V I R G I N I A:

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

PRESENT:

Dulcie M. Mumpower, Chair
Odell Owens, Vice Chair
Phillip B. McCall
Nicole M. Price
Kenneth O. Reynolds
Joseph C. Straten (Arrived at 6:34 p.m.)
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 Ms. Dulcie M. Mumpower, Chair of the Board, who welcomed everyone in attendance.

2. Invocation and Pledge of Allegiance

Supervisor Kenneth Reynolds gave the Invocation and led the Pledge of Allegiance.

Ms. Mumpower noted that Mr. Straten was not present at this time.

3. Approval of Agenda

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

New Consent Agenda Item

4.d. Authorization of Routine Business Matters:

3. Authorization to Request Virginia Department of Transportation conduct a Speed & Safety Study on Osceola Road (SR 722), Taylor District

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

Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Ms. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Taylor	***Aye***

4. Consent Agenda:

Ms. Mumpower brought attention to the Resolution designating October 18-22 as Manufacturing Appreciation Week; and October 18-23 as GED and Career Pathways Awareness Week. She commented the Board is proud of all the manufacturing companies in Washington County and commended them for their hard work. Ms. Mumpower stated the Board is appreciative of the New River/Mount Rogers Workforce Investment Area's educational programs.

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

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

1. September 22, 2010 Joint Recessed Meeting

2. September 23, 2010 Recessed Meeting

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

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

1. Approval of Highlands Community Services Board FY 2010-11 Performance Contract

d. <u>Authorization of Routine Business Matters</u>:

1. Adoption of Resolution Designating October 18-22 as Manufacturing Appreciation Week - approved as follows:

RESOLUTION 2010-36
DESIGNATING OCTOBER 18-22, 2010 AS
MANUFACTURING APPRECIATION WEEK IN WASHINGTON COUNTY

WHEREAS, the Honorable Robert F. McDonnell, Governor of the Commonwealth of Virginia, has recognized October 18-22, 2010 as Manufacturing Appreciation Week in the Commonwealth of Virginia, and invited all citizens and state agencies to observe this week with appropriate ceremonies and activities, and

WHEREAS, the Washington County Board of Supervisors (Board) is committed to supporting Washington County's manufacturers, encouraging their growth and prosperity in the region, and raising public awareness of the importance of manufacturing to the Southwest Virginia economy, and

WHEREAS, Washington County has continued its support of the Southwest Virginia Alliance for Manufacturing, Inc. and their efforts to deliver leading-edge information and services to the area's manufacturers, and to develop human capital strategies through workforce development, education reform, and economic development;

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board recognizes the achievements of the Southwest Virginia Alliance for Manufacturing, Inc., whose members represent 80 percent of the manufacturing employees in the region.

BE IT FURTHER RESOLVED that the Board hereby designates October 18-22, 2010 as MANUFACTURING APPRECIATION WEEK IN WASHINGTON COUNTY and invites all County citizens to honor the industries that form the backbone of our local economy.

2. Adoption of Resolution Designating October 18-23 as GED and Career Pathways Awareness Week - approved as follows:

RESOLUTION 2010-37
DESIGNATING OCTOBER 18-23, 2010 AS
GED AND CAREER PATHWAYS AWARENESS WEEK IN WASHINGTON COUNTY

WHEREAS, the foundation of democracy is based upon an educated citizenry, and education should be made available to people of all ages to gain knowledge and skills, and

WHEREAS, a well-educated, highly skilled workforce is essential to the economic growth of Washington County, and

WHEREAS, the emerging 21st century economy will be driven by jobs that will require lifelong learning from employees and require a higher skill set; and

WHEREAS, adult education offers classes to assist adults in improving basic reading, writing, math skills and/or computer skills, to pursue further education, to enter or advance in the job market, or to enhance their personal and family lives, and

WHEREAS, adult education offers classes to prepare adults to take the General Educational Development (GED) Test, and upon successful completion can open the door for adults to embark on a lifetime of learning and career training, leading to higher levels of employment, and

WHEREAS, adult education works cooperatively with local, state, and federal agencies such as the Washington County Department of Social Services, the New River/Mount Rogers Workforce

Investment Board, the Virginia Community College system, and the Virginia Workforce Centers in the Mount Rogers Planning District to meet the goals and needs of mutual clients, and

WHEREAS, the Mount Rogers Regional Adult Education Program facilitates adult education programs in Washington County and provides services to an average of 263 people annually, and

WHEREAS, it is timely and appropriate that attention be focused on the special efforts and dedication of Mount Rogers Regional Adult Education Program's adult educators who prepare individuals for productive employment and enriched lives;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board does hereby proclaim October 18-23, 2010 as GED AND CAREER PATHWAYS AWARENESS WEEK IN WASHINGTON COUNTY and urges all its citizens to become familiar with the services and benefits offered by adult education and to support and participate in these programs.

3. Authorization to Request Virginia Department of Transportation conduct a Speed & Safety Study on Osceola Road (SR 722), Taylor District

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

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

5. Public Hearings:

Ms. Mumpower proposed the two public hearings relating to Abingdon Convalescent Ambulance Service be combined.

Discussions ensued among the Board.

On motion of Mr. Taylor, second by Mr. Owens, the Board acted to combine the public hearings listed in Items 5.a.1 and 5.b.1.

Mr. McCall stated that he would abstain from voting on any matters pertaining to Items 5.a.1 and 5.b.1 because of a conflict of interest.

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

Mr. McCall	***Abstained***
Ms. Mumpower	***Aye***

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

Mr. Taylor stated that he will abstain from voting on items 5.a.1 and 5.b.1 because of the appearance of a conflict of interest.

a. <u>Request(s) for Rezoning</u>:

1. Abingdon Convalescent Ambulance Service, Property Tax Map #106C-2-99: Request to rezone approximately .50 acres of property located on the north side of State Route 11 (26165 Lee Highway) near the intersection of State Route 11/ViceRoy Drive from R-2 (Residential, General) to B-2 (Business, General), Harrison Magisterial District

b. <u>Request(s) for Special Exception Permit</u>:

1. Abingdon Convalescent Ambulance Service on behalf of Jimmy Stewart, Property Tax Map #106C-2-99: Request for a Special Exception Permit to construct a 30' X 80' building for the purpose of operating an Emergency Medical Ambulance Service and Professional Offices on property located on the north side of State Route 11 (26165 Lee Highway) near the intersection of State Route 11/ViceRoy Drive in a B-2 (Business, General) zone, Harrison Magisterial District

County Zoning and Subdivision Official Cathie Freeman provided the Board with an overview of the proceedings before the Washington County Planning Commission at their September 27, 2010, meeting in regards to the application submitted by Abingdon Convalescent Ambulance Service to rezone approximately .50 acres located on the north side of State Route 11 (Lee Highway) near the intersection of State Route 11/Vice Roy Drive in the Harrison Magisterial District from R-2 (Residential, General) to B-2 (Business, General); and application of Abingdon Convalescent Ambulance Service on behalf of Jimmy Stewart for a Special Exception Permit. Ms. Freeman explained that Mr. Stewart plans to construct an emergency medical ambulance service and professional offices on the property requested to be rezoned. She commented there was no opposition present at the Planning Commission's hearing. Ms. Freeman noted the request of Mr. Stewart's is similar to the application he made in August for an adjacent property. When Mr. Stewart made his application in August, the property requested for rezoning at this time was not available. Ms. Freeman explained this property is better suited for Mr. Stewart's proposal to construct the emergency medical ambulance services facility. She advised that the Planning Commission, on a 6-0 vote, recommended approval of the Rezoning and Special Exception Permit applications because the use is consistent with the surrounding area.

Ms. Mumpower opened the public hearing and invited comments regarding the application of Abingdon Convalescent Ambulance Service to rezone property, and application of Abingdon Ambulance Service on behalf of Jimmy Stewart for a Special Exception Permit.

Mr. Kevin Austin on behalf of Abingdon Convalescent Ambulance Service addressed the Board and expressed support of the applications to rezone property and for a Special Exception Permit. Mr. Austin explained that both requests were similar to the applications made in August, and the property in question at this time would be better suited to meet their needs.

There being no further comments, Ms. Mumpower declared the public hearing closed.

On motion of Mr. Reynolds, second by Mr. Owens, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the application of Abingdon Convalescent Ambulance Service to rezone approximately .50 acres of property located on the north side of State Route 11 (26165 Lee Highway) near the intersection of State Route 11/ViceRoy Drive from R-2 (Residential, General) to B-2 (Business, General), Harrison Magisterial District.

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

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

On motion of Mr. Owens, second by Mr. Straten, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the application of Abingdon Convalescent Ambulance Service on behalf of Jimmy Stewart for a Special Exception Permit to construct a 30' X 80' building for the purpose of operating an Emergency Medical Service and Professional Offices on property located on the north side of State Route 11 (26165 Lee Highway) near the intersection of State Route 11/ViceRoy Drive in a B-2 (Business, General) zone, Harrison Magisterial District.

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

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

b. Ronald S. Reagan, Property Tax Map #155-A-84; Request for a Special Exception Permit to operate a General Store and Auto Body Garage in an existing structure on property located on the north side of State Route 58 (29395 Jeb Stuart Highway) near the intersection of State Route 58/State Route 602 (Silver Mt. Road) in an KV (Konnorock Village) zone, Taylor Magisterial District

Ms. Freeman provided the Board with an overview of the proceedings before the Washington County Planning Commission at their September 27, 2010, meeting in regards to the application submitted by Ronald S. Reagan for a Special Exception Permit to operate a general store and auto body garage in an existing structure on property located on the north side of State Route 58 (Jeb Stuart Highway) near the intersection of State Route 58/State Route 602 (Silver Mt. Road) in an KV (Konnorock Village) zone in the Taylor Magisterial District. Ms. Freeman explained the nature of the proposed business is to have a small engine repair service and general store to sell items such as fishing supplies and food products like

bread and milk. She commented that some members of the Planning Commission had concern about the type of auto body repairs that would be conducted, and if contaminates would be located in and around the proposed business. The Planning Commission also expressed concern with site visibility as the proposed business is located in a curve. Mr. Reagan advised the Planning Commission that the Virginia Department of Transportation (VDOT) would correct the guard rail and cut trees. Ms. Freeman further explained that an individual spoke in favor of the proposal at the Planning Commission's hearing. She advised that the Planning Commission, on a 6-0 vote, recommended approval of the Special Exception Permit application with the stipulation that a commercial entrance permit be approved by the VDOT for the proposed business.

Mr. Owens inquired if the proposal business would be located in the existing metal building on the property.

Ms. Freeman explained that the proposed business would be located in the metal building, which sits on 9.11 acres.

Ms. Mumpower opened the public hearing and invited comments regarding the request for a Special Exception Permit.

Mr. Ronald Reagan addressed the Board and explained that people living in the area of the proposed business have to drive 30 minutes for supplies such as plumbing parts. Mr. Reagan explained he proposes to operate a general supply store and a small engine repair business, not an auto body repair shop. He addressed concerns about stored contaminants and stated there may be a quart of oil stored on site at times. Mr. Reagan next addressed concerns about the guardrail and showed pictures of the proposed site to the Board. He explained that a VDOT representative advised him they would be responsible for the guardrail. Mr. Reagan advised the Board if the Special Exception Permit is approved, he will pay a $250 fee to VDOT for the $5,000 bond required to obtain a commercial entrance permit.

Mr. McCall inquired if there was another category that the Special Exception Permit could be listed under since Mr. Reagan's request is to operate a small engine repair business, and not an auto body garage.

Ms. Freeman explained the request was listed under the appropriate category for the nature of business proposed by Mr. Reagan.

Mr. Taylor asked Mr. Reagan about restroom facilities.

Mr. Reagan explained they would use porta johns. At the present time, there will be no prepared foods in the general store. He further explained that he has a contract to pump the sewage.

There being no further comments, Ms. Mumpower declared the public hearing closed.

Mr. McCall explained that the Planning Commission recommended approval of the Special Exception Permit with the stipulation that a commercial entrance permit be approved by VDOT for the proposed business. He recommended the Board place a stipulation that no junk cars be permitted to be stored on site.

Mr. Taylor explained he would like a stipulation that there be no storage of vehicles of any type on the outside of the building. He commented that the proposed business is located in the heart of a national

recreation area, and a lot of money is spent to invite visitors to the area. Mr. Taylor stated he does not want visitors to see a junkyard.

On motion of Mr. Straten, second by Mr. McCall, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the application of Ronald S. Reagan for a Special Exception Permit to operate a General Store and Auto Body Garage in an existing structure on property located on the north side of State Route 58 (29395 Jeb Stuart Highway) near the intersection of State Route 58/State Route 602 (Silver Mt. Road) in an KV (Konnorock Village) zone, Taylor Magisterial District with the following stipulations:

1. A commercial entrance permit be approved by the Virginia Department of Transportation for the proposed business.

2. No storage of vehicles of any type is permitted to be parked on the outside of the building.

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

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

c. Public Hearing and Consideration of Resolutions Amending the FY 2010-2011 County Operating Budget & Authorizing Supplemental Appropriations Thereto, and to Establish a County General Fund Reserve within the County General Fund Reserve within the County General Fund

Mr. Seamon addressed the Board and explained that the public hearing to amend the FY 2010-2011 County Operating Budget is necessary due to the total previously approved and newly requested supplemental appropriations exceeding one percent of the original adopted FY 2010-2011 adopted budget. Budget amendments totaling $9,918,164.00 are proposed as additions to the originally adopted FY 2010-11 County Operating Budget. Of this total amount, the Washington County School Board is requesting a supplemental appropriation totaling $6,047,500.00 to carry-over committed funds originally appropriated in FY 2009-10 into the General School Fund, School Textbook Fund, School Construction Fund, and School Cafeteria Fund. Various non-school related funds of the County Operating Budget make up the remaining $3,870,664.00 being amended.

The School Board is requesting that $155,547.00 in uncommitted local funds remaining from FY 2009-10 be held in reserve by the County for school capital projects and other uses. County staff is also recommending that $704,697.00 in uncommitted local funds remaining from FY 2009-10 be held in reserve by the County and made part of the new County General Fund Reserve.

Mr. Seamon explained the Board will be asked to consider two separate actions: 1) To amend the FY 2010-11 County Operating Budget and to supplementally appropriate those funds requested by the School Board relating to carryover of FY 2009-10 outstanding commitments, restricted funds and additional

federal monies received; and 2) To establish a new County General Fund Reserves Account within the County General Fund.

Ms. Mumpower opened the public hearing and invited comments regarding the Resolution Amending the FY 2010-2011 County Operating Budget & Authorizing Supplemental Appropriations Thereto.

There be no comments, Ms. Mumpower declared the public hearing closed.

Lengthy discussions ensued among the Board.

Mr. Taylor questioned the numbers presented by Washington County Schools. He specifically had questions about how money is encumbered by the school system, and the School Operating Fund.

Washington County Schools Director of Finance Melissa Caudill was present and addressed questions asked by Mr. Taylor.

Mr. Straten questioned what the line item for student achievement within the School Operating Fund is used for.

Ms. Caudill explained the Board puts money in this line item for student achievement that could be carried over from year to year.

Ms. Mumpower explained the student achievement line item was established to designate funds for groups such as the Technology Student Association that will be making a presentation and request for funding later in the meeting.

Mr. Straten commented that several previous requests from student organizations that have recently come before the Board of Supervisors fit into this category. These groups told the Board they had made funding requests to the School Board and were not successful in getting funds.

Ms. Mumpower commented that a policy needs to be in place concerning distribution of funds from the student achievement line item. Student groups need to know the process/policy for obtaining funds from this line item. The Board of Supervisors established this line item for the purpose of funding student achievement activities.

Mr. Owens asked Mr. Reeter to correspond with Mr. Jim Sullivan, Interim School Superintendent about this matter.

Ms. Price addressed the Board and explained she supports establishing the County General Fund Reserve and believes it is forward thinking on the Board's part to do so. She questions, however, why $3,000,000.00 is separated out and specified within this fund for debt service. By doing this, she feels the Board is saying funds are being set aside for debt service on bonds not yet issued. Ms. Price explained her primary questions about specifying money for debt service are: 1) Is it required for the bond issuance and 2) if it is not required, should the Board make the designation.

Mr. Reeter explained money for debt service does not have be set aside. The County General Fund Reserve and recommendation to set aside the $3,000,000.00 for debt service in FY 12 and in the next two fiscal years after that is a plan consistent with advice provided by the County's financial advisors. The County could and perhaps will need to use as much the $3,000,000.00 of the transitional revenue to help

pay for debt service over the next three fiscal years. This is basically to reduce stress on the annual income of the County. The County's goal should not be to tap into the reserves. However, from a fiscal planning standpoint, the Board by Resolution recognized the potential need to use as much as $3,000,000.00 of the undesignated revenue.

Mr. Reeter further explained by adopting the Resolution to establish a County General Fund Reserve within the County's General Fund establishes a plan for the future use of the monies.

Ms. Price stated she understands how the County General Fund Reserves work. If the County's goal is not to use the funds, however, she questions the need for the debt service designation to be contained within the resolution.

Mr. Reeter stated if board is not comfortable with doing the set aside of reserves, all funds can simply be undesignated reserves without specific earmarks.

Mr. Taylor stated he feels comfortable with the proposed resolution because it only creates a plan, and the Board is under no obligation.

Ms. Mumpower stated that Ms. Price just wants to make sure the citizens understand what the Board is doing.

Further discussion ensued.

Mr. Straten asked if the $1.6 million in new federal revenues for Schools is included in the proposed amended budget.

Mr. Seamon stated that these new federal funds are not included in the Proposed Amended Budget.

On motion of Mr. Taylor, second by Mr. Owens, the Board acted to adopt the proposed Resolution as follows amending the FY 2010-11 County Operating Budget to $131,623,909.00, and approving supplemental appropriations totaling $6,047,500.00 for carryover of FY 2009-2010 outstanding commitments, restricted funds and additional federal monies received:

RESOLUTION 2010-38
AMENDMENT OF COUNTY OPERATING BUDGET FOR FISCAL YEAR 2010-2011 AND SUPPLEMENTAL APPROPRIATIONS TO ADOPTED COUNTY OPERATING BUDGET FISCAL YEAR 2010-2011

WHEREAS, pursuant to §15.2-2507 of the 1950 Code of Virginia a locality shall amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year which exceeds one percent of the total expenditures shown in the currently adopted budget after advertising and conducting a public hearing stating the governing body's intent to amend the budget, and

WHEREAS, the Board of Supervisors of Washington County, Virginia (Board) has determined the need to amend the County Operating Budget for Fiscal Year (FY) 2010-2011 as adopted June 8, 2010 in compliance with Virginia law;
NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Washington County, Virginia that the County Operating Budget for FY 2010-2011 is hereby amended as follows:

Adopted FY 2010-2011 County Budget on June 8, 2010 $121,705,745

Proposed Amendment of County Budget:

001	***General Fund:***		
	General Government Administration	***$ 81,535***	
	Judicial Administration	***$ 7,391***	
	Public Safety	***$ 1,022,381***	
	Public Works	***$ 31,989***	
	Economic Development	***$ 412***	
	Total General Fund	***$ 1,143,708***	
002	***Federal Asset Sharing Fund***	***$ 157,665***	
003	***Law Library Fund***	***$ 3,176***	
004	***Road Improvement Fund***	***$ 32,882***	
005	***Capital Improvement Fund***	***$(136,906)***	
007	***Utilities Fund***	***$ 69,027***	
008	***Traffic Enforcement Fund***	***$ 225,582***	
010	***Special Grant Projects Fund***	***$ 2,224,344***	
108	***County Library Fund***	***$ 91,186***	
206	***Virginia Public Assistance Fund***	***$ 60,000***	
312	***School Operating Fund***	***$ 3,235,951***	
315	***School Textbook Fund***	***$ 752,313***	
316	***School Construction Fund***	***$ 1,805,518***	
317	***School Cafeteria Fund***	***$ 253,718***	***$ 9,918,164***
	Proposed Amended FY 2010-2011 County Budget		***$131,623,909***

BE IT FURTHER RESOLVED by the Board that the following supplemental appropriations of funds are made for the fiscal year beginning July 1, 2010 and ending June 30, 2011 for the functions and purposes indicated hereafter:

FUND AND DEPARTMENT	***AMOUNT***
FD 312 SCHOOL OPERATING FUND	***$3,235,951***
FD 315 SCHOOL TEXTBOOK FUND	***$ 752,313***
FD 316 SCHOOL CONSTRUCTION FUND	***$1,805,518***
FD 317 SCHOOL CAFETERIA FUND	***$ 253,718***
TOTAL	***$6,047,500***

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

Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Ms. Price	***Aye***
Mr. Reynolds	***Aye***
Mr. Straten	***Aye***

Mr. Taylor Aye

On motion of Mr. McCall, second by Mr. Straten, the Board acted to adopt the following Resolution establishing a County General Fund Reserve:

RESOLUTION 2010-39
ESTABLISHING COUNTY GENERAL FUND RESERVE WITHIN COUNTY GENERAL FUND

WHEREAS, the reconciliation of the County's General Fund as of the end of Fiscal Year (FY) 2009-2010 (June 30, 2010-unaudited) has resulted in an unobligated General Fund balance of $14,534,065.95, and

WHEREAS, the majority of this balance is as a result of revenue collected from the County's transition from annual to semi-annual collection of real property taxes begun in Calendar Year 2010 ($8,829,368.90 net amount – the 'net transitional revenue'), and

WHEREAS, in addition to the net transitional revenue, the County has also maintained a $5,000,000.00 'cash-flow' balance within the County General Fund, as well as appropriated, unencumbered balances of $1,500,000.00 in the Capital Projects Reserve-Undesignated line-item, and $1,606,291.00 in the Capital Reserves-Public Schools line-item within the County Capital Improvement Fund of the FY2010-2011 County Operating Budget, and

WHEREAS, it is the intent of the Board of Supervisors to consolidate and designate these unobligated funds as the 'County General Fund Reserves' to be maintained within the County General Fund, and to further categorize, allocate and reserve these funds for fiscal planning purposes;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board hereby designates the County's excess General Fund balance not obligated as of June 30, 2010 in the amount of $14,534,065.95 as the County General Fund Reserves to be maintained on balance within the County General Fund.

BE IT FURTHER RESOLVED that the Board authorizes the de-appropriation and transfer to the County General Fund Reserves of $1,500,000.00 in the Capital Projects Reserve-Undesignated line-item, and $1,606,291.00 in the Capital Reserves-Public Schools currently budgeted within the County Capital Improvement Fund.

BE IT FURTHER RESOLVED that the Board authorizes $704,697.05 of uncommitted County General Fund carryover revenue from FY2009-2010 and $155,547.26 of uncommitted School General Fund carryover revenue from FY2009-2010 be held on balance within the County General Fund Reserves.

BE IT FURTHER RESOLVED that for fiscal planning purposes the Board hereby categorizes, allocates and reserves the sum total of these funds within the County General Fund Reserves as follows (figures rounded):

FUND 001 – GENERAL FUND RESERVES

Category: <u>County Reserves</u>

Allocation for Debt Service Subsidation (FY12& Future) $3,000,000.00

Reserve for Cash-Flow	***$5,000,000.00***
Reserve as Undesignated	***$8,034,066.00***
Total – County Reserves	***$16,034,066.00***

Category: School Reserves

Allocation for Debt-Service Subsidation (FY12)	***$500,000.00***
Reserve as Undesignated	***$1,261,837.00***
Total – School Reserves	***$1,761,837.00***
TOTAL – GENERAL FUND RESERVES	***$17,795,903.00***

BE IT FURTHER RESOLVED that the Board shall set forth specific policies with respect to the management of the County General Fund Reserves as part of its General Policies for Calendar Year 2011, to be adopted by the Board at its January, 2011 Annual Meeting.

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

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

Mr. Seamon explained there are several issues to be discussed and resolved by both the School Board and the Board of Supervisors before the $1.6 million in new federal funds for schools can be spent.

Further discussion ensued.

6. General Business:

a. Actionable Items:

1. Consideration of Appropriations to E.B. Stanley Middle School & Abingdon High School Chapters of the Technology Student Association

Ms. Charlene Gross, E. B. Stanley Technology Student Association (TSA) Advisor addressed the Board and thanked Board for having them.

Mr. Jason Dreyzehner, President of the Virginia Technology Student Association, and a junior at Abingdon High School addressed the Board. Mr. Dreyzehner explained the Abingdon High School and E. B. Stanley Middle School TSA approached the School Board concerning the monies that were

discussed earlier (student achievement funds). Due to their non-status as a Career and Technical Student Organization (CTSO), the TSA could not receive school funds. CTSO are programs like the 4-H, Future Farmers of American and Future Business Leaders of America through high school curriculums in public schools. Currently, Washington County Schools does not have a Technology Education Curriculum. He further explained that until this year only students from the Gifted and Talented Education Program (GATE) participated in TSA, and the TSA was awarded funds from the GATE Program. This year the TSA was opened to all students, which made them ineligible to receive GATE funding. For this reason, the TSA is seeking donations from businesses.

Ms. Gross explained the TSA was started three years ago by a group of middle school parents who wanted their children to be challenged. The TSO has grown from 17 members to 35 members at E. B. Stanley Middle School, and about 90 members at Abingdon High School.

The Abingdon High School and E. B. Stanley Middle School TSA showed a promotional movie they produced, showed their first place national award robot, and spoke about how TSA develops leadership skills.

Lengthy discussion ensued about the TSA Program and the Student Achievement Funds provided by the Board of Supervisors to the School Board.

Ms. Mumpower stated Mr. Reeter will be sending a letter to the School Board to get an explanation on how Student Achievement Funds are being used. She suggested tabling this matter until they find out from School Board what their funding policies and procedures are.

The Board took no action on this matter.

2. Consideration of Approval FY 2011-2012 County Operating Budget Calendar

Mr. Reeter provided a review of the proposed FY 2011-2012 County Operating Budget Calendar.

On motion of Mr. McCall, second by Ms. Price, the Board acted to tentatively approve the draft of the FY 2011-2012 County Operating Budget as presented.

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

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

3. Consideration of Appointments to Various Boards, Authorities and Commissions

On motion of Mr. McCall, second by Mr. Owens, the Board acted to appoint Wanson D. Hutchinson to fill the unexpired term of Gerald W. Cole as the Wilson Election District representative on the

Washington County Service Authority Board of Commissioners for the remainder of the unexpired term ending June 30, 2012.

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

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

4. Consideration of Designation of Voting Representative to VACo Annual Conference

On motion of Mr. McCall, second by Ms. Price, the Board acted to designate Joe Straten as the Board's voting representative to the 2010 VACo Annual Business Meeting.

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

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

On motion of Mr. McCall, second by Ms. Price, the Board acted to designate Tom Taylor as the Board's alternate voting representative to the 2010 VACo Annual Business Meeting.

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

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

A five minute recess was taken by the Board at this time.

b. <u>Information Items</u>:

1. Presentation Concerning Hazardous Railroad Crossing at Old Trail Road and Hillman Highway

Mr. Gerald Thompson addressed the Board and made a presentation concerning a hazardous railroad crossing located on Old Trail Road just off of Hillman Highway, and requested help in making the railroad crossing safe.

Mr. Thompson explained the crossing is the only access available for ten residents on the north side of the railroad. There are also four farming operations and one business that have to use the crossing. Mr. Thompson stated he operates one of the four farms. The farming operations require that tractors pulling farm equipment, trucks pulling cattle and flatbed trailers, and other large trucks must use the crossing. There is six seconds to clear the crossing from the time a train traveling 45 mph is visible until it reaches the crossing. He advised the Board of a near collision he had with a train in July. Mr. Thompson next reviewed safety hazards. He explained the railroad is located in a curve that goes into a cut which causes very limited distance for a vehicle crossing from north to south see a train when it approaches the crossing. Again, there is a six second window to clear the crossing. The railroad is regulated by the federal government; they require signals to activate 20 seconds before the train is on the crossing. The railroad crossing on Old Trail Road does not fall under federal guidelines as there is only six seconds to clear the crossing. Subsequently, Mr. Thompson reviewed pictures that present various views of the crossings. He noted the visibility is better when entering the crossing from Hillman Highway. However, there is still not 20 seconds to clear the crossing. Mr. Thompson also showed videos of the crossing from the east and west to give an idea of the limited visibility, and showed a video that illustrates how fast a train approaches the crossing.

Mr. Thompson next explained that he has spoken with numerous Norfolk & Southern representatives, as well as representatives from local, state and federal agencies. He stated the Virginia Department of Transportation (VDOT) has advised him the segment of Old Trail Road where the railroad crossing is located is considered private and not maintained by the state. Mr. Thompson commented there are hundreds of people that use this crossing and approximately 61 businesses in and around Washington County that use the crossing. Mr. Thompson distributed to the Board a list of the businesses, and a letter from Congressman Rick Boucher.

In closing, Mr. Thompson explained there are concerns with future rail service in that Norfolk & Southern has indicated there will be an increase in the speed of trains and in the number of trains per day. The railroad crossing needs to be made safe. Signals cost approximately $250,000.00. Mr. Thompson asked for the Boards' guidance and assistance in acquiring the signal.

Mr. Owens asked Mr. Thompson how Norfolk & Southern responded to his request.

Mr. Thompson explained that after the near miss in July he contacted Norfolk & Southern. He learned that Norfolk & Southern does not pay for the signals. They only install and maintain them. He further explained that locomotives have cameras; therefore, he requested a copy of the video from the near miss in July. Norfolk & Southern has not provided the video. They have however contacted him to ask what it would take to satisfy the residents. Mr. Thompson stated that he advised Norfolk & Southern that most likely nothing short of a warning signal would satisfy them. Norfolk & Southern suggested the residents contact their local government for assistance. Mr. Thompson referred back to the road being private and VDOT not being able to provide assistance. He explained that VDOT indicated if the road were taken into the secondary system of state highways there is still no guarantee they would install a signal at the crossing.

Mr. Clyde Anderson addressed the Board and explained he is one of the residents that must use the railroad crossing. He shared examples of near collisions with trains, and talked about an incident where

his car stalled on the railroad tracks and was hit by a train. Mr. Anderson stated that Norfolk & Southern did not pay for the damage to his car. He shared with the Board what the residents deal with on a daily basis.

The Honorable Joe Johnson, House of Delegates member addressed the Board. Mr. Johnson stated that he will do all he can on the state level to work with the property owners and local governments to determine what can be done about this crossing. He realizes this is a major safety issue.

Ms. Mumpower asked Ms. Georgia Lewis, Manager of Crossing Safety for Norfolk & Southern, who was present, to come forward to make comments and provide direction.

Ms. Georgia Lewis addressed the Board and provided comments about the railroad crossing on Old Trail Road. Ms. Lewis explained an issue of concern for her in this particular situation is the crossing is defined as a private crossing. A private crossing means the county/state does not maintain the road on either side of the track. She further explained the property on Old Trail Road served by the crossing has been subdivided, and the landowners are supposed to be responsible for installing signal devices. Ms. Lewis stated that Norfolk & Southern is limited to what type of assistance they could provide. She commented that Norfolk & Southern likes to consolidate crossings and has incentive money that could be used to close some crossings. Ms. Lewis explained that Norfolk & Southern is the safest railroad in the country, and they will do want they can to help.

Substantial discussions ensued among the Board, Ms. Lewis, Mr. Thompson and County staff about the railroad crossing and potential means to have a signal installed. Board members had questions that could not be answered by Ms. Lewis. Ms. Lewis advised the Board she would research the inquiries and provide an answer.

Ms. Lewis noted there is a non-profit organization called Operation Lifesaver. This organization goes out into communities to promote public rail safety, and would make a presentation to this community.

Delegate Johnson stated that Dr. Charles Quillin from Emory & Henry College serves on Virginia's Transportation Safety Board. This Board makes funds available for safety related projects. He recommended the County Administrator check with Dr. Quillin to see if funds would be available to assist with installing signals at the railroad crossing.
Further discussions ensued about contacting federal agencies and representatives to identify funding. The Board directed the County Administrator to send a letter to Congressman Rick Boucher to ask what avenues might be available to secure funding.

Ms. Mumpower thanked everyone for their presentations. She stated the Board realizes the railroad crossing is dangerous, and that something needs to be done to make it safe. Ms. Mumpower commented that County officials would be working with Norfolk & Southern and state and federal agencies to identify avenues of funding to assist with making the crossing safe.
Mr. Thompson thanked the Board for their openness and willingness to help.

No action was taken.

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

Mr. Reynolds reported on inquiries he received about litter control in Washington County. He stated there have been segments in the news lately about the aggressive Litter Control Program in Buchanan County. Mr. Reynolds stated Washington County Sheriff's Office administers the Litter Control Program in the County, and they do all they can. He wanted to advise the Board that citizens are concerned about litter control.

Ms. Price questioned why supporting materials for agenda items were not posted on-line with the agenda for public viewing.

Mr. Reeter explained the County is moving toward a system that will allow the Board of Supervisors to download all agenda materials from the Internet. He further explained it has been the desire of the Board not to make the supporting materials available.

Ms. Price asked if there is a reason, other than by action of the Board, not to have the supporting materials put on-line with the agenda.

Mr. Kevin Hill with the County Information Systems Department, who was present at the meeting, stated they would like 30 days to test and come back to the Board with a recommendation/presentation.

Mr. Taylor reported that a constituent has issues regarding a bill from their solid waste hauler. This individual is being charged with a fee for damaged equipment and a fuel factor charge. He commented according to the County Code all solid waste haulers must state their fees in order to receive a permit to haul. Therefore, all customers of a particular hauler should pay the same fees. He questioned if solid waste haulers are altering the fee schedule by placing these charges on invoices, and asked County staff to look at the fee schedule and determine if the schedule is being altered by adding fees to invoices.

Ms. Phillips explained there is not a standardized fee throughout the County, so there may be differences in fees. She stated she would speak with County Solid Waste Director Coy Martin about auditing some bills.

Mr. McCall complimented the Public Information Meetings that have been hosted by Joe Straten (Taylor Election District) and Dulcie Mumpower (Wilson Election District).

Ms. Mumpower reported that the Public Information Meeting hosted by Joe Straten was a good meeting. She stated that her Public Information Meeting in the Wilson Election District held at Wallace Middle School was very successful. There were about 175 people that attended. The feedback from her constituents has been positive. They have remarked that it was a very informative meeting. Ms. Mumpower thanked County staff for putting the meeting together and commended them for an outstanding job.

Ms. Mumpower shared correspondence she received from a resident on Chestnut Mountain Road about the condition of the road.

Ms. Mumpower read a note from the family of George Culberson thanking the Board for the flowers and note of sympathy. (Father-in-law of Nadine Culberson, Deputy County Administrator/Operations and Personnel).

Ms. Mumpower read a note from William "Bear" Lloyd thanking the Board for his recognition.

8. Board Information and Reminders

Mr. Reeter reviewed the following Board Reminders and Information:

Reminders

Joint recessed meeting of the Washington County Board of Supervisors and Washington County Industrial Development Authority scheduled for Monday, October 25 at 6:30 p.m., in Conference Room 1 of the County Administration Building.

Virginia Association of Counties' Annual Conference scheduled for November 7-9 at The Homestead in Hot Springs, Virginia.

Reviewed schedule of remaining Board of Supervisors Election District Public Information Meetings.

Information

Correspondence from Alpha Natural Resources indicating the official date they will vacate the building will be the end of January 2012.

Correspondence from the United Way of Russell & Washington Counties dated October 4, 2010.

Correspondence from Virginia Association of Counties dated October 1, 2010 regarding the Bolling Commission final meeting/recommendations presentation.

2010 Catalog of State and Federal Mandates on Local Governments - a publication of the Virginia Commission on Local Government.

9. Adjourn or Recess

On motion of Mr. Owens, second by Mr. Straten, it was resolved to recess to 6:30 p.m. on October 25 for a joint meeting with the Washington County Industrial Development Authority.

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

Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Ms. 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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Dulcie M. Mumpower, Chairman