the Board shall be the first Item of Business after Reading and Approval of Minutes at the meeting when elections are to be held.

4.3. Nominations for officers shall be conducted in open session upon motion and second by Board members and acceptance of the nomination. A motion with second and a majority vote of the Board members present is required to close nominations, at which time election of officers will be conducted in reverse order of the discussion of nominations. A majority vote of a quorum of the Board is needed to elect officers.

4.4. In the event of a tie vote during the election of officers, either by an abstaining vote or an even quorum of the Board present and voting, election of that officer shall be tabled to the next Regular Meeting of the Board and the Board shall proceed with other officer elections. In the event of a subsequent tie vote, a single blind lot drawing from the slate of seconded nominations shall select the officer. Officers selected in this manner shall be fully vested with all duties and powers accorded the office pursuant to the Virginia Code and these By-laws. The current seated officers shall continue to exercise their offices until new officers are elected or selected in this event.

4.5. Upon election of new officers, the current seated Chairman and Vice-Chairman shall continue to exercise their offices until the adjournment of the meeting of the Board at which elections were held. Immediately upon adjournment of such meeting, these offices shall be relinquished to the newly elected officers.

ARTICLE 5. DUTIES AND POWERS OF OFFICERS OF THE BOARD OF SUPERVISORS

5.1. In accordance with accepted rules of order and parliamentary practice, the Chairman is to preside at all meetings of the Board. The Vice-Chairman shall act with the full power and authority of the Chairman in the absence of the Chairman at any meeting of the Board. In the absence of both the Chairman and Vice-Chairman, the most recent past Chairman of the Board in attendance shall chair the meeting and exercise the full power and authority of Chairman in the capacity of Acting Chairman. In the absence of the Chairman, Vice-Chairman and most recent past Chairman, the remaining Board members shall choose an Acting Chairman for the meeting. Where an Acting Chairman is needed for a meeting, the Board need not designate an Acting Vice-Chairman. Where used in these Bylaws, Chairman shall also be construed to mean Acting Chairman.

5.2. When the Board is engaged in official meetings, whether held in the Board of Supervisors Meeting Room or at some other location, the building and associated grounds constituting the meeting place are under the control of the Chairman for the orderly conduct of the meeting. In addition to the exercise of parliamentary powers, the Chairman or Acting Chairman is empowered to issue Directives that shall be recorded as an Action of Record in order to facilitate orderly conduct of meetings.

5.3. The Chairman of the Board is empowered to administer oaths and execute all official documents pursuant to § 15.2-1410 of the Virginia Code and shall be the head of the county government pursuant to § 15.2-1423 of the Virginia Code.

5.4. The Chairman shall adhere to and is empowered to enforce the protocols of Article 8.5 during official meetings of the Board. The Chairman shall act as parliamentarian of the Board, and shall seek the advice of the County Attorney or, in his absence, the County Administrator in the interpretation of the provisions of these By-laws and other established procedures for the conduct of meetings.

5.5. In the event of a vacancy in the office of Chairman due to death, resignation or removal from office as a member of the Board, the Vice-Chairman shall assume the position of Acting Chairman and the most recent past Chairman of the Board shall assume the position of Acting Vice-Chairman. In the event of a similar vacancy in the office of Vice-Chairman, the most recent past Vice-Chairman of the Board shall assume the position of Acting Vice-Chairman. In the event of concurrent vacancies in both the office of Chairman and Vice-Chairman, the most recent past Chairman and Vice-Chairman shall respectively assume these offices. Election of new officers shall occur pursuant to Article 4 of these By-Laws at the first Regular Meeting after the vacancy on the Board has been filled pursuant to § 15.2-1424 of the Virginia Code. In this event, such newly elected officers shall serve until the next Annual Meeting of the Board. Officers selected in this manner shall be fully vested with all duties and powers accorded their office pursuant to the Virginia Code and these By-laws.

5.7. The Chairman shall be an ex-officio member of all Committees and Advisory Boards of the Board, privileged to attend and participate in all meetings of such Committees and Advisory Boards, including closed meetings, but shall not vote on Committee matters unless appointed as a Committee member.

ARTICLE 6. MEETINGS OF THE BOARD OF SUPERVISORS

6.1. The Annual Meeting of the Board for Calendar Year 2009 and 2010 shall be held on the second Tuesday of January of those years. The Regular Meetings of the Washington County Board of Supervisors for Calendar Year 2009 shall be on the second and fourth Tuesday of each month except December when the Regular Meeting shall be held on the second Tuesday only. The Annual and Regular Meetings shall be Called to Order at 6:30 p.m. on and after March 24, 2009 and shall be held at the Board of Supervisors Meeting Room in the County Administration Building at 205 Academy Drive, Abingdon, Virginia. The Annual and Regular Meeting date, place and time shall continue indefinitely unless changed by appropriate action of the Board.

6.2. The Chairman is authorized to adjourn or recess all official meetings of the Board no later than 10:00 p.m. unless the Chairman deems any remaining Items of Business on the Agenda essential so as to make it necessary to extend such meetings past 10:00 p.m. Any unaddressed or unfinished business remaining on the Meeting Agenda as of 10:00 p.m. shall be carried over and placed on the Meeting Agenda for the next Regular Meeting unless the Board recesses to another meeting date, time and location specifically to address or complete such business. If carried over to the next Regular Meeting, such unaddressed or unfinished items shall be given first priority within the elements of the Order of Business of that meeting. The Board may recess such meetings from day to day, or from time to time or from place to place not beyond the time fixed for the next Regular Meeting, until the business before the Board is complete. The Chairman at his discretion may call for a Called Special Meeting of the Board pursuant to Section 6.4 herein to complete such business prior to the next Regular Meeting.

6.3. If the Annual or any Regular Meeting day falls on a legal holiday, the meeting may be held on the holiday or rescheduled as determined by the Board by Action of Record taken at the Annual Meeting or any Regular or Special Meeting prior to the holiday. If rescheduled other than at the Annual Meeting, public notice shall be served pursuant to § 15.2-1416 of the Virginia Code.

6.4. Special Meetings of the Board may be approved and scheduled, or a Called Special Meeting conducted by the Board pursuant to § 15.2-1417 and § 15.2-1418 of the Virginia Code. A Special Meeting may also be scheduled or called for specific purposes, as follows:

a. Joint Special Meeting;

b. Public Information Meeting;

c. Public Hearing;

d. Rescheduled Meeting;

e. Worksession or Workshop Meeting.

Special Meetings of the Board may be scheduled at the Annual Meeting for the calendar year and set out in the Operational Procedures of the Board.

6.5. The official meetings of the Board shall be open to the public. The Board reserves the right to enter into Closed Meeting pursuant to the Virginia Code at any official meeting.
6.6. Closed Meetings will be restricted for those proper purposes enumerated in the Virginia Code and all Closed Meetings will be held in strict accordance with Virginia law.

6.7. No gathering of members of the Board of Supervisors, whether there be a number equal to or exceeding a quorum of the Board or a lesser number, shall be considered an official meeting of the Board unless such gathering takes place at a bona fide Annual, Regular, Recessed or Special Meeting as set forth in these By-laws. No Action of Record may be taken on any matter outside of the time, place and location of an official meeting of the Board.

6.8. The Sheriff of Washington County shall provide at least one (1) deputy to attend the Annual and all Regular Meetings of the Board and, upon request of the Board or County Administrator, at any other official meeting. When in attendance of any official meeting, deputies shall be under the direction of the Chairman of the Board during the period of the official meeting (including any brief recess thereof), and under the direction of the County Administrator, Acting County Administrator, or his designee during the period prior to the meeting's Call to Order and immediately upon final Recess or Adjournment of the meeting.

ARTICLE 7. AGENDAS FOR BOARD OF SUPERVISORS MEETINGS

7.1. The Annual and Regular Meetings of the Board shall have a formal Meeting Agenda prepared by the County Administrator or his designee. The County Administrator at his discretion, and the County Attorney and Board members individually may by request to the County Administrator place matters of business on the Agenda for discussion, information and /or action by the Board as are germane to the affairs and interests of the Board and county. Agendas for Special Meetings are optional at the discretion of the Board of Supervisors or County Administrator.

7.2. The Order of Business of the Meeting Agenda for the Annual and Regular Meetings of the Board effective August 1, 2008 and for the remainder of Calendar Year 2008 and for the Annual Meeting for Calendar Year 2009 shall be ordered generally as follows:

7.2.1. For the Annual Meeting:

a. Call to Order and Determination of Quorum;

b. Welcome, Invocation and Pledge of Allegiance;

c. Approval of Meeting Agenda;

d. Election of Board Chairman and Vice-Chairman for the Calendar Year;

e. Approval of Board By-Laws, General Policies and Operating Procedures for the Calendar Year;

f. Establishment of and Appointments to Committees and Advisory Boards of the Board for the Calendar Year;

g. Various Annual Appointments by the Board for the Calendar Year;

h. Consent Agenda, consisting of:

(1). Approval of Minutes
(2). Approval of Routine Financial Matters
(3). Award of Bids and Approval of Contracts
(4). Authorization of Routine Business Matters;

i. Board Member Reports;

j. Board Information and Reminders;

k. Adjourn or Recess.

7.2.2. <u>For Regular Meetings</u>:

a. Call to Order and Determination of Quorum;

b. Welcome, Invocation and Pledge of Allegiance;
c. Public Comment (second regular monthly meeting only);
d. Approval of Meeting Agenda;

e. Recognitions and Special Presentations;

f. Closed Meeting, including Board Action(s) of Record upon reconvening in Open Meeting as a result of the Closed Meeting, if any (limited to single (1) urgent topic as determined by the County Administrator, County Attorney or Board of Supervisors as determined at the time of Approval of the Meeting Agenda);

g. Consent Agenda, consisting of:

(1). Approval of Minutes
(2). Approval of Routine Financial Matters
(3). Award of Bids and Approval of Contracts
(4). Authorization of Routine Business Matters;

h. Public Hearings;

i. Items of General Business, consisting of and in the following order:

(1). Actionable Items
(2). Informational Items;

j. Board Member Reports;

k. Board Information and Reminders;

m. Closed Meeting(s), including Board Action(s) of Record upon reconvening in Open Meeting as a result of the Closed Meeting, if any (limited to not more than two (2, non-urgent topics);

n. Recess or Adjourn.

Deviations from the Order of Business may be made at the discretion of the County Administrator during the preparation of the Meeting Agenda, and by the Board as an amendment of the Meeting Agenda at the time of Approval of Meeting Agenda. The Board by motion with second and majority vote of those present may eliminate any of the above items in the Order of Business for a specific meeting or meetings, or through the time of the next Annual Meeting in its entirety, and may also restore any item so eliminated or add other items by like Action of Record at any meeting. A five- (5) to ten- (10) minute recess shall be taken during the course of all official meetings every one and one-half (1 ½) hours, or at such times during the Meeting Agenda as the Chairman deems appropriate to facilitate orderly conduct of the meeting.

7.3. A request for amendment of the Meeting Agenda shall be made from the Board Table and only by members of the Board, County Administrator, or County Attorney. Approval of amendment of the Meeting Agenda requires majority vote of Board members present. An amendment made at the time of Approval of the Agenda shall be reflected in the Minutes of the Meeting at which the amendment was made. Items scheduled for action on the Meeting Agenda may be deferred to a later time in the meeting by consensus of the Board members or by recorded vote. Items previously acted upon during the course of the meeting may be revisited at a later time in the meeting by consensus of the Board members or by recorded vote.

7.4. The Board shall take no Action of Record on any matter that is not on the Meeting Agenda unless amendment of the Meeting Agenda is requested at the time of Approval of the Agenda. Amendment of the Meeting Agenda requires a majority vote of Board members present. Upon Approval of the Agenda, no further amendments may be made except as provided for in paragraph 7.3. Closed Meetings and business matters brought before the Board under Board Member Reports are exempt from the provisions of this paragraph.

7.5. The Meeting Agenda and supporting documents comprising the Meeting Agenda Book should be delivered to members of the Board a minimum of three (3) calendar days in advance of the meeting date. The supporting documentation should include recommendations on actions prepared by county administrative personnel and other county officials if a recommendation is available and appropriate. The Meeting Agenda Book may be rendered in electronic format for use by the Board at its discretion.

ARTICLE 8. CONDUCT OF MEETINGS OF THE BOARD OF SUPERVISORS

8.1. The Board shall generally follow Roberts' Rules of Order Newly Revised (10th edition), the provisions of Article 8.4. notwithstanding. In following these rules of parliamentary procedure, the Board intends that special attention will be given to the following:

a. Protecting the rights of each individual member of the Board, county administrative employees and the public.

b. Preserving and ensuring a spirit of harmony and cooperation within the Board, and between individual Board members.

c. Allowing full and free discussion among the members of the Board in order to ensure that all view-points are considered prior to taking action on behalf of the county.

8.2. Where provisions of these By-laws differ from similar procedures established by Robert's Rules of Order, provisions of these By-laws shall prevail.

8.3. At any official meeting of the Board, all members of the Board present at such meeting, the County Administrator or Assistant County Administrator, County Attorney, Recording Clerk (or person acting in the capacity of the Recording Clerk) and County Accounting Manager as may also be present are authorized to be seated at the Board Table during the conduct of said meeting. The Chairman or Acting Chairman shall be seated in the center position of the Board Table, with the Vice-Chairman or Acting Vice-Chairman to his immediate right or left. In the absence of the County Administrator from a Board meeting, the Assistant County Administrator shall serve in his capacity. In the absence of both the County Administrator and Assistant County Administrator, the County Attorney shall serve.

8.4. The following rules and procedures shall prevail at meetings of the Board:

a. A quorum of the Board is a majority of the membership comprising at least four (4) of the seven (7) members of the Board. A quorum must be present to Call to Order and continue an official meeting and to take Action of Record.

b. The Chairman shall Call to Order an official meeting at the designated time and determine a quorum. If a quorum is not present at the designated time, the Chairman may direct a delay of up to fifteen (15) minutes in the start of the meeting at his discretion. Any further delay in the start of the meeting may be made with the consensus of the Board members or by recorded vote.

c. Should for any reason a quorum not be maintained continuously during any official meeting, the meeting shall adjourn at that time. A Board member's physical presence on the grounds of the location of the meeting shall be considered as being present at the meeting and satisfactory for the maintenance of a quorum. Board members shall notify the Chairman if required to leave the grounds of the location of the meeting, either temporarily or for the remainder of the meeting.

d. All informal and formal discussions of Items of Business and Actions of Record must be made from the Board Table. Any Board member away from the Board Table but maintaining physical presence at the meeting location at the time of an Action of Record will be counted as having cast an abstaining vote.

e. Formal discussion of an Item of Business shall only commence after a primary motion is made; informal discussion of an Item of Business by Board members prior to a primary motion shall be limited to clarifying questions concerning the Item directed to the County Administrator, County Attorney, County Accounting Manager, Recording Clerk or the individual(s) presenting at the Podium.

f. A second to a primary and substitute motion is required in order to formally discuss and/or vote upon the motion. Voting shall be by show of hands. The Chairman shall verbally summarize the vote upon conclusion of an Action of Record, noting by individual name those Board members abstaining or voting in the minority on the Item of Business.

g. Any member of the Board may terminate debate or discussion of an Item of Business and call for a vote on a pending motion by "calling for the question" after being recognized by the Chairman.

h. An affirmative vote by a majority of a quorum of the Board shall be required to adopt a motion. An abstaining vote is neither an affirmative nor a negative vote and has no effect on the vote, or the status of the quorum.

i. A tie vote fails. The Board does not designate a tiebreaker pursuant to § 15.2-1421 of the Virginia Code.

j. A substitute motion will be voted on prior to the primary motion, in reverse order (i.e. the substitute motion will be voted on first). Only one (1) substitute motion will be considered prior to a vote on the primary motion.

k. The Chairman is authorized to speak in discussions, and can vote on all motions and/or all questions but may not "call for the question" or make a primary motion, substitute motion or second. The Chairman may temporarily relinquish the position and conduct him/herself as a member of the Board for the purpose of making a primary motion on an Item of Business. The Chairman may do so by passing the gavel to the Vice-Chairman or Acting Vice-Chairman prior to the start of discussion of an Item of Business. Upon completion of the Item of Business, the gavel shall be returned to the Chairman.

l. A primary motion may be amended prior to vote with the concurrence of the originating Supervisor of the primary motion, and with second. The amended primary motion is then treated as the primary motion, and not a substitute motion. A primary motion may not be amended if a substitute motion is pending until conclusion of vote on the substitute motion. An amendment to a primary motion opposed by the originating Supervisor shall not be voted on until action is taken on the original primary motion.

m. If a primary or substitute motion is made at a Board meeting where at least six (6) members are present and the motion is voted on and fails, the same or a substantively similar motion cannot be reconsidered by the Board during that fiscal year except by a primary or substitute motion made by a member of the Board who voted on the prevailing side where there are no less than six (6) Board members present, and only if two-thirds (2/3) of the Board members present vote to reconsider the motion again.

n. A primary or substitute motion may be made to tentatively act upon an Item of Business where a final Action of Record is anticipated at a later date. The provisions of subsection m. herein shall not apply with respect to such tentative actions. All Items of Business tentatively acted upon by the Board shall be considered bound by the tentative action if not otherwise reconsidered by the Board within three (3) calendar months of the date of the tentative action.

o. A motion to Table an Item of Business for consideration at a future meeting, or to remain Tabled indefinitely may be made either as a primary or substitute motion but not by consensus agreement. An action to Table an Item of Business to a later time within the same meeting may be passed by consensus of the Board members or by recorded vote.

8.5. The following protocols will be followed at meetings of the Board:

a. Official meetings of the Board are open to public observation and, as set out herein, public participation. When not addressing the Board and/or attending public as herein described, those present at an official meeting shall be respectful of the rights of others.

b. Board members are to be polite and courteous in addressing other members of the Board and all those present at Board meetings, and all Board members are to maintain proper decorum in their conduct at meetings of the Board (i.e., refrain from "name calling", derogatory remarks and other forms of personal affronts).

c. Those persons and organizations with Items of Business before the Board should be represented at an official meeting if so requested by the Board of Supervisors, individual members of the Board, the County Administrator, County Attorney, or any person acting on behalf of these.

d. Those persons and organizations with Items of Business before the Board may address the Board upon recognition and invitation of the Chairman to approach the Podium, whereupon they shall identify themselves, any title and organization they represent, and provide a mailing address to facilitate any correspondence needed subsequent to the Item of Business. As a guideline, presentations to the Board pursuant to an Item of Business should be limited to ten (10) minutes. The Chairman at his discretion may end a presentation after such time has elapsed or may permit continuation of it. The Board by Action of Record may overrule the Chairman's decision in this regard.

e. The discourse of those presenting at the Podium shall be made part of the Minutes of the Meeting subject to Article 9 of these By-laws.

f. Those individuals of the public attending any official meeting of the Board of Supervisors without an approved Item of Business on the Meeting Agenda or modification thereof shall not be permitted at the Podium at any time other than during the Open portion of a public hearing. No person shall address the Board during an official meeting from the audience unless recognized by the Chairman.

g. At any official meeting of the Board where a public hearing is set on the Meeting Agenda, or a Public Hearing of the Board pursuant to Article 6.4, the Chairman shall first permit general presentation and discussion of the matter of the public hearing from the Podium and/or from the Board Table. At the conclusion of such presentation/ discussion, the Chairman shall Open the public hearing and invite those of the public attending the meeting to the Podium to comment.

h. At the discretion of the Chairman, or with the consensus of the Board members or by recorded vote, those speaking during the open portion of a public hearing may be limited to a specified length of time for comments at the Podium. The Chairman at his discretion may provide a verbal advisory to a speaker at the Podium when thirty (30) seconds remain of the specified time to conclude comments. During public hearings, speakers may address the Board only on matters pertaining or germane to the issue for which the public hearing is being held. No speaker is to engage in political statements, personal attacks upon members of the Board of Supervisors, county employees or officials, or any other person, nor are speakers entitled to use abusive language or discuss matters outside the issue for which the public hearing is being held. Violation of this rule shall enable the Chairman by directive to

take appropriate measures to rule the speaker out of order and to have the speaker removed from the meeting, if necessary and take such other steps the Chairman deems appropriate, including bringing appropriate charges against the person and bringing the charges in the name of the Board of Supervisors.

i. No discourse at a public hearing, whether during general presentation and discussion or during the Open portion of the hearing is required to be entered into the Minutes unless conducted at the Podium.

j. The Chairman may limit the number of those wishing to speak at a public hearing when in the Chairman's judgment a fairly representative exchange of views and comments on the matter has been achieved.

k. Questions asked by speakers during the course of the Open portion of a public hearing shall be addressed at the conclusion of the speaker's comments by the appropriate party, and before the next speaker approaches the Podium. The Chairman may permit deviation from this rule.

l. Upon conclusion of speakers at the Podium, the Chairman shall close the public hearing. A motion with second and majority vote of a quorum of Board members present at a public hearing shall overrule the Chairman's decision to close the public hearing or to limit speakers, in which event speakers may continue until the Board by majority vote ends the public hearing. A motion with second and majority vote of a quorum of Board members present shall also close the public hearing in this event. An Action of Record may be taken at the close of a public hearing at the discretion of the Board.

m. Board Member Reports shall facilitate the presentation of comments, reports and proposed Items of Business not otherwise part of the Meeting Agenda by individual Board members in round table fashion. Matters may be presented for information, discussion and action and/or scheduled for further consideration as an Item of Business at a future meeting of the Board. When speaking during Board Member Reports, Board members shall be limited to five (5) minutes, at which time the Chairman may at his discretion suspend further presentation from the Board member and request action by consensus agreement of Board members present at the Board Table to permit additional time to conclude the presentation. No Board member shall yield time or place under Board Member Reports to any other Board member or other person. No member of the Board shall have any other position reserved for them on the Meeting Agenda other than under Board Member Reports.

n. The County Administrator or Recording Clerk shall advise the Board verbally at 9:50 p.m. that ten (10) minutes remain within which to conclude the meeting.

8.6. The Board may at its discretion adopt specific rules and procedures relative to the conduct of certain types of public hearings other than those set forth in this Article. Such specific rules and procedures shall be adopted in the manner prescribed for amendment of these By-Laws set forth in Article 13 and shall become part of these By-Laws upon adoption. Where a public hearing is conducted by another party on behalf of or before the Board, the rules and procedures governing that public hearing shall be as prescribed by the party conducting it.

8.7. A period for Public Comment shall be provided as part of the Agenda for the Board's second regular monthly meeting. The Public Comment period is a privilege provided to permit Washington County residents or property owners an opportunity to address the Board on legitimate matters of county business. This period shall not extend beyond 7:00 p.m. and shall be governed by the following provisions:

a. The Public Comment period shall be strictly limited to three (3) minutes per speaker and restricted to residents of Washington County or owners of property located within Washington County. The matters on which speakers may address the Board shall be limited to legitimate matters of county business. No speaker shall engage in political statements, personal attacks upon members of the Board of Supervisors, county employees and officials, or any other person, nor are speakers entitled to use abusive language or discuss matters outside of the authority of the Board of Supervisors. Matters subject to a public hearing scheduled for the same meeting shall not be addressed during the Public Comment period. Violation of these rules shall enable the Chairman to rule the speaker out of order and by directive to have the speaker removed from the meeting, if necessary, and to take such other steps the Chairman deems appropriate, including bringing charges against the speaker in the name of the Board of Supervisors. Any speaker removed from the meeting once or ruled out of order twice within a twelve (12)-month period shall have their privilege to speak before the Board during Public Comment suspended for one (1) year. The Chairman's decision to remove or rule a speaker out of order shall be final and unappealable.

b. All persons wishing to speak during the Public Comment period must register to do so on a sign-up sheet available immediately prior to and during the period. Speakers shall address the Board from the Podium upon recognition by the Chairman, whereupon they shall identify themselves, any title and organization they represent, and provide a mailing address. The Chairman at his discretion may provide a verbal advisory to a speaker at the Podium after two (2) minutes and thirty (30) seconds have elapsed to conclude comments. A timing device may also be used.

c. Board members, county employees and officials shall not respond to questions posed nor address or rebut speaker's statements made during the Public Comment period. Matters raised during the Public Comment period may be discussed during Board Member Reports and the Board at its discretion may direct that such matters be placed on the Agenda of a future meeting.

d. The provisions of this subsection shall be stated on the Public Comment sign-up sheet. Speakers shall acknowledge their understanding of and agreement to abide by these provisions by registering to speak.

ARTICLE 9. MINUTES OF THE MEETINGS OF THE BOARD OF SUPERVISORS

9.1. At all official meetings of the Board at which a quorum is present Minutes of the meeting shall be taken and shall be approved by the Board and recorded in the office of the Washington County Clerk of Circuit Court.

9.2. Public Information Meetings and Worksession or Workshop Meetings as defined in these By-laws may be recorded as Minutes at the direction of the Board. At any such meeting where an Action of Record is taken, Minutes shall be taken and approved by the Board and recorded.

9.3. Pursuant to § 15.2-1536 and § 15.2-1538 of the Virginia Code, the County Administrator shall serve as Clerk of the Board and shall carry out the duties specified in § 15.2-1539 of the Virginia Code. The County Administrator may designate a Recording Clerk to take and prepare the Minutes of the Board and to assist in the exercise of the office of Clerk of the Board. Minutes shall be prepared on the basis of both written notes and audio recordings. Where technically possible, audio recordings shall be made of all official meetings of the Board, subject to the provisions of Paragraph 9.2 of this Article. The specific language of the Minutes of any given meeting shall be at the discretion of the County Administrator, who shall endeavor to render the Minutes in the most accurate and neutral way

possible. The County Administrator shall review and correct all Minutes prior to dissemination to the Board for adoption.

9.4. The Board may at its discretion generally prescribe the form and content of the Minutes of its meetings in keeping with professionally accepted standards for it. At minimum, the Minutes shall contain the styling of the Item of Business stated on the Meeting Agenda or modification thereof, the Action of Record, the vote by individual member or consensus expression of the Board, or directive of the Chairman. Where practical, a brief synopsis of any discussion of the Item of Business shall also be included. For the Public Comment period, only the name of speakers appearing before the Board shall be noted in the Minutes.

9.5. Minutes of any meeting shall generally be presented at the next or following Regular Meeting of the Board where at least five (5) working days exist between the successive meetings.

9.6. Minutes shall not be considered official until approved by the Board and recorded. After approval of the Board but prior to recordation, the County Administrator may make additions or corrections to the Minutes that do not materially affect the substance or content of the Minutes. These include, but are not limited to: correction of misspellings, typographical errors and incorrect grammar; page renumbering; clarification of content and errors of omission. Should evidence of an error in a recorded vote be discovered after approval but prior to recordation, the County Administrator shall attempt to verify it and correct by the best available means, including corroboration by individual Board members and other reliable witnesses to the meeting.

9.7. Should an error or evidence of an error in the Minutes of any Meeting of the Board be discovered after recordation, the County Administrator shall bring the error before the Board at the next official meeting as is practical. The Board by vote of a majority of those members present at the meeting at which the error was made shall correct the Minutes by amendment. Members of the Board not present at said meeting shall abstain from voting on the correction. Should no majority of Board members present at the meeting in which an error was made in the Minutes be or remain seated as members of the Board, a majority vote of the presently seated Board members shall then correct the Minutes by amendment.

9.8. Amendment to the recorded Minutes of any Meeting shall be entered as an Action of Record in the Minutes of the Meeting at which the amendment was made. In addition and where practical as determined by the County Administrator or Recording Clerk, the recorded Minutes shall be altered to include the amendment, either by insertion of a new, corrected page in sequence or by separate Amendment Addendum at the beginning or first page of the recorded Minutes of the Meeting to be corrected. Whether by insertion of a new corrected page or by Amendment Addendum, the correction shall be clearly documented as a correction of previously recorded Minutes, indicating the first date of recordation, the date of Board action to amend the Minutes, and the date of recordation of the amended Minutes.

9.9. Meetings of the Board conducted in the Board Meeting Room shall be audio- and video-recorded. Such recordings shall be made available to the public via the County's website for at least one year, after which such recordings may discarded. The Board may at its discretion direct the preservation of specific recordings, and the County Attorney may request preservation of specific recordings if such recordings are needed to support legal proceedings, pending or anticipated.

9.10. Meetings of the Board conducted in locations other than the Board Meeting Room may be audio- and video-recorded where technically feasible as determined by the County Administrator. Where audio-only recordings of such meetings are made, such recordings shall be preserved for a

period of sixty (60) days from the date of approval of the meeting Minutes, after which such recordings may be discarded. Audio-only recordings shall not be publicly available via the County's website. The Board may at its discretion direct the preservation of specific recordings, and the County Attorney may request preservation of specific recordings if such recordings are needed to support legal proceedings, pending or anticipated.

9.11. Verbatim transcription of the proceedings of any meeting in its entirety shall not be undertaken except by majority vote of the Board and only in instances where excerpted verbatim transcriptions of a portion or portions of the proceedings are insufficient to address the need. Any verbatim transcription generated, whether of an entire meeting or portion(s) thereof, shall not be adopted or made part of the official Minutes of any meeting.

9.12. Individual members of the Board and the County Attorney may request excerpted verbatim transcription of a portion or portions of any meeting through the County Administrator. If requested by a member of the Board, the County Administrator and/or the Recording Clerk will make a reasonable effort to generate a requested transcription prior to any subsequent meeting of the Board; the generation of such transcription is subordinate to the preparation and review of the Minutes and other duties and responsibilities of the involved personnel. A request by the County Attorney shall be made only if such transcription is needed to support legal proceedings, pending or anticipated. The County Administrator at his discretion may make any verbatim transcription requested generally available to all members of the Board.

9.13. Unapproved Minutes shall be released publicly upon incorporation into and completion of the Meeting Agenda Book. At the discretion of the County Administrator, unapproved Minutes may be released publicly at an earlier time; availability of completed unapproved Minutes shall not compel release at such earlier time.

9.14. No recording device shall be used during any Closed Meeting of the Board unless the majority of the members of the Board present at the meeting vote to allow recording of the Closed Meeting. Any such recording shall remain in the sole custody of the County Administrator, County Attorney, Chairman or other member of the Board designated by the Board.

ARTICLE 10. APPOINTMENTS OF THE BOARD OF SUPERVISORS

10.1. The Board at its discretion may, and where required and in accordance with the Virginia Code or other law, shall from time to time establish and make appointments of its members and other persons to various positions, groups, organizations, committees, advisory boards and other bodies, both formal and informal, for such purposes as are in the interest of the Board and county.

10.2. Except as otherwise provided in these By-laws or other law, appointments of the Board may be made at any official meeting upon motion with second and majority vote of a quorum of the Board and recorded as an Action of Record. Only appointments made by the Board in this manner shall be considered sanctioned appointments.

10.3. Except as otherwise provided by Action of Record or by law, all sanctioned appointees of the Board shall be authorized and expected to represent the interests of the Board and county in all matters to which their appointment is charged.

10.4. Except as otherwise provided by law, all sanctioned appointments of the Board shall discharge their duties with diligence, and may be removed prior to the end of the term of said appointment by motion with second and majority vote of a quorum of the Board and recorded as an Action of Record. Any vacancy in a sanctioned appointment shall be filled in the manner as the original and for the remainder of the original term of the appointment.

10.5. Pursuant to § 44-146.19 B. 2. of the Virginia Code, the Board at the Annual Meeting shall appoint one of its members or the County Administrator to be Director of Emergency Services of the county. The Director shall serve in that capacity until the next Annual Meeting, at which time he may be reappointed or a successor appointed at the pleasure of the Board. A vacancy in the Director's position may be filled by a majority vote of the Board at any Regular or Special Meeting. The Director may be removed from that position and a successor appointed to fill the remainder of the original term by majority vote of the Board at any official meeting. During an impending or declared state or local emergency, in the absence of the Director of Emergency Services, the Chairman or Vice-Chairman of the Board shall assume the duties and responsibilities of that position pursuant to the Virginia Code. In the event either the Chairman or Vice-Chairman is the Director, the County Administrator shall serve as the third designee to assume responsibility in the absence of the Chairman or Vice-Chairman. In the absence of the Chairman, Vice-Chairman and County Administrator, any member of the Board may act in the capacity of Director of Emergency Services until such time as one of these three officials is able to assume the position. The Director of Emergency Services or any member of the Board acting in such capacity shall exercise only those powers granted in § 44-146.21 of the Virginia Code. The Emergency Services Coordinator of the county shall be an administrative employee of the office of County Administrator, subject to the personnel policies of the Board.

10.6. The Board shall officially recognize no prerogative of any of its members to accept, make or nominate appointments to any group, organization, committee, advisory board or other body except in accordance with the provisions of these By-laws or other law; however, Board members are not prohibited from accepting unsanctioned appointments as a result of holding elective office.

10.7. Where no term limit for a sanctioned appointment is otherwise established or prescribed, the term of appointed Board of Supervisors members shall be for two (2) years or the remainder of their term on the Board, whichever is less; and for non-Board of Supervisors appointees, one (1) year. Appointments may be for successive terms.

ARTICLE 11. COMMITTEES AND ADVISORY BOARDS OF THE BOARD OF SUPERVISORS

11.1. Pursuant to § 15.2-1411 of the Virginia Code, the Board may at its discretion establish Committees of the Board and Advisory Boards by Resolution and vote of a majority of the Board members at any official meeting. Committees may be solely composed of members of the Board or may be jointly composed of Board members and other individuals appointed or otherwise authorized to participate in Committee activities. Board approval of such other individuals is not required unless specified by Resolution. Advisory Boards shall be composed persons other than members of the Board and may include other individuals appointed by Advisory Board members to participate in Advisory Board activities. Board approval of such other individuals is not required unless specified by Resolution. Board members may be appointed as ex-officio members of Advisory Boards.

11.2. A Resolution establishing any Committee shall state the purpose and scope of activities of the Committee, including any specific responsibilities for and grant of authority to pursue the matter for which it has been established. The Resolution shall state the composition of the members of the

Committee, either by name or title, and may designate who shall chair the Committee, by name or title. No member of the Board shall be appointed to a Committee if not present at the meeting at which appointments are made. A majority vote of a quorum of the Board is needed to appoint Committee members.

11.3. Unless otherwise specified within the establishing Resolution, Committees shall be re-established and Committee appointments made at each Annual Meeting of the Board. Failure to re-establish dissolves the Committee as of adjournment of the Annual Meeting. Appointments to Committees may be for successive terms.

11.4. Unless otherwise specified within the establishing Resolution, Committees shall organize and direct their own affairs in the manner that their members deem appropriate to the matters that they are charged. These include, but are not limited to, adoption of Committee by-laws or procedures, designation of Committee officers, the taking of Minutes of Committee meetings, the appointment of sub-committees or working groups, solicitation of assistance in pursuit of Committee matters, and such other things as deemed appropriate by Committee members.

11.5. Meetings and activities of Committees shall be open to the public. Any Committee, when conducting business matters which are exempt from public disclosure pursuant to the Virginia Code may sequester itself for all or a portion of the Committee meeting at which such matters are being discussed.

11.6. Advisory Boards shall be subject to the provisions governing Committees of the Board pursuant to this Article except that meetings of Advisory Boards may be privately conducted at the discretion of its members unless otherwise provided in the Resolution establishing it.

11.7. The Board at its discretion may establish compensation for all Committee and Advisory Board members not to exceed fifty ($50.00) dollars per meeting pursuant to § 15.2-1411 of the Virginia Code. Such compensation shall be specified in the Resolution establishing the Committee or Advisory Board, subject to Board appropriation of funds. Unless specified, no Committee or Advisory Board member shall receive compensation.

11.8. Committees of the Board and Advisory Boards shall only be established pursuant to this Article. Nothing herein shall be construed so as to prevent meetings or consultations by and between members of the Board, county administrative officials and employees and other parties for the purpose of pursuing matters of interest to the Board and county which are otherwise consistent with Virginia law.

ARTICLE 12. OFFICES OF COUNTY ADMINISTRATOR AND COUNTY ATTORNEY

12.1. Pursuant to § 15.2-1536 of the Virginia Code, the Board shall appoint a County Administrator and a County Attorney. The County Administrator and County Attorney shall be employees of the Board, serving at the pleasure of the Board, and shall have their compensation established by the Board.

12.2. The County Administrator shall be the chief administrative officer for the county pursuant to § 15.2-1540 of the Virginia Code. The County Administrator shall exercise all powers, duties and responsibilities pursuant to § 15.2-407 and § 15.2-1541 of the Virginia Code and in accordance with the County Code and Board policies.

12.3. The County Attorney shall exercise all powers, duties and responsibilities pursuant to § 15.2-1542 of the Virginia Code and in accordance with the County Code and Board policies.

12.4. In the event of vacancy in the office of County Administrator due to death, resignation or removal from office, the Assistant County Administrator shall assume responsibility as Acting County Administrator until such time as the Board shall again fill that office. At the Board's discretion upon motion and vote of a majority of Board members at any Regular or Special Meeting, a county administrative employee other than the Assistant County Administrator may be designated as Acting County Administrator. The Assistant County Administrator is designated Deputy Clerk of the Board pursuant to § 15.2-1502 of the Virginia Code for the limited purpose of serving as Clerk to the Board in the temporary absence or unavailability of the County Administrator.

12.5. In the event of vacancy in the office of County Attorney due to death, resignation or removal from office, the Board may engage the services of private legal counsel to serve in the capacity of Acting County Attorney until such time as the Board shall again fill that office. In the event of the temporary absence or unavailability of the County Attorney, the Board authorizes the County Administrator at his discretion to engage the services of private legal counsel as necessary to represent the Board and county.

ARTICLE 13. ADOPTION AND AMENDMENT OF BY-LAWS OF THE BOARD OF SUPERVISORS

13.1. These By-laws of the Board shall be adopted annually immediately after Election of Officers of the Board at the Annual Meeting. Upon adoption, the provisions of these By-laws shall take effect immediately and shall continue until amended or re-adopted. The full text of these By-laws shall be made part of the Minutes of the Meeting at which they were adopted.

13.2. Amendment to these By-laws may be made as an Item of Business on the Meeting Agenda or modification thereof at any meeting of the Board. Amendment to these By-laws shall be by vote of a majority of Board members and recorded as an Action of Record. Unless otherwise specified, any amendment is effective upon adoption; no amendment shall be made retroactively effective. The full text of an amendment to these By-laws shall be made part of the Minutes of the Meeting at which they were adopted.

ARTICLE 14. LIMITATIONS OF BY-LAWS OF THE BOARD OF SUPERVISORS

14.1. If any provision or requirement of these By-laws be found inconsistent with the provisions of the Virginia Code, the County Code, or any other law or statute, it shall be deemed void. In this event, all remaining provisions of these By-laws shall remain in full force and effect.

ARTICLE 15. <u>ADOPTION AND AMENDMENT OF GENERAL POLICIES AND OPERATIONAL PROCEDURES OF THE BOARD OF SUPERVISORS</u>

15.1. The Board may from time to time adopt such other General Policies and Operational Procedures as it deems necessary and appropriate to its conduct and to matters under its charge, such policies and procedures being consistent with these By-laws and other law.

15.2. Matters that the Board may address by General Policies and Operational Procedures generally shall be those not otherwise addressed by law but which are material to the conduct, operation and interests of the Board or county.

15.3. Adoption and amendment of General Policies and Operational Procedures shall be made in a manner similar to that prescribed for the By-laws of the Board as set out in Article 13 and subject to the limitations set out in Article 14 herein.

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CHAPTER 02 - <u>GENERAL POLICIES FOR CALENDAR YEAR 2010</u>

Effective Date: Adopted January 12, 2010

ARTICLE 1. <u>POLITICAL ACTIVITIES OF COUNTY ADMINISTRATIVE OFFICIALS AND EMPLOYEES AND USE OF COUNTY-OWNED AND COUNTY-CONTROLLED PROPERTY AND FACILITIES FOR POLITICAL ACTIVITIES</u>

1.1. The Washington County Board of Supervisors (hereinafter the Board) recognizes and respects affiliation and participation in the political processes of the United States, the Commonwealth of Virginia, the County of Washington and other localities by administrative officials and employees of the Board. In establishing the policy set forth in this Article, the Board endorses the following principles:

a. Board administrative officials' and employees' political rights shall be protected.

b. No politically motivated interference, pressure or coercion shall be permitted in the execution of the lawful duties, services and responsibilities of Board administrative officials and employees.

c. The execution of lawful duties, services and responsibilities by the Board of Supervisors and its administrative officials and employees shall be rendered without political bias or the perception of political bias.

1.2. The Board shall take no action, directly or indirectly, in prohibition of or punishment for the exercise and expression of political affiliation and participation in political processes of the federal, state and local governments by its administrative officials and employees which are not part of or performed during the exercise of the officials' or employee's job-related activities.

1.3. While in performance of lawful duties, services and responsibilities, administrative officials and employees shall in discourse and manner abstain from any form of political expression or exercise, including, but not limited to, the following:

a. The circulation of political petitions and campaign materials of any form.

b. The wearing of items endorsing a particular candidate for public office.

c. The production of any item, material or other work-product for use in political initiatives or campaigns.

d. To portray, suggest or imply in any manner that the Board or any administrative official, employee, department or agency thereof endorses or opposes any candidate for public office, or endorses or opposes any political issues or ideas.

e. To knowingly solicit or endorse contribution of monies to any political candidate or party.

f. To knowingly permit or acquiesce in the conduct of the above by any administrative official, employee or candidate for public office, whether incumbent or seeking, during the exercise of duties, services and responsibilities by administrative officials and employees.

The provisions herein and of this Article generally are not intended to limit the constitutional rights of Board administrative officials and employees in their capacity as private citizens. They are intended to reasonably limit expression and exercise of political affiliation and participation while acting in the capacity of a public employee, during the exercise of job-related duties, services and responsibilities. Such restrictions are designed to further the principle of political neutrality in the conduct of public employees on the job.

1.4. The Board shall not permit the following political activities to be conducted within or on the grounds of any property or facility owned and/or under the direct control of the Board:

a. The conduct of campaign activities by any federal, state or local candidate, whether incumbent or seeking, whether by the candidate for office in person or by his representative.

b. The posting or distribution of campaign signs, printed materials or other items for any federal, state or local candidate for office, whether incumbent or seeking.

c. The use of any equipment or motor vehicle as part of any federal, state or local political campaign or initiative.

This provision shall be interpreted to include those properties and facilities used by the Constitutional Officers of Washington County which are owned in the name of the Board or which are directly controlled through leasehold or other arrangement by the Board.

1.5. The Board recognizes that properties and facilities under its ownership and control have utility and convenience to the conduct of certain types of political activities. Accordingly, the Board shall permit the following types of activities under the following conditions:

a. The holding of organized political party meetings of the federal, state and local governments, through prior arrangement with the office of the County Administrator.

b. The holding of organized political debates, discussions and other public forums providing the opportunity for free and open political discourse between candidates for public office, through prior arrangement with the office of the County Administrator.

c. The conduct of interviews with the electronic media and press by candidates for public office, whether incumbent or seeking.

In a. and b. herein, the office of the County Administrator may set the time, place and manner of use of the property or facility consistent with good order and the uninterrupted operations of the County government. Once use is arranged and approved, the Board or any administrative official or employee shall not further regulate the conduct of discourse. Upon conclusion of the use, the property or facility shall be restored to its original state and order at the expense of the participating parties or sponsor of the event.

1.6. Nothing herein this Article shall be construed so as to prohibit or limit activities or discourse on political matters properly authorized as part of a County administrative official's or employee's job-related functions.

1.7. Any violation or breach of this policy shall be investigated by the County Attorney or other such other person as may be designated by the Board. If the violation or breach is proven, the investigating party shall report his findings and recommendations to the County Administrator (in the event of the involvement of a County administrative employee), and/or to the Board. The County Administrator shall take such measures as required under Board personnel or other policies or deemed appropriate in disciplinary action against any County administrative employee, including termination of employment. The Board may also take such lawful action as it deems appropriate.

1.8. All previous policies and procedures adopted by the Board related to political activities of County administrative officials and employees and use of County-owned or County-controlled property and facilities for political activities, except those policies not in conflict with the above as set forth in the Washington County Board of Supervisors Personnel Policies and Procedures Manual for Administrative Division Employees, are hereby repealed.

ARTICLE 2. COUNTY PROPERTY AND FACILITIES

2.1. Custody and Control of County Properties and Facilities

2.1.1. The Washington County Board (hereinafter the Board) hereby vests the day-to-day authority over and control of the County office buildings properties, facilities and equipment and County employees using same, and the responsibilities of various officials and employees for maintaining control over areas assigned to them and maintaining a proper working environment as follows:

a. The building and associated grounds of the County Administration Building, 205 Academy Drive, Abingdon, Virginia shall be under the control of the Board and the County Administrator.

b. When the Board is engaged in an official meeting, the County Administration Building and associated grounds are under the control of the Chairman of the Board or Acting Chairman or his designee for the orderly conduct of the meeting. Upon prior to and upon adjournment of an official meeting, authority and control are returned to the County Administrator or Acting County Administrator or his designee.

c. When the Board is not engaged in an official meeting, subject to the further provisions herein, the building and associated grounds are under the control of the County Administrator or Acting County Administrator or his designee for the orderly conduct of the County's business.

d. Because of the unique relationship which exists between the Board and the County Attorney, the County Attorney shall be responsible for controlling the office area which is specifically assigned to him/her and support staff and is authorized and directed to take appropriate steps to maintain the security of the office area and to maintain an appropriate working environment.

e. When the County Administration Building is open to conduct County business, the County Administrator is in control of the building and associated grounds (subject to the provisions contained in the previous paragraph); however, in the absence of an express statement to the contrary, County administrative department heads are delegated the authority and responsibility to control and manage their employees, equipment and office areas occupied by or assigned to the department and to the department's employees.

f. When more than one department shares an office area or space, in the absence of an express written statement of policy by the Board or by the County Administrator to the contrary, each department head is delegated responsibility and authority to control and manage the area or space assigned to the department and the department's employees.

g. When more than one department shares employees, in the absence of a statement or policy (by the Board or by the County Administrator) to the contrary, each department head is delegated responsibility and authority to control and manage the support staff and equipment assigned to the department.

h. When more than one department shares an office area, equipment or employees in the County Administration Building and the department heads do not agree on the proper action, management, or use of the shared space, items or personnel, the disagreement shall be submitted to the County Administrator or Acting County Administrator (person designated by the County Administrator or the Board to make decisions in the County Administrator's absence) who shall resolve the disagreement in the manner; if neither the County Administrator nor the Acting County Administrator is present and the dispute requires an immediate resolution, the County Attorney may resolve the dispute if he/she is present; if the County Administrator is not present and a decision may reasonably be delayed until the County Administrator returns, the dispute will be reduced to writing and the decision will be made by the County Administrator on his return.

2.1.2. Any County administrative employee so empowered by this Article may take lawful action to cause the removal of any person disrupting the conduct of County business in his assigned office area. Consent or direction of the County Administrator, Acting County Administrator, or County Attorney is not required for such lawful action to be taken. If such action is taken, the administrative employee taking the action shall immediately document same in writing and advise the County Administrator, Acting County Administrator and/or County Attorney as soon as practical.

2.1.3. County buildings, facilities and properties owned or held in leasehold or other arrangement in the name of the Board of Supervisor but which are used principally by the judiciary, Constitutional Officers of Washington County and other organizations, agencies and individuals shall be for the purposes of the Article considered under the authority and control of those officers, organizations, agencies and individuals. Nothing herein shall prohibit the development of similar policies by those individuals in charge of it. The County Administrator, Acting County Administrator or County Attorney shall not exercise day-to-day authority and control over same, but may act in an emergency or other circumstance to protect the orderly conduct of County business if no other responsible official or employee is in charge.

2.2. Use of Tobacco Products On and Within County Property and Facilities

2.2.1. Smoking and use of oral tobacco products within all County buildings and facilities owned or held in leasehold or other arrangement in the name of Washington County or the Board of Supervisors shall be prohibited during the regular business hours of the occupants of those buildings and facilities.

2.2.2. Smoking and use of oral tobacco products shall be permitted on County property including the grounds outside of County buildings and facilities. The heads of the various offices, organizations, departments and agencies housed within such buildings and facilities may designate specific areas on the grounds where their employees and the public may use such products during regular business hours.

2.2.3. Smoking and use of oral tobacco products shall be prohibited in all designated meeting or conference rooms within County buildings and facilities at any time such rooms are in use.

ARTICLE 3. FREEDOM OF INFORMATION

3.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) that all public records of the County shall be open and accessible to citizens of the Commonwealth of Virginia and the news media for public inspection and review in accordance with the guidelines and requirements of the Virginia Freedom of Information Act, Section 2.1-3700 et seq. of the Virginia Code, as amended (hereinafter the Act).

3.2. In furtherance of the policy, the Board authorizes the County Administrator, in consultation with the County Attorney, to develop and implement such administrative practices, and/or written administrative policies and procedures as deemed necessary and appropriate for the handling of requests for information made pursuant to the Act.

ARTICLE 4. CONDUCT OF THE OFFICE OF THE COUNTY ADMINISTRATOR

4.1. In addition to the provisions of Article 12 of the Washington County Board of Supervisors (hereinafter the Board) By-Laws, the Board adopts the following ethical code regarding the office of County Administrator of Washington County (adapted for use from the International City/County Management Association (ICMA) Code of Ethics and Guidelines, first adopted by the ICMA Executive Board in 1924 and Revised in January, 1994):

a. The County Administrator shall be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

b. The County Administrator shall affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.

c. The County Administrator shall be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the respect and confidence of the elected and appointed officials, employees and the public may be merited.

d. The County Administrator shall recognize that the chief function of the local government is at all times to serve the best interests of all the people.

e. The County Administrator shall submit policy proposals to elected and appointed officials, provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals, and uphold and implement local government policies adopted by those officials.

f. The County Administrator shall recognize that the credit for the establishment of local government policies lies with the elected and appointed officials; responsibility for policy execution rests with the administrative officials and employees of the local government.

g. The County Administrator shall refrain, in word and conduct, from politically partisan participation in the election of local government officials, and from all partisan political activities that would impair performance as a professional administrator.

h. The County Administrator shall make it his duty to continually improve upon professional abilities and to develop the competence of employees in his charge in the execution and delivery of their assigned responsibilities.

i. The County Administrator shall keep the public informed on local government affairs, encourage communication between the citizenry and all elected and appointed officials, emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

j. The County Administrator shall resist any encroachment on professional responsibilities, maintaining a position that he/she should be free to carry out official policies, duties and responsibilities without interference and proceed without discrimination on the basis of principle and justice.

k. The County Administrator shall handle all matters relating to local government personnel on the basis of merit, fairness and impartiality, especially those pertaining to appointments, compensation, promotions and discipline.

l. The County Administrator shall not seek nor accept any pecuniary or substantial material favors from his position, nor shall he/she maintain or establish private business relationships or investments which conflict or have the potential of conflicting with official duties.

4.2. The County Administrator shall treat all elected and appointed officials of Washington County with the respect and courtesy due such offices, and shall treat the interests and positions of all such officials with equal respect and deference.

4.3. In making policy proposals, the County Administrator shall attempt to provide genuinely viable policy options to the degree that professional standards will permit, and to treat all such options provided in such a way as to depict real choice among the options provided.

4.4. Where the County Administrator knows that a decision or policy of the local government is legally wrong, or where uniform application of such decision or policy would thwart or circumvent the true intent of same, the County Administrator shall not cause implementation of said decision or policy if such is within his authority and responsibility; but instead shall bring the matter to the attention of the appropriate officials at the earliest possible time.

4.5. Where circumstances will permit, the County Administrator shall not request or by surprise or immediate necessity require a decision by elected and appointed officials where sufficient time and supporting information has not been previously provided.

ARTICLE 5. <u>USE OF COUNTY EMPLOYEE SERVICES AND COUNTY-OWNED AND COUNTY-CONTROLLED PROPERTY BY INDIVIDUAL MEMBERS OF THE BOARD OF SUPERVISORS</u>

5.1. While recognizing that members of the Washington County Board of Supervisors (hereinafter the Board) are vested with no distinct powers or authority to act as individual office-holders, the Board does grant its members certain privileges with respect to the use of the services of County administrative employees and County property as set forth in this Article.

5.2. Members of the Board may at their discretion have prepared for their use stationary bearing their individual names, office title, election districts, home or other address(es) and telephone number(s) with the County Seal affixed, the cost of which may be paid from the general revenues of the County subject to annual appropriation and purchased or obtained in reasonable quantity through the office of the County Administrator. Such stationary is the personal property of the Board member, and may only be used for purposes set out in Section 5.4. of this Article. Members of the Board may also use official County stationary for correspondence to be forwarded under their signature.

5.3. Individual Board members may at their discretion request correspondence be prepared on their personal stationary or official County stationary for their signature by County administrative employees. Board members shall make such requests through the office of the County Administrator or his designee. The County Administrator or his designee shall direct the appropriate County personnel to prepare the correspondence as part of the employee's regular duties. Correspondence prepared in this manner may be transmitted through the regular mail or by electronic means, the cost of which may be paid from the general revenues of the County. The preparation and distribution of such correspondence is subordinate to the other duties and responsibilities of the employee to which such work is assigned. Reasonable effort will be made to complete such correspondence within two (2) County working days from the date it is received and assigned.

5.4. Correspondence written by or for individual members of the Board by County administrative employees in this manner shall be limited to subject matter immediately germane to the activities or interests of the Board of Supervisors as the governing body of the County. County employees may not be used to prepare oral or written presentations, working papers, maps, drawings, renderings or other forms of written or graphic materials, or to undertake research or compile information from sources not immediately available to the employee where the subject matter of such materials does not relate to or reflect any activity or interest of the Board as the governing body of the County. County employees may be used to prepare such materials where the content of it has been previously discussed and approved by the whole Board, and is reflective of the official position of the Board as the governing body of the County.

5.5. Mass-mailings of correspondence by individual Board members is prohibited. Mailings of twenty-five (25) or fewer identical or substantively similar letters by individual Board members at any one time is permissible.

5.6. The services of County employees and the use of County-owned and County-controlled property may not be employed to prepare or otherwise facilitate the production and distribution of any materials or information associated with political campaigns or election activities of the federal, state or local

governments, including the re-election of incumbent members of the Board. Individual Board members shall not use their personal stationary or official County stationary in any way associated with political campaigns or election activities of the federal, state or local governments, including personal re-election campaigns.

5.7. Individual members of the Board may use County-owned property such as telephones, motor vehicles and data processing equipment so long as the use of it is consistent with the provisions of this Article.

ARTICLE 6. BUDGET POLICY

6.1. General

6.1.1. The Washington County Board of Supervisors (hereinafter the Board) vests the day-to-day management of monies appropriated to the various Funds of the County Operating Budget; and, specifically, to the budgetary departments within those Funds, to the administrative, executive or elected heads of various offices, departments, agencies and organizations subject to the provisions set forth in this Article.

6.1.2. The fiscal year County Operating Budget shall be set out so as to allocate the total amount appropriated to the various Funds and their respective budgetary departments among one or more line-items. Such line-items shall be established so as to provide for the convenient, adequate and accountable management of the budgetary department as a whole.

6.1.3. Unless otherwise prescribed by law or the Appropriation Resolution, or pursuant to action by the Board or established practice all line-items within budgetary departments representing a single total appropriation to a specific office, department, agency or organization shall be disbursed in four (4) equal quarterly payments during the County fiscal year. The County Administrator at his discretion may authorize the disbursement of up to one hundred (100%) percent of the appropriated amount of any such line-item not to exceed $10,000.00 upon written request of the recipient office, department, agency or organization and with good cause shown.

6.1.4. Effective July 1, 2005 and for each successive fiscal year thereafter, the Board shall not disburse annually appropriated funds other than on the basis of Paragraph 6.1.3. to any non-County governmental, regional governmental or non-profit agency or organization where the total appropriation is greater than $10,000.00.

6.1.5. County government organizations such as its various boards, authorities and commissions may request disbursement of appropriated funds other than on the basis of Paragraph 6.1.3. as needed subject to approval by the Board as an Item of General Business or Consent Agenda.

6.1.6. In the interim between election of new members to the Board in November of election years and the seating of such new members at the first meeting of the Board the following January, the Board shall refrain from taking action to affect the salaries of employees of the County.

6.2. Budget Preparation

6.2.1. Preparation of the Requested and Recommended County Operating Budget for each County fiscal year is vested with the County Administrator pursuant to the Section15.2-407 and Section 15.2-1541 of the Virginia Code, as amended.

6.2.2. The Requested and Recommended County Operating Budget shall be presented as a single document consisting of a listing of all estimated County revenues to be received and anticipated expenditures to be disbursed for each County fiscal year. The format for presentation of the Requested and Recommended County Operating Budget shall be in accordance with Section 15.2-2504 of the Virginia Code, as amended, and with the guidelines of the Virginia Auditor of Public Accounts and other applicable standards for local government budgeting practices. The document shall consist of main two (2) parts: Revenue and Expenditures, and may also contain associated summary pages, supporting materials and information as determined by the County Administrator or requested by the Board. At minimum, for both Revenue and Expenditures the document shall provide, either by line-item or budgetary department total, the following information:

a. The Adopted Budget figures for the current fiscal year as of July 1;

b. The Amended Budget figures for the current fiscal as of a specific date prior to the release of the document;

c. The Department Request figures indicating the amount of revenue anticipated and funds requested for expenditure for the coming fiscal year as submitted to the County Administrator, and

d. The County Administrator Recommended figures setting forth the County Administrator's recommendations for adjustments to the Department Request figures.

The presentation of this information shall be in a tabular format by classification of Revenue and Expenditure and may include specific line-item names and numeric designations for each Revenue and Expenditure. Each Revenue and Expenditure budgetary department shall be totaled and presented as a component of one of several Funds as may be established by the Board or otherwise as required by law. For County General Fund Expenditures, each budgetary department shall be further grouped in one or more Categories of similar or related expenditures, including, but not limited to: General Government Administration; Judicial Administration; Public Safety; Health and Welfare; Education; Recreation; Community and Economic Development, and Nondepartmental. In addition to the County General Fund, various other Revenue and Expenditure Funds of the County Operating Budget, including but not limited to: the Federal Asset Sharing Fund, Law Library Fund, Road Improvement Fund, Capital Improvement Fund, Economic Development Fund, Utilities Fund, Traffic Enforcement Fund, Special Grant Projects Fund, County Library Fund, Virginia Public Assistance Fund, Comprehensive Services Fund, General School Fund, School Textbook Fund, School Construction Fund, School Cafeteria Fund, and such other Funds as may be established from time to time shall be presented.

In addition to the Requested and Recommended County Operating Budget document, the County Administrator shall prepare and submit to the Board a separate document containing copies of all budget requests and supporting materials received. This Supporting Materials document shall be provided to the Board at the time of release of the Requested and Recommended County Operating Budget document.

6.2.3. On or before October 31 of each year, the County Administrator shall prepare and submit a draft Budget Calendar of various County Operating Budget review, deliberation and tentative approval meetings (referred to as Budget Adjustment Worksession Meetings) for adoption by the Board at their Annual Meeting. The Budget Calendar shall also include proposed specific dates for various budget-related actions, deadlines and meetings culminating with the final adoption of the County Operating Budget and adoption of the Appropriations Resolution no later than June 30. The Budget Calendar shall be adopted by the Board and made part of the Board's Operating Procedures for the calendar year, and (subject to the limitations set out herein) may be modified by the Board after adoption at its discretion.

6.2.4. The Budget Calendar shall be prepared by the County Administrator and adopted by the Board such that sufficient review, deliberation and tentative approval of the Requested and Recommended County Operating Budget shall be accomplished to the extent that the Board shall fix the real property tax rate of the County for the tax year no later than the fourth Tuesday in March. This deadline shall not be modified by the Board as a result of modification of the Budget Calendar once adopted. The real property tax rate shall be fixed by Resolution of the Board only after public hearing as required by Virginia law on the Requested and Recommended County Operating Budget. Final approval and adoption of the County Operating Budget shall occur on or before June 30 each year at such time as revenue figures from non-County sources may be established and incorporated into the final budget, at which time the other tax rates of the County shall be fixed for the tax year. The Budget Calendar shall provide for no less than six (6) Budget Adjustment Worksession Meetings, at least five (5) such meetings to be scheduled prior to the fourth Tuesday in March and at least one (1) such meeting to be held prior to formal adoption of the County Operating Budget. Additional meetings may be made part of the Budget Calendar or otherwise scheduled by the Board at its discretion.

6.2.5. Prior to release of the Requested and Recommended County Operating Budget by the County Administrator, the Board shall request presentation by the County Treasurer and County Commissioner of the Revenue of both County and (to the extent possible) non-County revenue estimates to be made part of the County Operating Budget for the coming fiscal year. The date of this presentation shall be made part of the draft Budget Calendar presented to the Board by the end of October each year and approved by the County Treasurer and County Commissioner of Revenue. This presentation shall occur no less than thirty (30) nor more than forty-five (45) calendar days prior to the fourth Tuesday in March, and the County Treasurer shall officially forward rough or approximate revenue estimates to the County Administrator or his designee for budget preparation purposes at least twenty-one (21) calendar days prior to the date of this presentation. The County Administrator shall generally rely upon such revenue estimates as provided by the County Treasurer and County Commissioner of the Revenue or shall provide revised revenue estimates set out in the County Administrator Recommended figures at the time of release of the Requested and Recommended County Operating Budget document.

6.2.6. Budget Adjustment Worksession Meetings shall be conducted during weekday evening hours beginning between 6:30 PM and 7:30 PM and ending no later than 9:30 PM unless a consensus majority of the Board wish to continue, but to no later than 10:30 PM. A ten (10) minute recess may be called each hour. Draft Agendas for the Budget Adjustment Worksession Meetings shall be prepared by the County Administrator and distributed to the Board at least three (3) days in advance of each scheduled meeting, and shall be posted to the County's website. A final Agenda for such meetings shall be provided at the start of each meeting. The Agenda for the first such meeting shall generally consist of Board review, deliberation and tentative approval of revised revenue estimates (if any) as provided by the County Administrator, followed by Board review, deliberation, adjustment and tentative approval of the budgetary departments comprising the General Government Administration, Judicial Administration and Public Safety Expenditure Categories of the County General Fund. The second

and subsequent Budget Adjustment Worksession Meetings shall consist of Board review, deliberation, adjustment and tentative approval of budgetary departments comprising the Health and Welfare, Education, Recreation and Community & Economic Development Expenditure Categories of the County General Fund; the various other Expenditure Funds of the County Operating Budget, and concluding with the Nondepartmental budgetary department of the County General Fund.

6.2.7. The following special rules and procedures shall govern the conduct of Budget Adjustment Worksession Meetings:

a. Budget Adjustment Worksession Meetings shall be conducted as Open Meetings of the Board as required by Virginia law. Public attendance at such meetings is welcome, but no direct public participation or input during these meetings shall be permitted. Representatives of departments, agencies and organizations with budget requests under consideration by the Board are permitted to address questions posed by the Board and County administrative staff pertaining to their requests but shall not be permitted to give formal presentations during Worksession Meetings.

b. Prior to the adoption of the County Operating Budget, any Board member may make a motion to adjust any part of the budget which has already been tentatively approved, regardless of whether the Board member making the motion voted in the minority previously on that particular budget matter.

c. The Chairman is empowered to rule a Board member's motion out of order if in the Chairman's judgment the intent of the motion is to halt or needlessly delay progress in the budget review, deliberation and tentative approval process.

6.3 Line-Item Transfers

6.3.1. Upon adoption of the County Operating Budget, there shall be no transfer of funds among line-items within budgetary departments of the General Fund and E-911 Project Fund without prior approval of the Board. Requests for Board approval of such transfers shall be directed to the County Administrator or his designee, and shall be presented to the Board as an item of General Business or Consent Agenda at a regular or special meeting. Requests for line-item transfers within the County Library Fund shall be approved by the County Library Board of Trustees prior to such transfers being effected.

6.3.2. Unless otherwise prohibited pursuant to the fiscal year Appropriations Resolution, allocation of expenditures may exceed the amounts budgeted per individual line-item as long as the total appropriation for the budgetary department remains in balance.

6.3.3. The heads of all offices, departments, agencies and organizations shall ensure that expenditures allocated against line-items within their budgetary departments are consistent with the intended purpose of such line-items. Where there exists a discrepancy between the nature of an expenditure and the intended purpose of the line-item to which it is allocated, the County Administrator or his designee may redirect allocation of that expenditure to a more appropriate line-item at his discretion.

6.3.4. At the conclusion of second, third and fourth quarters of the County fiscal year, a Quarterly Budget Report shall be prepared by the County Administrator or his designee. The Report shall show on a line-item by line-item basis all fiscal year-to-date expenditures and balances for all budgetary departments of the various Funds of the County Operating Budget, as well as such other information deemed relevant by the County Administrator for full disclosure of the state of the County Operating Budget. The Report shall be reviewed by the Board as an Item of Business at a regular or special meeting as soon as practical at the end of each quarter fiscal year period.

6.3.5. Excess or unneeded funds originating from the general tax revenues of the County in personnel-related line-items within the various budgetary departments of the General Fund, E-911 Project Fund, and County Library Fund may be administratively transferred to the Reserve for Contingencies line-item of the General Fund at the discretion of the County Administrator. The County Administrator or his designee shall notify the heads of affected budgetary departments at the time such transfers are made. Heads of affected budgetary departments and the County Library Board of Trustees may appeal such transfers to the Board.

6.3.6. The provisions of this paragraph shall not apply to line-items within budgetary departments representing a single total appropriation to a specific office, department, agency or organization.

6.4. Disposition of Revenues

6.4.1. Effective July 1, 1999 and for each successive fiscal year thereafter, all revenues derived from vending machines located on County-owned or County-controlled property shall be deposited into the General Fund of the County.

6.5. Paragraphs 6.1. and 6.3. of this Article shall become effective July 1, 1997 for the County fiscal year beginning July 1, 1997 through June 30, 1998. Paragraph 6.2. of this Article shall become effective April 14, 1998 for the County Fiscal Year 1998-99 Operating Budget preparation process. This Article shall be continued for subsequent fiscal year periods unless amended or abolished pursuant to the provisions of Board's By-Laws.

6.5. Appropriations and Supplemental Appropriations

6.5.1. Effective July 1, 2005 and for each successive fiscal year thereafter, the Board shall not consider appropriation or supplemental appropriation of funds from reserves it may have available for requests submitted as part of the annual County Operating Budget process which were not funded, in whole or in part, as part of that process until after January 1 each year. This policy shall not apply where the County Administrator determines an error or oversight was made in the annual County Operating Budget process that precluded the funding request from being properly considered. Failure by the requesting party to submit its request during annual County Operating Budget process shall not constitute an error/oversight for the purposes of this policy.

6.5.2. The Board may act to suspend the provisions of Paragraph 6.5.1. upon motion with second and majority vote for a particular request for appropriation or supplemental appropriation. The Board may then direct that the request be placed on an upcoming Agenda for formal consideration as an Item of General Business.

6.6. Capital Reserve Account

6.6.1. Effective July 1, 2004 and for each successive fiscal year thereafter, the Board establishes a Capital Reserve Account within the Capital Improvement Fund. The balance in this account represents the County's available unobligated funds for anticipated or unanticipated capital projects and needs. This Reserve shall be separate from funds that may be budgeted annually as reserves for operational contingencies (a.k.a. "Reserves for Contingencies").

6.6.2. The Board plans that the Capital Reserve Account balance will grow when the surplus unexpended and un-obligated revenues from the most recent fiscal year are annually appropriated (in

whole or in part) to the Account. All funds within this Account are under the control of the Board for purposes they deem appropriate.

6.6.3. During a fiscal year, the Board may designate or set-aside a portion of the Capital Reserve Account for a particular agency or project. Such designation does not obligate the Board to disburse those funds for those purposes; further, all such designations or set-aside of funds made during the fiscal year shall lapse as of the end of the fiscal year unless otherwise expressly directed by the Board.

6.6.4. Availability of funds from the Capital Reserve Account is contingent upon the formal approval of the Board. At the time of formal approval, available funds will be transferred from the Account to the recipient agency or project budget.
6.7. Appropriation of County Funds to Incorporated Entities and Charitable Donations

6.7.1. Effective July 1, 2010 and for each successive fiscal year thereafter, the Board shall only appropriate County funds in excess of $2,500.00 per fiscal year to legally incorporated entities and to recognized public agencies of local, state and federal governments.

6.7.2. County funds not to exceed $2,500.00 per fiscal year may be appropriated as charitable donations to private individuals and unincorporated groups for special purposes, needs and activities at the discretion of the Board. No such individuals or groups shall receive such donations over more than two successive County fiscal years.

6.7.3. All incorporated entities requesting County funds shall supply documentation of their legal status at the request of the County. No appropriated County funds shall be disbursed to such entities until documentation is received. Incorporated entities shall submit documentation concerning any change to their legal status or organizational structure to the County within thirty days of such change.

ARTICLE 7. AUDIT REQUIREMENTS FOR RECIPIENTS OF COUNTY FUNDS

7.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) to require recipients of County funds in the amount of fifteen thousand dollars ($15,000.00) or more per County fiscal year be subject to an annual independent financial review or audit. The provisions of 7.8. notwithstanding, this Article shall apply to those organizations that receive an appropriation of $15,000.00 or more in funds from the general tax revenues of the County from time of appropriation of the County Operating Budget through October 31 of any County fiscal year.

7.2. The guidelines for independent financial reviews or audits shall be recommended by the County auditor and approved by the Board. The approved guidelines shall be set forth in writing and made part of this Article. These guidelines may be amended or modified from time to time upon recommendation of the County auditor and approved by the Board. Organizations may use more stringent review or audit procedures so long as the applicable guidelines are substantially met.

7.3. In general, the County guidelines for reviews or audits shall be for the purpose of establishing and maintaining proper internal controls regarding the expenditure of County funds by recipient organizations. These guidelines shall also be for the purpose of facilitating full disclosure of the nature of expenditure of County funds by or on behalf of recipient organizations. These guidelines shall be liberally construed so as to be inclusive of all transactions involving County funds. To the degree possible, disclosure of the expenditure of other funds of the recipient organization shall be to an extent only to facilitate disclosure of expenditures involving County funds. The guidelines may differ

for various recipient organizations so long as the purposes set out herein are satisfied, with prior approval of the Board. A certified public accountant who is not an employee or member of the recipient organization shall be engaged to undertake the review or audit.

7.4. The period covered by the first review or audit shall be for the County fiscal year period beginning July 1, 1997 through June 30, 1998 for organization receiving $10,000.00 or more in County funds within this same period and for each successive County fiscal year period thereafter as long as the organization continues to receive $10,000.00 or more in County funds. After July 1, 2006, any organization which receives $15,000.00 or more in County funds for the first time shall be required to submit a review or audit no later than November 30 of the County fiscal year immediately following the fiscal year when such funds were first received. Where recipient organizations undertake a review or audit in general compliance with the County guidelines on the basis of a calendar year operating cycle other than the County fiscal year, these reviews or audits shall be acceptable as long as a review or audit is submitted for a period encompassing July 1 of the County fiscal year in which such funds were first received.

7.5. Organizations subject to this Article shall forward one (1) copy of their review or audit to the office of the County Administrator no later than November 30, 1998, and each November 30 thereafter for reviews or audits of each successive County fiscal year. Said documentation shall be made available for review by the Board and public within five (5) working days of its receipt unless disclosure would be detrimental to a current or pending criminal or civil investigation of a recipient organization. The office of the County Administrator shall retain all reviews or audits for a period of two (2) calendar years from the date of their receipt, after which time they may be discarded.
7.6. The Board reserves the right to withhold disbursement of appropriated funds to any recipient organization failing to comply with the provisions of this Article, and to take any other lawful action deemed necessary or appropriate. Specific Board action shall be required to direct withholding of appropriated funds, or to take such other action in response to the failure of any recipient organization to comply with the provisions of this Article. The County Administrator or his designee shall advise the Board as to which recipient organizations fail to meet the November 30 submission deadline. Extensions of the November 30 deadline may be granted by the Board.

7.7. The Board may make available to recipient organizations full or partial funding to defray the cost of reviews or audits, subject to appropriation of funds for this purpose. Failure to provide such funding shall not relieve the requirements of this Article. Nothing herein shall be construed to obligate the Board to provide funding to defray the cost of reviews or audits already required of certain organizations prior to the enactment of this Article, nor to require a separate, independent financial review or audit of any recipient organization which is a component unit of the state, federal and/or local government(s) and already subject to annual audit. Nothing herein shall be construed to relieve or supersede more stringent audit requirements set forth by law.

7.8. The provisions of this Article may be applied to other organizations receiving County funds by majority vote of the Board at any official meeting. The Board may similarly exempt any recipient organization from the provisions of this Article.

7.9. This Article shall become effective July 1, 2006 for the County fiscal year beginning July 1, 2006 through June 30, 2007. This Article shall be continued for subsequent County fiscal year periods unless amended or abolished pursuant to the provisions of Board's By-Laws.

7.10. Audit Guidelines for Recipients of County Funds

7.10.1. Recipient Organization Responsibilities:

a. The recipient organization is responsible for implementing and maintaining an accounting system that will accurately report the sources and uses of cash so as to produce a statement of cash receipts and disbursements for the organization's fiscal or operating year.

b. The recipient organization is responsible for implementation and maintenance of an internal control structure over the cash receipts cycle and cash disbursements cycle. The internal control structure should be designed to give assurance that cash is safeguarded against unauthorized use or disposition, and that transactions are executed in accordance with the organization's Board of Director's (or other executive body) authorization.

c. The recipient organization is responsible for compliance with applicable laws, regulations, and risk management. Compliance requirements include but are not limited to Internal Revenue Code section 501(C)3 status, the filing of required tax returns and/or reports, and maintaining adequate insurance coverage.

d. The recipient organization is responsible for engaging the services of a certified public accountant who is not an employee or member of the recipient organization to undertake the audit.

7.10.2. Audit Standards:

a. The audit period shall span at least one (1) complete County fiscal year period (July 1 through June 30).

b. The auditor (certified public accountant) shall give an opinion as to the fair presentation of the recipient organization's Statement of Cash Receipts and Disbursements. Generally Accepted Auditing Standards will be followed in issuing the opinion.

c. The auditor shall conduct a study and evaluation of the recipient organization's internal control structure over cash receipts and disbursements as it relates to the Statement of Cash Receipts and Disbursements. The auditor shall issue a report in regard to the internal control structure and make recommendations, if any, on ways to strengthen said internal controls.

d. The auditor will test the organization's compliance with laws, regulations, and risk management that are material to the organization. A report shall be issued by the auditor as to the organization's compliance or non-compliance.

e. The auditor shall issue a report which at a minimum will include: (1) the recipient organization's Statement of Cash Receipts and Disbursements, (2) the auditor's opinion on the Statement of Cash Receipts and Disbursements, (3) the auditor's report on internal controls, and (4) the auditor's report on compliance.

f. The auditor will use applicable professional standards in conducting the audit and issuing the reports.

ARTICLE 8. <u>COUNTY SEAL AND COUNTY FLAG</u>

8.1. The official Great Seal of the County of Washington, Virginia shall be that designed by Arthur DuBois and adopted by the Washington County Board of Supervisors (hereinafter the Board) on January 4, 1978. The official Flag of the County of Washington, Virginia shall be that designed by Jennifer Holliday and adopted by the Board on July 14, 1998. The emblem appearing in the center of the official Flag is designated as the Minor Seal of the County.

8.2. The Great Seal shall be used for the embossing of all official documents of the County where appropriate or required. The Great Seal and Flag shall be displayed in the Board of Supervisors Meeting Room within the County Administration Building and may be displayed within the buildings and upon the grounds of other public facilities of the County government.

8.3. Any office, department, board, authority or commission of the County government, or any entity originating from same, may display and use the Great Seal or Great Seal and Minor Seal together on its official stationary and other documents. The Great Seal or Great Seal and Minor Seal together may be displayed to denote proprietary possession of or official designation and use by the County government. The Great Seal, Minor Seal and Flag may also be displayed to promote the County generally at appropriate locations and functions.

8.4. Any private person, group or organization, or non-County governmental entity wishing to reproduce, display and/or use the Great Seal, Minor Seal or official Flag of the County rendered upon any physical or electronic media shall obtain permission through the Office of County Administrator or Board. Nothing herein shall be construed to prohibit the sale or distribution, display and use of the Great Seal, Minor Seal and Flag rendered on media produced by and made available through the Office of County Administrator.

Great Seal of the County of Washington, Virginia ***Flag of the County of Washington, Virginia***

ARTICLE 9. <u>DISPLAY AND DISTRIBUTION OF MATERIALS</u>

9.1 In the interest of preserving the orderly conduct of business, it is the policy of the Washington County Board of Supervisors (hereinafter the Board) to prohibit certain expressive activities as described in this policy in the Board Meeting Room, the Executive Conference Room, areas

immediately adjoining these rooms, and any area within fifty (50) feet of the main entrance to the Board Meeting Room one (1) hour before and after and during meetings of the Board. Prohibited activities include, but are not limited to, any of the following: petitioning, picketing, displaying signs or posters, solicitation, demonstrating, pamphlet distribution, and conducting polls or surveys. Such restrictions shall be applied to any building and grounds owned or leased by the Board or County where a meeting of the Board is conducted.

9.2. Nothing herein shall be construed to preclude persons addressing the Board during Board Meetings in the manner set forth by the Board's By-Laws or from delivering to the Board or the County Administrator, County Attorney, and/or Recording Clerk written materials including reports, statements, exhibits, letters, or signed petitions. Use of display materials and/or media in the course of presentation of information as an approved Agenda Item shall be permitted.

9.3. Any violation of the provisions herein this Article shall enable the County Administrator, Acting County Administrator, Chairman or Acting Chairman to cause the confiscation of prohibited materials and, if necessary to allow the orderly conduct of business, the removal of parties who refuse to comply with this policy from the building and grounds where the meeting is being conducted. Confiscated materials shall be returned to their owner upon adjournment or recess of the meeting.

9.4. Any public body of the County, including Board committees and advisory boards may limit expressive activities in a like manner upon approval of a majority of the members appointed thereto. Such public bodies, committees and advisory boards may adopt similar policies or may apply the provisions of this Article.

9.5. The administrative offices section of the County Administration Building is not a forum for general public announcements or other expressive activities of the general public. These offices shall operate in a non-partisan manner. The County Administrator has the authority to designate area(s) for public announcements and to limit the time for posting of such announcements and notices. The posting of statements of political opinions are prohibited in the administrative offices section of the County Administration Building and on the grounds thereof during regular business hours. Any material posted in violation of this policy shall be confiscated by the County and, if possible, returned to its owner. If confiscated materials are not claimed within twenty-four hours of confiscation or if the materials are of negligible value, then the County Administrator may authorize disposal of such materials.

ARTICLE 10. ENFORCEMENT OF COUNTY CODE

10.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) that County administrative officials responsible for the enforcement of various provisions of the Washington County Code do so fairly and equitably. To these ends the provisions of this Article are intended to serve as guidelines for such enforcement activities.

10.2. Compliance with the provisions of the County Code shall be the primary objective in all County Code enforcement activities. Punitive measures where provided by law need not be sought or imposed in each case for minor first-time violations as determined by the County Attorney.

10.3. Initial investigation of possible County Code violations shall be initiated upon receipt of a verbal or written complaint or information from identifiable party(ies) with whom subsequent contact by the County may be made if necessary (name, residential street and mailing address and telephone number

required). Verbal complaints or information provided by identifiable party(ies), whether delivered in person or telephonically, shall be requested to be committed to writing and submitted by the identifiable party(ies) either on forms provided by the County or freeform (name, residential street and mailing address and telephone number required). Anonymous complaints or information whether made in person, telephonically or in written form and verbal-only complaints or information from identifiable party(ies) shall generally be given secondary priority with respect to initial investigation.

10.4. To the extent manpower resources will permit County administrative employees charged with County Code enforcement responsibilities shall proactively identify and initially investigate possible County Code violations. The head of each County administrative department with County Code enforcement responsibilities shall establish administrative guidelines or protocols with the offices of County Administrator and County Attorney with respect to enforcement priorities within the area(s) of the County Code they are responsible for, the personnel within the department responsible for County Code enforcement activities, the role of the County Administrator and County Attorney in determining possible violations, guiding investigations and prosecuting possible violations, and such other matters related to overall coordination and efficacy of the County Code enforcement efforts. Such protocols may be in the form of general understandings between the involved officials and employees or may be set out in writing in the form of administrative policies and procedures.

10.5. Unless otherwise prescribed by law or specific Board policy, no less than five (5) consecutive calendar days nor more than ninety (90) consecutive calendar days shall be permitted for an alleged violation to achieve compliance with provisions of the County Code after written notice by the County has been received. The amount of time permitted to achieve compliance shall be determined by the County administrative employee responsible for enforcement of the specific County Code provision(s) consistent with the guidelines or protocols developed pursuant to 10.3. herein Alleged violations of the same general character should be granted approximately the same amount of time to achieve compliance. The amount of time to achieve compliance may be modified where an immediate threat to public health, safety or welfare is determined.

10.6. Identification of complainants or person(s) supplying information related to a possible County Code violation to the party(ies) subject of the possible violation shall be in accordance with Article 3 of these General Policies.

ARTICLE 11. BOARDS OF DIRECTORS OF CERTAIN ORGANIZATIONS RECEIVING COUNTY FUNDS

11.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) to require the election of board of directors or their legal equivalent of incorporated community and community center organizations receiving County funds in the amount of ten thousand dollars ($10,000.00) or more per County fiscal year under the guidelines specified herein.

11.2. The by-laws or legal equivalent of such recipient organizations shall be lawfully amended so as to provide for the direct election of all board of directors members. The electorate from which these directors shall be elected shall be described in said by-laws and shall at minimum be fairly representative of the constituency served by the recipient organization. The by-laws may provide for a nominating mechanism that shall provide at least two nominees for each seat subject to election. Election of all directors shall occur at least every four years. The by-laws shall provide a minimum notice requirement of a pending election no less than 30 consecutive days prior to the election. The notice shall be posted on the main entrance of the location at which meetings of the board of directors

regularly occur and shall remain posted until the day after elections occur. The notice shall give the date, place and time of elections and the full names of all official nominees for election, if any. Additional notice of elections is encouraged. The first election of directors shall be scheduled for no later than October 31, 2003.

11.3. On or before August 1, 2003, the board of directors of all affected recipient organizations shall submit a certified copy of their by-laws or legal equivalent to the County Attorney for review. The County Attorney shall report to the Board his/her opinion as to compliance with this Article no later than September 1, 2003. The Board reserves the right to withhold disbursement of appropriated funds to any recipient organization failing to comply with the provisions of this Article, and to take any other lawful action deemed necessary or appropriate. Specific Board action shall be required to direct withholding of appropriated funds, or to take such other action in response to the failure of any recipient organization to comply with the provisions of this Article. The County Attorney shall advise the Board as to which recipient organizations fail to meet the August 1submission deadline. Extensions of the August 1 deadline may be granted by the Board. Any subsequent amendment to the by-laws or legal equivalent of recipient organizations affecting elections shall be submitted to the County Attorney for review and opinion within 30 days of the amendment. The County Attorney shall review and report to the Board his/her opinion as to continued compliance with this Article within 30 days of receipt of the amendment.

11.4. Notice of pending elections shall be submitted in writing to the County Attorney as of the date of posting pursuant to 11.2. herein. The results of the election shall also be submitted in writing to the County Attorney no less than 14 days after elections have occurred giving the names, mailing addresses and telephone numbers of all elected directors and their terms of office.

11.5. Recipient organizations already providing for direct election of their board of directors shall submit a certified copy of their by-laws or legal equivalent to the County Attorney for review pursuant to 11.3. herein.

11.6. The provisions of this Article may be applied to other organizations receiving County funds by majority vote of the Board at any official meeting. The Board may similarly exempt any recipient organization from the provisions of this Article.

11.7. This Article shall become effective July 1, 2003 for the County fiscal year beginning July 1, 2003 through June 30, 2004. This Article shall be continued for subsequent County fiscal year periods unless amended or abolished pursuant to the provisions of Board's By-Laws.

ARTICLE 12. BOARD OF SUPERVISORS EXPENSES

12.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) to provide for the expenses incurred by its members in the performance of their official duties and responsibilities pursuant to Virginia Code § 15.2-1508.1 in accordance with the following.

12.2. Board Use of County Motor Vehicles and Personal Vehicles:

12.2.1. Board members should use County motor vehicles assigned to the Administrative Division of the County government for Board-related travel where possible, especially for travel outside Washington County and the City of Bristol, Virginia. Board members should attempt to reserve a County motor vehicle for their use at least one day in advance when possible through the Office of

County Administrator. The County Administrator shall keep at least one Administrative Division fleet vehicle available at all times for Board use to the extent practical.

12.2.2. Board members may be reimbursed for use of their personal vehicles for travel to and from meetings and functions related to their office and sanctioned appointments pursuant to Article 10 of the Board's By-laws, as follows:

a. For travel within Washington County and the City of Bristol, Virginia ('in-County'), Board members may be reimbursed for mileage at the full rate per mile established for employees of the Virginia state government not to exceed $50.00 per calendar month, limited to the following:

1. ***Attending official meetings and functions of the Board except the semi-monthly regular meetings; and***
2. ***Attending meetings and functions related to sanctioned appointments.***

Mileage in excess of $50.00 within a calendar month for such in-County travel is non-reimbursable. For the purposes of this subsection, a fixed total mileage shall be calculated from the Board member's residence to the County Administration Building then doubled and used as the basis for the reimbursement on a monthly basis for attending eligible Board meetings/functions and meetings/functions related to sanctioned appointments held at the County Administration Building.

b. For travel outside of Washington County and the City of Bristol, Virginia ('out-of-County'), Board members may be reimbursed for mileage at the full rate per mile established for employees of the Virginia state government not to exceed $150.00 per calendar month, limited to the following:

1. ***Attending official meetings and functions of the Board held out-of-County;***
2. ***Attending meetings and functions related to sanctioned appointments held out-of-County; and***
3. ***Attending conferences, meetings, events and other functions related to their office (other than those involving unsanctioned appointments).***

Mileage in excess of $150.00 within a calendar month for such out-of-County travel is non-reimbursable. Board members shall not be prohibited from receiving reimbursement for travel related to unsanctioned appointments from sources other than the County.

Other travel expenses in addition to mileage reimbursements set out above shall be considered Board-related expenses and subject to the further provisions of this Article.

12.2.3. County motor vehicle insurance coverage is not extended to Board members using personal vehicles for Board-related travel.

12.3. Board Travel and Related Expenses Eligible for Charge or Reimbursement:

12.3.1. Board members shall be issued credit cards obtained by the County for use during their term of office. To the extent practical, Board members shall use the County credit card to charge eligible expenses rather than seek reimbursement. Board members may be reimbursed for or charge the following to the County credit card:

a. Fuel purchases for County motor vehicles during Board-related travel.

b. Use of long-distance common-carrier transportation such as airlines, buses, trains and taxis to travel or commute to and from Board-related travel.

c. Cost of lodging, meals (including lodging-related amenities and tips or gratuities not to exceed fifteen (15%) percent of the total bill), tolls, parking fees and related fares or charges incurred as a direct result of Board-related travel.

12.4. Board Travel and Related Expenses Not Eligible for Charge or Reimbursement:

12.4.1. The following may not be reimbursed or charged to a Board member's County credit card:

a. Repairs or emergency road assistance to a Board member's personal vehicle while in use for Board-related travel.

b. Expenses incurred for emergency medical or health-related services while traveling on Board-related functions, unless said services are determined to qualify for Worker's Compensation benefits.

c. Personal expenses incurred during Board-related travel, such purchases of goods and services for personal use or convenience.

d. Where practical, spousal, family or Board member guest expenses incurred while accompanying Board members on Board-related travel should not be billed or charged to the County. However, where necessary due to the difficulty in separating charges at the time expenses are incurred, such expenses may be billed to the County or charged to the County credit card subject to reimbursement within 30 days of the County's receipt of the bill).

12.5. Per-Diem Guidelines for Board Lodging and Meal Expenses:

12.5.1. Whenever possible, lodging reservations for Board members should be made in advance of the trip through the Office of County Administrator and billed directly to the County. Receipts for all lodging must be kept when a County credit card is used or if the Board member wishes to seek reimbursement for lodging costs. Where the function's sponsor recommends or provides lodging associated with the function, the County will pay for or reimburse in full the cost of such lodging. Alternately, Board members are free to select lodging of their choice, as a guideline generally not exceeding $200.00 per night single-occupancy.

12.5.2. Board members may charge or be reimbursed for meals during Board-related travel, as a guideline generally not exceeding $100.00 per day. Receipts for all meals purchased must be kept when a County credit card is used or if the Board member wishes to seek reimbursement for meals.

12.6. Board members shall apply for reimbursement on forms provided by the County Department of Accounting. Reimbursement shall be applied for within thirty (30) calendar days of the first date on which expenses were incurred. In the event of a change in the rate of reimbursement, the rate paid will be that in effect at the time the expense was incurred.

12.7. Other Board Member Expenses:

12.7.1. Depending on need and other circumstances, the County may provide the Board (individually or as a group) certain telecommunication (i.e., mobile telephone and Internet access, as examples) and other services deemed necessary or convenient for the performance of their office. As a guideline, the direct outlay for such services (either in reimbursement or in County-purchased services) should not exceed $150.00 per calendar month per Board member.

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CHAPTER 03 - OPERATING PROCEDURES FOR CALENDAR YEAR 2010
Effective Date: Adopted January 12, 2010

SECTION 1. DESIGNATED HOLIDAYS

The holidays for Administrative Division employees (defined in the Washington County Board of Supervisors Personnel Policies and Procedures Manual for Administrative Division Employees) for Calendar Year 2010 are as follows:

Lee-Jackson Day……..	***January 15***
Martin Luther King Day.....	***January 18***
President's Day ……..	***February 15***
Good Friday.....	***April 2***
Memorial Day.....	***May 31***
Independence Day.....	***July 5 (observed)***
Labor Day.....	***September 6***
Columbus Day.....	***October 11***
Veteran's Day.....	***November 11***
Thanksgiving.....	***½ Day November 24*** ***November 25 & 26***
Christmas.....	***December 24***
New Year's 2010.....	***December 31***

County administrative offices shall be closed on designated holidays (certain Administrative Division personnel and/or administrative departments may be required to work on such designated holidays). Additional holidays may be added by action of the Board of Supervisors.

The holidays set forth above shall be only for Administrative Division employees. These holidays are not intended to be established for county employees of other Divisions of the county government as defined in the Washington County Board of Supervisors Personnel Policies and Procedures Manual for Administrative Division Employees.

SECTION 2. DESIGNATED REGULAR AND RECESSED MEETINGS OF THE BOARD OF SUPERVISORS FOR PREPARATION OF THE COUNTY OPERATING BUDGET

The following Regular and Recessed Meetings of the Board of Supervisors have been designated for preparation of the Fiscal Year 2010-2011 County Operating Budget and scheduled for Calendar Year 2010:

Date	Event	Action
January 21, 2010	*BOS/WCSB Budget Committee 4:00 PM*	*Joint School Board Budget Study Committee Meeting on Proposed FY 2010-2011 School Budget*
January 28, 2010	*BoS/WCSB Recessed Meeting 7:00 PM*	*Joint Board of Supervisors/School Board Workshop Meeting on Proposed FY 2010-2011 School Budget*
February 9, 2010	*BoS Recessed Meeting 5:30 PM*	*Presentation of County FY 2009- 2010 Operating Revenue Estimates*
February 23, 2010	*BoS Regular Meeting*	*Presentation of County Administrator's Recommended FY 2010-2011 County Operating Budget*
February 25, 2010	*BoS Recessed Meeting*	*Departmental and Agency Comments Concerning the County Administrator's Recommended FY 2010-2011 County Operating Budget*
March 2, 2010	*BoS Recessed Meeting*	*First Board of Supervisors Worksession Meeting for Adjustments to Requested and Recommended FY 2010-2011 County Operating Budget*
March 4, 2009	*BoS Recessed Meeting*	*Second Board of Supervisors Worksession Meeting for Adjustments to Requested and Recommended FY 2010-2011 County Operating Budget*
March 11, 2010	*BoS Recessed Meetings 5:30 PM*	*Public Hearing on Requested and Recommended FY 2010-2011 County Operating Budget*
	6:30 PM	*Third Board of Supervisors Worksession Meeting for Adjustments to Requested and Recommended FY 2010-2011 County Operating Budget*
March 16, 2009	*BoS Recessed Meeting*	*Fourth Board of Supervisors Workshop Meeting for Adjustments to Requested and Recommended FY 2010-2011 County Operating Budget (if needed)*
March 18, 2010	*BoS Recessed Meeting*	*Fifth Board of Supervisors Worksession Meeting for Adjustments to Requested and Recommended FY 2010-2011 County Operating Budget (if needed)*
March 23, 2010	*BoS Regular Meeting*	*Preliminary Approval of FY 2010-2011 County Operating Budget and Establishment of County Real Property Tax Rates for FY 2010-2011*
May 13, 2010	*BoS Recessed Meeting*	*Board of Supervisors Worksession Meeting for Adjustments to Preliminarily Approved FY 2010-2011 County Operating Budget due to State Budget*
May 25, 2010	*BoS Regular Meeting*	*Final Adoption of County Operating Budget via Budget Resolution for FY 2010-2011 and Establishment of County Personal Property & Machinery/Tools Tax Rates for FY 2010-2011*
June 8, 2010	*BoS Regular Meeting*	*Adoption of FY 2010-2011 County Appropriations Resolution*

In addition, the following dates and deadlines are established for beginning preparation of the Fiscal Year 2011-2012 County Operating Budget in Calendar Years 2010 and 2011:

Date	*Event*	*Action*
November 12, 2010	***Dept of Accounting Action***	***Mail out Requests For Funding to Non-profit Organizations***
November 19, 2010	***Dept of Accounting Action***	***Mail out Requests For Funding to County Departments & Agencies***
December 30, 2010	***Dept of Accounting Action***	***Deadline to Receive Budget Requests From All Non-profit Organizations, County Departments & Agencies (except Schools)***
February 9, 2011	***School Board Action***	***Deadline to Receive FY 2011-2012 School Budget Request***

The above schedule is tentative and subject to change. All meeting times are tentatively set for 6:30 PM (unless otherwise noted) and meeting locations shall be announced and appropriately publicized where required.

SECTION 3. DESIGNATED PUBLIC HEARINGS OF THE BOARD OF SUPERVISORS

The Board of Supervisors shall conduct all required Public Hearings on matters relating to zoning and subdivision within twenty-one (21) calendar days of the date of such matters' first public hearing or reading before the Washington County Planning Commission, or as soon as may be practical and lawful. Should any zoning or subdivision matter be deemed to require expedient disposition, either due to circumstances of necessity or where a Joint Public Hearing and Meeting would appear to be in the interests of both the Planning Commission and Board of Supervisors, the County Administrator, in consultation with the County Zoning and Subdivision Official, County Attorney and Chairmen of the Board of Supervisors and Planning Commission, may at his discretion schedule a Joint Public Hearing and Meeting where action on the matter may be taken concurrently.

SECTION 4. SCHEDULE OF INVOCATIONS AT MEETINGS OF THE BOARD OF SUPERVISORS

Month of January.....	***District A-01 Supervisor***
Month of February.....	***District B-01 Supervisor***
Month of March.....	***District C-01 Supervisor***
Month of April.....	***District D-01 Supervisor***
Month of May.....	***District E-01 Supervisor***
Month of June.....	***District F-01 Supervisor***
Month of July.....	***District G-01 Supervisor***

Month of January.....	***District A-01 Supervisor***
Month of August.....	***District A-01 Supervisor***
Month of September.....	***District B-01 Supervisor***
Month of October.....	***District C-01 Supervisor***
Month of November.....	***District D-01 Supervisor***
Month of December.....	***District E-01 Supervisor***

SECTION 5. <u>OPERATING GUIDELINES OF THE BOARD OF SUPERVISORS</u>

Board Members will assist the Board Chair in enforcing the following Operating Guidelines:

5.1. Board Members recognize that good decisions require full discussion of policy issues through participation from all Members. In doing so, the Board's discourse and actions should reflect the utmost respect for each Member, the staff, and the public.

5.2. When the Board is considering an issue specific to or predominately involving a Supervisor's district, we will provide the opportunity to that Supervisor to speak to it first.

5.3. When the Board is discussing an issue that has been considered by a Board committee, we will provide the opportunity for the Board Committee Members to address the issue before other Members speak.

5.4. In the interests of properly representing our citizens, the Board expects that Members will abstain from voting only when there is a conflict of interests or to be in conformance with the Board's By-laws.

5.5. In public hearings, the Board Members are there to hear comments and should avoid debating issues with the speakers. When asking the speaker a clarifying question, Board Members will avoid expressing their opinions of the issue and reserve comments for the discussion period following the hearing.

5.6. To insure that meetings are focused and efficient, Board Members will direct comments to and request permission to address the speaker from the Chairman.

5.7. While Board Members may differ publicly on policy issues, they will avoid criticizing other Members personally and will present their arguments or position in ways that are respectful of others' opinions.

5.8. Members of the Board will defer to the Board Chair or the County Administrator to represent the position of the Board after the Board takes official action.

5.9. Board Members will refrain from discussing specific staff performance issues in public meetings and will direct concerns to the County Administrator in private.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

6. Establishment of and Appointments to Committees and Advisory Boards of the Board of Supervisors for Calendar Year 2010

a. Consideration of Resolution Establishing Committees and Advisory Boards of the Board of Supervisors for Calendar Year 2010

Mr. Reeter explained that before the Board for their consideration is a proposed Resolution to reestablish Committees and Advisory Boards of the Board of Supervisors for Calendar Year 2010. A Joint County Economic Development Committee is proposed for Calendar Year 2010. It is recommended that the Joint County Purchasing/Procurement Committee and Joint County Parks & Recreation Committee not be re-established for Calendar Year 2010.

On motion of Mr. McCall, second by Mr. Owens, the Board acted to adopt the following Resolution:

RESOLUTION 2010-01
ESTABLISHING COMMITTEES AND ADVISORY BOARDS
OF THE BOARD OF SUPERVISORS FOR CALENDAR YEAR 2010

WHEREAS, pursuant to the By-Laws of the Washington County Board of Supervisors for Calendar Year 2010, Committees and Advisory Boards of the Board of Supervisors may be formed for the purposes of in-depth review, investigation, oversight, research, development and/or reporting on or about matters of interest to the Board or County, and

WHEREAS, the Board of Supervisors has determined there are such matters that warrant the establishment of Committees and Advisory Boards;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it hereby establishes the following Committees and Advisory Boards for the Calendar Year as of January 12, 2010:

County Facilities Committee, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to County office and other building facilities, including assessing the immediate and long-term needs of such facilities.

This Committee shall consist of two members of the Board of Supervisors. The County Administrator and County General Services Manager shall coordinate and assist in the work of this Committee. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters. All meetings of this Committee shall be open to the public unless such matters come before the Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

<u>County Emergency Services Committee</u>, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining fire and emergency medical rescue services in Washington County.

This Committee shall consist of two members of the Board of Supervisors. The County Administrator and County Emergency Services Coordinator shall coordinate and assist in the work of this Committee. All meetings of this Committee shall be open to the public unless such matters come before the Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

<u>County Personnel Committee</u>, established for the purposes of for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to personnel needs, policies and practices of the Washington County government.

This Committee shall consist of two members of the Board of Supervisors. The County Administrator, County Attorney, Assistant County Administrator and County Accounting Manager shall coordinate and assist in the work of this Committee. All meetings of this Committee shall be open to the public unless such matters come before the Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

<u>Joint County Economic Development Committee</u>, for the purpose of review, oversight, investigation, development of recommendations and reporting on matters involving coordination of County economic development activities between the Board of Supervisors and Washington County Industrial Development Authority (IDA).

This Joint Committee shall consist of the Chairman of the Board of Supervisors and one other Board member. The IDA shall appoint its Chairman and one other IDA member to this Joint Committee. The County Administrator and Assistant County Administrator shall coordinate and assist in the work of this Joint Committee. These Joint Committee members may seek additional participants as deemed necessary and appropriate in pursuit of matters to which the Joint Committee is charged. All meetings of this Joint Committee shall be open to the public unless such matters come before the Joint Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

<u>Joint County Planning & Land-Use Committee</u>, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to revising the Washington County Comprehensive Plan and County land-use ordinances in coordination with the Washington County Planning Commission.
This Joint Committee shall consist of two members of the Board of Supervisors and two members of the Washington County Planning Commission. The County Administrator, Assistant County Administrator, County Attorney and County Zoning & Subdivision Official shall coordinate and assist in the work of this Joint Committee. These Joint Committee members may seek additional participants as deemed necessary and appropriate in pursuit of matters to which the Joint Committee is charged. All meetings of this Joint Committee shall be open to the public unless such matters come before the Joint Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

<u>Joint County School Budget Committee</u>, established for the purpose of the review of the proposed Washington County School Board budget and the development of recommendations for funding of same for presentation in the County Administrator's Proposed and Recommended County Operating Budget, in coordination with the Washington County School Board.

This Joint Committee shall consist of two members of the Board of Supervisors and two members of the Washington County School Board. The County Administrator, County Accounting Manager, Superintendent of Schools, School Board Director of Finance, and such other School Board staff as deemed appropriate shall assist in the work of this Joint Committee. All meetings of this Joint Committee shall be open to the public.

Joint County Utilities Committee, established for the purpose of review, oversight, investigation, development of recommendations and reporting on matters pertaining to the provision of public water and sanitary sewer services throughout Washington County, in coordination with the Washington County Service Authority and Washington County Industrial Development Authority.

This Joint Committee shall consist of two members of the Board of Supervisors, two members of the Washington County Service Authority and one member of the Washington County Industrial Development Authority. The County Administrator, Assistant County Administrator and General Manager of the Washington County Service Authority shall coordinate and assist in the work of this Joint Committee. These Joint Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Joint Committee matters. All meetings of this Joint Committee shall be open to the public unless such matters come before the Joint Committee as may be exempt from disclosure pursuant to the Virginia Freedom of Information Act.

BE IT FURTHER RESOLVED that these Committees and Advisory Boards organize and conduct themselves in the manner they deem appropriate in pursuit of matters in their charge and in accordance with all state and local law.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

Mr. Taylor inquired about the County holiday schedule. He questioned the Lee/Jackson holiday stating that it was his understanding that this holiday had been combined with the Martin Luther King Holiday. Mr. Reeter explained that the Lee-Jackson holiday is a state holiday and Martin Luther King is a federal holiday. They are observed on separate dates.

b. Consideration of Appointments to Committees and Advisory Boards for Calendar Year 2010:

1. County Facilities Committee

Mrs. Mumpower asked that she not be reappointed to the County Facilities Committee.

On motion of Mrs. Mumpower, second by Mrs. Price, it was resolved to nominate and reappoint Supervisor Odell Owens, and to nominate and appoint Supervisor Joseph Straten to the County Facilities Committee for Calendar Year 2010.

The vote on this motion was as follows: (5-0-2)

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Abstained***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Abstained***
Mr. Taylor	***Aye***

2. Appointments to Emergency Services Committee

On motion of Mr. Owens, second by Mr. Straten, it was resolved to nominate and appoint Supervisors Phillip McCall and Dulcie Mumpower to the Emergency Services Committee for Calendar Year 2010.

The vote on this motion was as follows: (5-0-2)

Mr. McCall	***Abstained***
Mrs. Mumpower	***Abstained***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

3. Appointments to Personnel Committee

Mr. Owens asked not to be reappointed to the Personnel Committee.

On motion of Mr. Owens, second by Mr. McCall, it was resolved to nominate and reappoint Supervisor Dulcie Mumpower, and to nominate and appoint Supervisor Nicole Price to the Personnel Committee for Calendar Year 2010.

The vote on this motion was as follows: (5-0-2)

Mr. McCall	***Aye***
Mrs. Mumpower	***Abstained***
Mr. Owens	***Aye***
Mrs. Price	***Abstained***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

4. Joint Economic Development Committee

Mr. Reeter explained that the individuals serving as Chair to the Board of Supervisors and Industrial Development Authority will automatically be members of the Joint Economic Development Committee. The Board needs to appoint one additional member of the Board to this Committee.

A motion was made by Mr. Taylor to appoint Mr. Reynolds to the Joint Economic Development Committee for Calendar Year 2010. No second was made to Mr. Taylor's motion.

On motion of Mrs. Mumpower, second by Mr. Owens, it was resolved to nominate and appoint Supervisor Joseph Straten to the Joint Economic Development Committee for Calendar Year 2010.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Abstained***
Mr. Taylor	***Aye***

5. Appointments to Joint County Planning & Land-Use Committee

On motion of Mrs. Mumpower, second by Mr. Owens, it was resolved to nominate and reappoint Supervisors Phillip McCall and Tom Taylor to the Joint County Planning & Land-Use Committee for Calendar Year 2010.

The vote on this motion was as follows: (5-0-2)

Mr. McCall	***Abstained***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Abstained***

6. Appointments to Joint School Budget Committee

On motion of Mr. McCall, second by Mr. Owens, the Board acted to nominate and reappoint Supervisor Tom Taylor, and to nominate and appoint Supervisor Nicole Price to the Joint School Budget Committee for Calendar Year 2010.

The vote on this motion was as follows: (5-0-2)

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Abstained***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Abstained***

7. Joint County Utilities Committee

Mr. Owens asked not to be reappointed to the Joint County Utilities Committee.

On motion of Mr. Owens, second by Mr. Taylor, it was resolved to nominate and reappoint Supervisor Kenneth Reynolds, and to nominate and appoint Supervisor Joseph Straten to the Joint County Utilities Committee for Calendar Year 2010.

The vote on this motion was as follows: (5-0-2)

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Abstained***
Mr. Straten	***Abstained***
Mr. Taylor	***Aye***

7. <u>Consideration of Various Annual Appointments by the Board of Supervisors, Calendar Year 2010</u>

a. Appointment of County Director of Emergency Services

On motion of Mr. Taylor, second by Mr. Owens, it was resolved to reappoint County Administrator Mark Reeter as Director of Emergency Services for Calendar Year 2010.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

b. Appointment of Board Representative to Abingdon Senior Services, Inc.

On motion of Mr. Owens, second by Mr. McCall, it was resolved to reappoint Mr. L. B. Atkins to represent Washington County on the Abingdon Senior Services, Incorporated Board of Directors for Calendar Year 2010.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

c. Appointment of Board Representative to People, Inc., of Southwest Virginia

On motion of Mrs. Mumpower, second by Mrs. Price, it was resolved to appoint Supervisor Phillip McCall as the Board Representative to the People, Incorporated of Southwest Virginia Board of Directors for Calendar Year 2010.

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

Mr. McCall	***Abstained***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

d. Appointment of Board Representative and Alternate to District III Governmental Cooperative

On motion of Mr. Owens, second by Mrs. Mumpower, it was resolved to reappoint Supervisor Tom Taylor as the Board representative to the District III Governmental Cooperative Board of Directors for Calendar Year 2010.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Abstained***

On motion of Mr. McCall, second by Mrs. Price, it was resolved to reappoint Supervisor Odell Owens as the alternate Board representative to the District III Governmental Cooperative Board of Directors for Calendar Year 2010.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Abstained***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

e. Appointment of Board Representative to Bristol Convention and Visitors Bureau

On motion of Mr. McCall, second by Mr. Owens, it was resolved to reappoint Mike Duckett to represent Washington County on the Bristol Convention and Visitors Bureau Board of Directors for Calendar Year 2010.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

f. Appointment of Two (2) Board Representatives to Southwest Virginia Regional Jail Authority

Mr. Reeter addressed the Board and explained that appointment of two Board representatives to the Southwest Virginia Regional Jail Authority (SWVARJA) need to be made. The SWVARJA By-laws sets the term for a Board member appointee to a two year term and for a non-Board member appointee to a one year term. He further explained that he holds a non-Board member appointment to the SWVARJA and is reappointed annually.

Discussions ensued among the Board.

Mr. Taylor inquired if the SWVARJA's By-laws require the Board appointment to be the Chair or Vice-Chair.

Mr. Reeter explained the Board is not obligated to appoint the Chair or Vice-Chair. Each locality belonging to the SWVARJA has three representatives. The Sheriff is an automatic appointment and the remaining two appointments are made by the Board. The appointments can either be a Board member, or a member of the County staff.

Mrs. Price expressed interest in serving as one of the Board representatives.

Mr. Taylor stated that it would be prestigious to have the Vice-Chair of the Board to serve on the SWVARJA and nominated Odell Owens for the appointment.

Mr. Reeter stated that he would forego his appointment to the SWVARJA so that two members of the Board could be appointed.

On motion of Mrs. Mumpower, second by Mr. Straten, it was resolved to nominate and appoint Supervisors Nicole Price and Odell Owens to the Southwest Virginia Regional Jail Authority for a two year term effective January 1, 2010, and expiring December 31, 2011.

The vote on this motion was as follows: (5-0-2)

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

Mr. Owens	***Abstained***
Mrs. Price	***Abstained***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

g. Appointment of Board Representative to New River-Highlands Resource Conservation and Development Area Council

On motion of Mrs. Mumpower, second by Mr. Taylor, it was resolved to reappoint Henry Snodgrass as the Board representative to the New River-Highlands Resource Conservation and Development Area Council for a one year term effective January 1, 2010, and expiring December 31, 2010.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

8. Consideration of Expired Appointments to Various Boards, Authorities and Commissions:

Washington County Planning Commission

Appointee	*Representing*	*Current Term Expires*
Jack C. Phelps, Jr.	Jefferson Election District	June 30, 2009

The appointment to the Washington County Planning Commission was deferred to a later meeting.

Smyth-Washington Regional Industrial Facilities Authority

Appointee	*Representing*	*Current Term Expires*
Bobby D. Ingle	Washington County	December 31, 2009

A motion was made by Mr. Taylor to appoint Mr. Jay Robinson as Washington County's representative to the Smyth-Washington Regional Industrial Facilities Authority. A second was made by Mr. McCall.

Mr. Taylor explained that Mr. Robinson is employed by Pilgrim's Pride Corporation as a Regional Sales Manager. His job requires that he travel all over the southwestern portion of the United States. Through his business contacts he could promote Washington County. Mr. Robinson is a graduate of Virginia Tech with a B.S. Degree in Marketing Management.

The following substitute motions were made:

A motion was made by Mr. Straten to nominate Mr. James Swartz to serve as Washington County's representative to the Smyth-Washington Regional Industrial Facilities Authority. A second was made by Mrs. Mumpower.

Mr. Straten explained that Mr. Swartz lives in Glade Springs, VA. He serves as Vice-President/Senior Credit Review Officer for Highlands Union Bank. Mr. Swartz is a graduate of the Washington County Leadership Program. Mr. Straten further explained that discussed with Mr. Russell Owens, Chairman of Smyth-Washington Regional Industrial Facilities Authority about the kind of experience they need in an appointee. Mr. Owens indicated that someone with a banking background is needed.

A motion was made by Mrs. Price to nominate Jeffery Wayne Campbell to serve as Washington County's representative on the Smyth Washington Regional Industrial Facilities Authority. A second was made by Mr. Owens.

Mrs. Price explained that Mr. Campbell lives in Saltville, VA and is a retired educator. As an educator, Mr. Campbell worked with the high school DECA Program. His interest is in vocational and technical education and has worked with Bruce Kravitz, Director of the Southwest Virginia Manufacturing Alliance. She further explained that Mr. Campbell is involved with the Saltville Industrial Development Authority where he has served as Chair and Vice-Chair. He has served as past president of the Smyth County Chamber of Commerce. Mrs. Price stated that Mr. Campbell has an excellent working relationship with leaders in both Washington County and Smyth County, and his background makes him an excellent candidate.

Discussions ensued among the Board concerning the nominations for the appointment to the Smyth-Washington Regional Industrial Facilities Authority.

The motions were acted on in reverse order as follows:

On motion of Mrs. Price, second by Mr. Owens, Mr. Jeffery Wayne Campbell was nominated to serve as Washington County's representative on the Smyth-Washington Regional Industrial Facilities Authority.

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

Mr. McCall	***Nay***
Mrs. Mumpower	***Nay***
Mr. Owens	***Nay***
Mrs. Price	***Aye***
Mr. Reynolds	***Nay***
Mr. Straten	***Nay***
Mr. Taylor	***Nay***

The motion failed.

On motion of Mr. Straten, second by Mrs. Mumpower, Mr. James Swartz was nominated to serve as Washington County's representative on the Smyth-Washington Regional Industrial Facilities Authority.

The vote on this motion was as follows: (3-4)

Mr. McCall	***Nay***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Nay***
Mr. Reynolds	***Nay***

Mr. Straten	***Aye***
Mr. Taylor	***Nay***

The motion failed

On motion of Mr. Taylor, second by Mr. McCall, Mr. Jay Robinson was nominated to serve as Washington County's representative on the Smyth-Washington Regional Industrial Facilities Authority.

The vote on this motion was as follows: (3-4)

Mr. McCall	***Aye***
Mrs. Mumpower	***Nay***
Mr. Owens	***Nay***
Mrs. Price	***Nay***
Mr. Reynolds	***Aye***
Mr. Straten	***Nay***
Mr. Taylor	***Aye***

Ms. Phillips proposed that the top two nominees, Mr. James Swartz and Mr. Jay Robinson, be asked to submit their credentials for the Board to review.

Mr. Taylor requested that this appointment be placed on the Agenda for the January 26 Board meeting. He further requested that Mr. Bobby Ingle be asked to attend the Smyth-Washington Regional Industrial Facilities Authority Board meeting on January 14.

Mr. Reeter provided a review of the appointments that will expire on June 30, 2010, to various County Boards, Authorities and Commissions. He advised the Board that these appointments will be placed on Board meeting agendas beginning in April.

9. <u>Consent Agenda</u>:

Mrs. Price requested that approval of the minutes for the December 8 Regular Meeting and December 15 Recessed Meeting be acted upon separately. She explained that because she and Mr. Straten were not yet members of the Board of Supervisors in December they would abstain from voting on approval of the minutes.

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

b. <u>Authorization of Routine Financial Matters</u>:

1. Payment of Bills – Month of December 2009

2. Request for Revenue Refunds – Washington County Sheriff's Office-Animal Sterilization Fees

3. Request for Supplemental Appropriations – Washington County Circuit Court Clerk's Office

4. Request for Supplemental Appropriation – Virginia Department of Emergency Management Grant Award

c. <u>Award of Bids and Approval of Contracts:</u>

1. Approval of Lease Agreement with Town of Abingdon for former Washington County Sheriff's Office Property

d. Authorization of Routine Business matters

1. Adoption of Resolution Regarding Authorized Signatures on County Checks – Approved as follows:

RESOLUTION 2010-02
AUTHORIZED SIGNATURES ON COUNTY CHECKS

BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that all General County accounts payable and payroll checks require the signatures of the County Board of Supervisors Chairperson, County Administrator, and County Treasurer; and further authorizes the Accounting Manager as an alternate signature for the County Administrator.

BE IT FURTHER RESOLVED that signature plates can be used on all General County accounts payable and payroll checks for the signatures of the County Board of Supervisors Chairperson, County Administrator, County Treasurer and Accounting Manager.

BE IT FURTHER RESOLVED that should a new County Board of Supervisors Chairperson be elected, all general County accounts payable and payroll checks shall only require the signatures of the County Administrator and County Treasurer until a signature plate for the new County Board of Supervisors Chairperson is created and received.

BE IT FURTHER RESOLVED that the County Administrator or Accounting Manager are authorized to sign checks for the County's Petty Cash Account, and further stipulates that all persons authorized to sign checks are to be properly bonded.

BE IT FURTHER RESOLVED that the individuals holding any of the positions heretofore mentioned are authorized to sign General County checks under the guidelines as established heretofore; and further that this resolution shall remain in effect until such time as the Board of Supervisors of Washington County, Virginia shall deem it necessary to change.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

a. <u>Approval of Minutes</u>:

On motion of Mr. McCall, second by Mr. Owens, the Board acted to approve item a of the Consent Agenda as set forth below:

1. December 8, 2009, Regular Meeting

2. December 15, 2009 Recessed Meeting

The vote on this motion was as follows: (5-0-2)

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Abstained***
Mr. Reynolds	***Aye***
Mr. Straten	***Abstained***
Mr. Taylor	***Aye***

10. <u>General Business</u>:

a. <u>Actionable Items</u>:

1. Consideration of Resolution Confirming Declaration of Local Emergency on December 18, 2009

Mr. Reeter addressed the Board and explained in his capacity as County Director of Emergency Services that he declared a State of Local Emergency for Washington County as of 3:00 PM on December 18, 2009, due to weather conditions generating snowfall in excess of eight inches in locations throughout the County, stranding motorists and loss of electric power to an estimated 5,000 County power customers.

County Emergency Management Coordinator L. V. "Pokey" Harris addressed the Board and gave a report on the winter storm that occurred on December 18, 2009. Ms. Harris explained the correct dollar amount for damages resulting from the storm should be $2,104.00. She reported that the storm produced seven to twelve inches of snow throughout the County and caused power outages for 5,000 County residents. On the night of December 18, some 300 motorists were stranded on Highway 19/58 for up to seven hours. There was a collaborative effort between the County Department of Emergency Management, Washington County Sheriff's Department and the Virginia State Police to get fuel to the stranded motorists and provide transportation for some of the motorists to an emergency shelter that was opened. A total of two shelters were opened during the storm.

Ms. Harris mentioned the wind storm event that occurred in early December 2009 reporting that a church in Glade Spring suffered about $700,000.00 of damage from the wind. She advised the Board that at their January 26 regular meeting she will provide a detailed report on the County's Emergency Management Office.

Mrs. Mumpower commended Ms. Harris for the outstanding job she is doing for the County.

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

RESOLUTION 2010-03
CONFIRMING DECLARATION OF STATE OF LOCAL EMERGENCY ON DECEMBER 18, 2009

WHEREAS, the Director of Emergency Management for the County of Washington, Virginia declared a State of Local Emergency as of 3:00 PM EST Friday, December 18, 2009 due to weather conditions generating snowfall in excess of 8 inches in locations throughout the County, stranding motorists and resulting in the loss of electric power to an estimated 5,000 County power customers at that time, and

WHEREAS, Virginia Code § 44-146.21. (a) requires the governing body to confirm the declaration and to designate an ending date for the State of Local Emergency;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board confirms the declaration of December 18, 2009 and designates December 21, 2009 as the date of cessation of the State of Local Emergency in Washington County.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

Mr. Reeter inquired to Ms. Harris if she would be submitting a request to the State or Federal Government for reimbursement of some of the costs incurred from the two storm events in December.

Ms. Harris explained there unfortunately does not seem to be a way to recoup money for expenses resulting from the wind/or snow events due to a change in funding formulas. She stated that she contacted the Virginia Department of Emergency Management concerning alternative funding sources. The County may be able to recover expenses associated with the emergency shelters. Ms. Harris advised the Board that she would be bringing a request before the Board to approve reimbursement to the Washington County Department of Social Services and the American Red Cross for the costs they incurred during the recent weather events.

2. Consideration of Proposed Amendment of County Code Chapter 58, Division 3 Concerning Exemption from Taxation of Elderly and Handicapped Persons and Proposed Ordinance Concerning Dog Barking Limitations

Ms. Phillips addressed the Board and explained there are two proposed draft ordinances before the Board for initial review.

Ms. Phillips explained the first of the two draft ordinances would adjust criteria for tax discounts for qualifying elderly and/or disabled individuals. The amendment adjusts the criteria by increasing the maximum total net worth from $69,159.00 to $100,000.00 and increases the current exemption of the qualifying dwelling and one acre of land to the qualifying dwelling and five acres of land. A public hearing on the proposed amendment is scheduled for the January 26 Regular meeting of the Board.

Ms. Phillips explained the second draft ordinance would prohibit excessive dog barking. The Board was provided with an initial draft of the proposed dog barking ordinance in April of last year. However, there were no general discussions concerning the draft ordinance until the end of last year at such time the Board expressed interest in moving forward with the dog barking ordinance. She further explained that she seeks additional guidance from the Board regarding the proposed dog barking ordinance.

Ms. Phillips provided the following review of the draft barking dog ordinance:

Chapter 10. Animals
Article II. Dogs and Cats
Division 1. Generally

Sec. 10-33. Excessive dog barking.

a. Excessive dog barking is prohibited.

b. Excessive dog barking shall mean barking that occurs on a frequent or habitual basis for multiple days; barking that persists continuously for periods of time in excess of 15 minutes or multiple shorter episodes for consecutive, cumulative time periods in excess of one hour; and such barking is plainly audible across outdoor real property boundaries or through partitions common to two residences within a building.

c. Exemptions from the restrictions include animal shelters or kennels; dogs hunting with supervision of the dog owner; any dog which, at the time of the barking, was responding to pain or injury, or was protecting itself, its kennel, its offspring or its owner or owner's property.

d. No summons or warrant charging a violation of this section shall be issued except (1) upon the sworn complaint before a magistrate of two persons, each a resident of a separate household, and each alleging facts within their own personal knowledge or (2) upon complaint by a law enforcement official based on their personal observation.

e. No person shall be convicted of a violation of this section unless there is evidence presented to the court that at least one of the complainants or a law enforcement officer had requested the owner or custodian of the dog to control the excessive barking and that such excessive barking continued on days(s) after the day of the request.

f. Involvement of a law enforcement office is not a precondition to the issuance of a summons pursuant to the terms of this section. Furthermore, nothing in this chapter is intended to preclude private actions to abate or enjoin nuisances. The enforcement of this chapter by public officers shall not be a precondition to the bringing of a private nuisance action to abate dog barking.

g. A complaint of excessive dog barking shall not be treated as an emergency matter for purposes of dispatch of law enforcement officers. Ms. Phillips noted that it would be at the Sheriff's discretion whether or not to dispatch law enforcement officers.

Discussions ensued among the Board and Ms. Phillips.

Mr. Taylor inquired about subsection d of the proposed ordinance.

Mrs. Phillips explained that subsection d states that no summons or warrant charging a violation of this section shall be issued unless there are sworn complaints of two persons each from a separate household

or upon complaint by a law enforcement official based on their personal observation. She further explained that it is complicated, but alleviates problems of one person making a statement that they heard a dog barking and then the owner of the dog stating that the dog did not bark.

Mr. Taylor inquired if the violation of the proposed noise ordinance amendment regarding motor cross activity would be a criminal activity. He further inquired if the two ordinances could be combined.

Ms. Phillips explained that the standard definition is going to be different between the motor cross activity and dog barking ordinances. If the Board is interested in the barking dog ordinance she recommends proceeding with it first.

Mr. Owens explained that language in the proposed barking dog ordinance says that the Board has received a lot of complaints about barking dogs and stated that he has not received complaints. He stated that he believes the ordinance would be difficult to enforce.

Mrs. Mumpower and Mr. McCall both stated they had not received complaints about barking dogs.

Further discussions ensued with the following action being proposed:

Mr. Taylor made a motion for the Board to table action on the barking dog ordinance until such time that the Board receives an overwhelming response from the citizens of Washington County (other than the comments already received) stating that there is a problem with dog barking and that the County needs a dog barking ordinance. Mr. Owens seconded the motion.

Mr. Reynolds stated it may be good to have a dog barking ordinance included in the County Code to address issues in the event problems arise.

Mrs. Price asked what the penalty would be for violation of the proposed dog barking ordinance since it would be a criminal charge.

Ms. Phillips explained the violation would be a Class 4 Misdemeanor.

Mr. Straten explained that he does not want to the County adopt unnecessary ordinances. However, Ms. Phillips has written an objective set of rules that deal with dog barking. It becomes a matter if the Board wishes to have an ordinance addressing dog barking included in the County Code.

Ms. Phillips explained that should the Board decide to move forward with a public hearing on the proposed dog barking ordinance to allow the public to express their opinions does mean the Board is obligated to adopt the ordinance.

Mr. Taylor withdrew his motion. The following action was taken:

On motion of Mr. Straten, second by Mr. Owens, the Board acted to move forward with a public hearing on the proposed barking dog ordinance.

Further discussions ensued among the Board.

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

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

Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

11. <u>Board Member Reports</u>

Mrs. Mumpower thanked the Board members for their vote of confidence in electing her as Chair for CY 2010. She explained that she is excited to serve as Chair and will be committed to moving the Board forward in a positive manner as has been done in the past. Mrs. Mumpower stated she will be looking for ways to serve the citizens of Washington County and strive to find jobs for County residents. Together the Board can make a difference.

Mrs. Mumpower requested that a Resolution be drafted and presented to Washington County Department of Social Services Director Tommy Casteel and Foster Care Program staff to recognize them for their accomplishments (as acknowledged in a speech given by Governor Kaine) and for the outstanding job they do for the County citizens. It is her understanding the Washington County Department of Social Services ranks top in the nation as far as placing children in foster care. She requested the County Administrator and County Attorney obtain the details of the accomplishments Governor Kaine referred to in his speech and prepare a Resolution accordingly.

Mrs. Price stated that she is honored to be a member of the Board of Supervisors and that it will be a big responsibility. She further stated there are many things to learn and she asked for the Boards' patience. Mrs. Price expressed her appreciation to the Board for her committee appointments and looks forward to working with each member of the Board.

Mr. Taylor reported that several constituents have contacted him concerning their December electric bills from American Electric Power. Many of the constituents indicated they had reduced their power usage from a year ago yet their bills are higher. He asked if there is anything the Board can do about the extremely high bills from the power companies. Mr. Taylor requested the Board receive feed back from citizens and take their concerns to the State Corporation Commission (SCC) and the General Assembly. He stated that American Electric Power did an excellent job during the recent weather events.

Mr. Reynolds commented that the SCC opened a period of time to receive public comments concerning American Electric Power's request for a rate increase. He proposed checking with the SCC to see if the time period has closed.

Mr. Reeter explained that materials from the SCC regarding American Electric Power's proposed rate structure were provided in the Board Information section of the November/December meeting agendas.

Discussions ensued among the Board concerning issues pertaining to American Electric Power's proposed rate increase.

Mr. Owens welcomed Nicole Price and Joseph Straten to the Board and stated that they will be valuable members. He thanked the Board members for their vote of confidence in appointing him as Vice Chair for CY 2010 and commits to do the best job that he can. Mr. Owens said there is a lot of work to do, and he wants to keep the County moving forward.

Mr. McCall welcomed Nicole Price and Joseph Straten and stated that he looks forward to working with them.

Mr. McCall agreed that something needs to be done about the high power bills. He complimented and thanked the employees of American Electric Power that work on the power lines during the recent weather events. This is a dangerous and difficult job.

Mr. Straten stated that he is honored to be a member of the Board and looks forward to working with a distinguished and dedicated group of board members. He thanked members of the County staff for the way in which they have prepared him and Mrs. Price.

Mr. Straten made a report on the Virginia Association of Counties New Supervisors Forum that he recently attended.

12. Board Information and Reminders

The County Administrator reviewed the following Reminders and Board Information:

Reminders:

- Lee-Jackson Day and Martin Luther King Holidays – Friday, January 15 and Monday, January 18 – County Offices Closed
- Southwest Virginia Regional Jail Authority Meeting, Tuesday, January 26 at the Inn of Norton.
- Joint School Budget Committee Meeting, Thursday, January 21 at 4:00 PM at the Washington County School Board Offices
- Joint Board of Supervisors/School Board Recessed Meeting, Thursday, January 28 at 7:00 PM at the Washington County School Board Offices
- VML-VACo 2010 Legislative Day – February 10-11-12, 1020, Richmond

Board Information:

- Correspondence from Delegate Joe Johnson dated December 11, 2009 – Coyote Damage Control Program Funding
- Information from VML and VACo – 2010-2012 State Budget Analysis
- Correspondence from Southwest Virginia Regional Jail Authority dated December 21, 2009 – Impact of Proposed 2010 State Budget Reductions
- Presentation Materials: "Governor Kaine's Proposed Amendments to the 2008-2010 Biennial Budget & Governor Kaine's Proposed Budget for the 2010-2012 Biennium – A briefing for the Joint Meeting of the Senate Finance Committee, House Appropriations Committee, and the House Finance Committee", dated December 18, 2009 by Dan Timberlake, Director Virginia Department of Planning and Budget. Mr. Reeter noted that this information was provided to the Board in CD version of Agenda only.

Review of Information by County Attorney:

Ms. Phillips reported that the SCC's comment period regarding the proposed AEP rate structure is still open for public comment. She explained that the SCC allowed American Electric Power's increase to go into effect on December 11, 2009, pending their final determination. Comments can be submitted to the SCC until March 3. Ms. Phillips stated that she could send the SCC notice to Board members.

Ms. Phillips brought to the Board's attention material contained in the Board Information section of the Agenda concerning Appalachian Power Company's proposal to rebuild 5.4 miles of its Saltville-Kingsport power line. The rebuild will take place at the North Bristol Substation near Wolf Hills Substation located in the southern part of Washington County. Construction is proposed to begin late this year. The project will be constructed within the same right of way as the existing poles.

At this time additional Board Member Reports were made as follows:

Mrs. Mumpower reported that Bristol Virginia Utilities (BVU) has had a reduction in their electric rates. She mentioned that BVU has a program in place to assist customers that need help paying their power bills and stated that AEP may have a similar program.

Mrs. Mumpower welcomed Nicole Price and Joseph Straten to the Board and stated that she is impressed by how they are eagerly willing to serve the citizens of Washington County.

Mr. McCall discussed a recent public hearing held by the Tazewell County Board of Supervisors concerning wind power generators. He suggested that Washington County consider a similar project.

Mr. Taylor requested that staff obtain information prior to the Legislative Day trip about the impact to the County of Governor Kaine's proposed one percent surcharge on the state income tax in lieu of receiving revenue from the Personal Property Tax Relief Act of which Governor Kaine proposed to eliminate.

Mr. Reeter stated that he would ask the County Treasurer to do calculations.

Mr. Taylor reported on an existing industry that is expanding their operations on a site in the Highlands Business Park. The existing industry has asked that the County not make a formal announcement.

Mr. Reynolds reported on the recent announcement involving Innovative Technologies.

13. <u>Closed Meeting</u>

a. Request to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A) (3) for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property for a public purpose, or disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; specifically County government office space

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) (3) for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property for a public purpose, or disposition of publicly held real property, where discussion in an open meeting would

adversely affect the bargaining position or negotiating strategy of the public body; specifically County government office space. County Administrator Mark Reeter and County Attorney Lucy Phillips were requested to join in the Closed Meeting.

The Board took a ten minute recess prior to convening in Closed Meeting.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

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. Straten, second by Mr. McCall, 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: (7-0)

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***Aye***

14. <u>Adjourn or Recess</u>

On motion of Mr. Owens, second by Mr. Taylor, the Board acted to recess to Tuesday, January 19, 2010, at 6:30 PM in Conference Room #1 of the County Administration Building for a joint meeting with the Industrial Development Authority of Washington County.

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

Mr. McCall	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mrs. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***
Mr. Taylor	***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