V I R G I N I A:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, September 25, 2012, at 6:30 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

Joseph C. Straten, Chairman
Phillip B. McCall, Vice Chairman
William B. Gibson
Dulcie M. Mumpower
Odell Owens
Randy L. Pennington
C. Wayne Stevens, Jr.

Nadine S. Culberson, County Administrator
Lucy E. Phillips, County Attorney
Mark W. Seamon, Director of Budget & Finance
Naoma A. Norris, CAP, Executive Assistant/Recording Clerk

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1. Call to Order

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

2. Invocation and Pledge of Allegiance

Supervisor Randy Pennington gave the Invocation and led the Pledge of Allegiance.

3. Public Comment

The following individuals addressed the Board**:**

- James DeBord
- Charlie Hargis
- Larry Hines

4. Approval of Agenda

On motion of Ms. Mumpower, second by Mr. Owens, the Board acted to approve the agenda as presented.

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Pennington	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

Mr. Gibson noted that $301,377.39 was listed in Accounts Payable for last month's expenditures on the County Government Center Building.

5. Special Recognitions & Presentations:

a. Presentation of Issues Pertaining to the Washington County Service Authority

Mr. Larry Bays addressed the Board and made a presentation concerning issues pertaining to the Washington County Service Authority (WCSA). The following is a summary of remarks made by Mr. Bay's:

1. Look Beyond the Numbers
    a. Always look for decision impact on citizens
    b. Some decisions may have unintended consequences
2. Look at the Numbers
    a. WCSA's connection fee for single family dwelling is now four to five times that of most other local water providers.
    b. When the last rate increase goes in effect in 2013 this will represent a 511.8% increase since 2006.
3. The Idea for This Increase Presents by Maryland Consulting Firm, Municipal & Financial Services Group
    a. System Development Fee was developed for high growth areas and is not universally applied.
    b. Should not advantage existing customers at the expense of new customers
    c. Should not cause inter class discrimination
    d. Rates cannot be arbitrarily established
    e. Appears to be another rate making fad
4. Look Beyond the Numbers Impact on Real People
    a. Per Capita and Median incomes for Washington County are approximately $9,000 and $21,000 less than remainder of Commonwealth of Virginia.
    b. 15% of Washington County citizens live below poverty level.
    c. Those living in poverty are already spending over 37% of disposable income on food each month and over 25% on energy.
    d. Per capita income has only risen 1.9% per year for the past five years.
    e. It takes the average person almost five months of net income to afford the water and sewer hookup in the County. For the average citizen, it would take almost five years when saving 10% of disposable income to pay these fees.

5. WCSA's own response to be under budget for new ERU's in 2010 by 140% and a 2011 forecast of being down 429% was to go ahead with this fad and raise installation fees
6. Impact of these decisions on Washington County Comparing 2011 to 2006
    a. Nationally building is down 27%.
    b. Washington County building is down 65%.
    c. Cost of single home structures in Washington County has gone up 101%
    d. Barrier to low income and starter homes has caused the lower priced homes to drop out.
7. WCSA's Red Herring or Smoke Screen
    a. Funding options available at People, Inc., or USDA
        i. Funding at both is limited
        ii. Application process takes two to three months
        iii. If you have one adult in the home and make over $17,601 or more, you do not qualify. If there are two or more adults, the income is $20,101 or more, you do not qualify.
        iv. For USDA interest free loans, you must be living in the dwelling to apply (with bad water or no water).
    b. WCSA says they are charging the cost causer
        i. No cost study has been provided except a referral to a revenue requirement calculation that mirror areas like Charlotte or Florida
        ii. A real cost study would show time, material, labor rates, and overhead rates
    c. WCSA Non-responsive to Bays' Freedom of Information Request
        i. Want to charge a $1,160.72 fee plus $26.67 per hour just to look at records.
        ii. Only offered answers to 26 out of 53 items
        iii. No response on productivity questions may reveal lack of management control or effectiveness.
8. What should be done?
    WCSA needs to be held accountable to the people they serve. Their information needs to promote managerial accountability and citizen confidence in services and the cost to provide.

This concluded Mr. Bay's presentation.

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

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

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

1. August 28, 2012 Regular Meeting

2. August 29, 2012 Recessed Meeting

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

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

2. ***Request for Supplemental Appropriation to Washington County Sheriff's Office – Insurance Recovery Checks Received from Motor Vehicle Accidents***

3. ***Request for Supplemental Appropriation to Special Grant Projects Fund – Mendota Water System Improvements Grant***

4. ***Request for Supplemental Appropriation to Emergency Management State Aid – Grant Award Funding for Regional Radio to Radio System Integration***

5. ***Payment of Bills – From August 11, 2012 Thru September 10, 2012***

6. ***Budget Status Report – August 31, 2012***

c. Award of Bids and Approval of Contracts:

d. Authorization of Routine Business Matters

1. ***Approval of Records Destruction, Office of County Attorney***

2. ***Request Authorization to Advertise for Public Hearings for Consideration of Proposed Ordinances***

7. General Business:

a. Actionable Items:

1. Consideration of Resolution Honoring the Achievement by Mountain States Health Alliance in Being Named the 2012 National Quality Healthcare Award Recipient

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

RESOLUTION 2012-35
HONORING THE ACHIEVEMENT BY MOUNTAIN STATES HEALTH ALLIANCE IN BEING NAMED THE 2012 NATIONAL QUALITY HEALTHCARE AWARD RECEIPIENT

WHEREAS, Mountain States Health Alliance, formed in 1998, is the largest health care system in Northeast Tennessee and Southwest Virginia; and,

WHEREAS, its approximately 13,500 team members, associated physicians and volunteers provide caring treatment to their patients; and,

WHEREAS, MSHA's Virginia facilities include Dickenson Community Hospital, Johnston Memorial Hospital, Norton Community Hospital, Russell County Medical Center, Smyth County Community Hospital, and its Tennessee facilities include Franklin Woods Community Hospital, Indian Path Medical Center, Johnson County Community Hospital, Niswonger Children's Hospital, James H. and Cecile C. Quillen Rehabilitation Hospital, Sycamore Shoals Hospital, Johnson City Medical

Center, and Woodridge Hospital, as well as 21 primary/preventive care centers and numerous outpatient sites in both states; and,

WHEREAS, MSHA has long been dedicated to providing quality health care in a loving environment; and,

WHEREAS, on August 20, 2012, the National Quality Forum named MSHA the recipient of this year's National Quality Healthcare Award, recognizing its commitment to excellence and quality throughout the system; and,

WHEREAS, this marks the second time a Virginia health system has been thus honored, and the first time for a Tennessee health system; and,

WHEREAS, the National Quality Forum presents only one national award annually, making this a particularly prestigious distinction; and,

WHEREAS, NQF's interim president and CEO, Senior Vice President and COO Laura Miller, said of Mountain States Health Alliance, 'They have created and utilize a set of 10 Patient-centered Care Guiding Principles illustrating the importance of safe, customized care provided in a transparent manner and openly communicated with the patient, family and caregivers throughout the course of treatment;' and,

WHEREAS, the National Quality Healthcare Award was created in 1993 and recipients are selected through a blinded review by a panel composed of national health care experts representing purchasers, government, health systems, clinicians and consumers; and,

WHEREAS, Mountain States Health Alliance will be presented with this award in special ceremonies to be held in Washington, D.C., in Spring 2013; and,

WHEREAS, this award is a reflection on the dedication and professionalism of all the associates at Mountain States Health Alliance and its President and CEO, Dennis Vonderfecht,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board applauds this hallmark achievement by the leadership and team members of Mountain States Health Alliance and Johnston Memorial Hospital and expresses our deepest appreciation for the services you provide to the people of Virginia and Tennessee.

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Pennington	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

2. Presentation Concerning National Heritage Area and Consideration of Resolution to Protect Citizens Property Rights

Ms. Cathy Turner addressed the Board and made a presentation on National Heritage Areas and what these designations mean to property owner rights. Ms. Turner explained that 19 counties in Southern Virginia are being included in a proposed Heritage Area called The Crooked Road National Heritage Area. She addressed implications to property rights in the 19 county area should the designation be received. At the conclusion of her presentation, Ms. Turner asked the Board to consider a Resolution to protect citizen's property rights.

Discussions ensued among the Board concerning Ms. Turner's presentation and request for adoption of a Resolution to protect citizens property rights. It was consensus of the Board to table the request until the October 23, 2012, Board meeting to allow additional time for Board members to review the information presented.

A request was made to ask a representative from The Crook Road attend the Board meeting on October 23, 2012.

3. Consideration of Carry Forward and Transfer of Line Item for Unencumbered FY 2012 Funds for Department of Emergency Management

Ms. Pokey Harris, Director of Emergency Management, addressed the Board and presented a request that the FY 2012 unspent balance of $25,750.04 remaining in the Maintenance Services Contract line item that was returned to the General Fund Reserves be transferred and appropriated back to the Department of Emergency Services into the Communication Equipment line item to be used for purchase of radios to meet the FCC Narrowbanding mandate for fire and EMS agencies.

Ms. Harris also requested that the FY 2012 unspent balance of $14,193.44 in the Tariff/Radio T-1 Communications line item that was returned to the General Fund Reserves be transferred and appropriated back to the Department of Emergency Services into the Communication Equipment line item to also be used for purchase of radios to meet the FCC Narrowbanding mandate.

Discussions ensued among the Board and Ms. Harris about the FCC Narrowbanding mandate. The following actions were taken:

On motion of Ms. Mumpower, second by Mr. Owens, the Board acted to authorize the unspent balance of $25,750.04 for line item 35500-3203 Maintenance Services Contracts within Department of Emergency Management be transferred from the General Fund Reserves and appropriated to line item 35500-8203 Communication Equipment to be used for purchase of radios to meet the FCC Narrowbanding mandate for fire departments and EMS agencies.

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Pennington	***Aye***
Mr. Stevens	***Aye***

Mr. Straten Aye

On motion of Mr. McCall, second by Mr. Pennington, the Board acted to authorize the unspent balance of $14,193.44 for line item 35500-5231 Tariff/Radio T-1 Communications within Department of Emergency Management be transferred from the General Fund Reserves and appropriated to line item 35000-8203 Communication Equipment to be used for purchase of radios to meet the FCC Narrowbanding mandate for fire departments and EMS agencies.

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

Mr. Gibson Aye
Mr. McCall Aye
Ms. Mumpower Aye
Mr. Owens Aye
Mr. Pennington Aye
Mr. Stevens Aye
Mr. Straten Aye

4. Consideration of Appointment to the Southwest Virginia Regional Jail Authority to Fill the Unexpired Term of Mark Reeter

On motion of Mr. Owens, second by Ms. Mumpower, the Board acted to appoint Supervisor Randy Pennington to the Southwest Regional Jail Authority to fill the unexpired term of Mark Reeter through December 31, 2012; and for a full term beginning January 1, 2013 through December 31, 2013.

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

Mr. Gibson Aye
Mr. McCall Aye
Ms. Mumpower Aye
Mr. Owens Aye
Mr. Pennington Aye
Mr. Stevens Aye
Mr. Straten Aye

5. Consideration of Voting Credentials for 2012 Virginia Association of Counties Annual Meeting

On motion of Mr. Gibson, second by Mr. McCall the Board acted to designate Supervisor Wayne Stevens as the Board's voting representative to the 2012 VACo Annual Business Meeting.

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

Mr. Gibson Aye
Mr. McCall Aye
Ms. Mumpower Aye
Mr. Owens Aye
Mr. Pennington Aye
Mr. Stevens Aye

Mr. Straten ***Aye***

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

Mr. Pennington made the following reports:

- Supervisor Wayne Stevens and he attended church service this past Sunday at Emmanuel Baptist Church for Public Servants Day.

- On Thursday, September 20th he attended a Neighborhood Watch meeting in his district. Good information was received. He commended the Washington County Sheriff's Office for putting forth a good effort with the Neighborhood Watch Program.

- He attended a celebration at Hayter's Gap where Bristol Virginia Utilities (BVU) announced the installation of fiber optics that would connect Hayter's Gap and Brumley Gap. Mr. Pennington commended BVU for undertaking the project.

Mr. Stevens reported on a ceremonies he attended during the day on Saturday, September 22, 2012, at the Muster Grounds in Abingdon where a museum was dedicated to honor the Overmountain Victory Men. Mr. Stevens spoke of the importance of the battles fought by the Overmountain Victory Men in preserving freedoms.

Mr. Gibson reported he will be attending a Coal Rally on September 26, 2012.

Mr. McCall reported on the Homecoming service held at his church. The guest speaker was Ms. Debbie Blevins. Ms. Blevins' husband was killed in the April 2011 tornado and she was severely injured. Mr. McCall talked about the character of Ms. Blevins and stated that despite what she has gone through, she is not bitter, and that she expressed her gratitude to all the people that reached out to her during the tragedy, and was complimentary about the way the disaster was handled. Mr. McCall commented that it was heartwarming to listen to her speak.

Ms. Mumpower echoed the comments of Mr. McCall about Debbie Blevins.

Ms. Mumpower reported on a Business Roundtable Luncheon she attended earlier today organized by Senator Bill Carrico. The Senate Finance Committee Chair and House Majority Leader attended the meeting along with several Legislators and Senators. Among the issues discussed during the luncheon was what is happening in the coal industry. All are concerned and plan to ban together to send a message to the federal legislators that the coal industry needs to operate as they have been. Ms. Mumpower explained a report was made on the new Federal health care requirements and it was stated that the new legislation will cost Virginia about $2.5 billion. Ms. Mumpower further explained that she addressed the issue of unfunded state mandates. Overall, Ms. Mumpower felt it was a good meeting and the legislators heard the concerns of Washington County; she believes they will work hard for Southwest Virginia.

Ms. Mumpower expressed her satisfaction about the joint meeting with Virginia Highlands Airport Authority held on September 19, 2012 and is pleased that the Board of Supervisors voted unanimously to support the Runway Expansion Project.

Mr. Straten gave a reminder that this would be the last Board of Supervisors meeting at the County Administration Building. The October 9, 2012, regular Board meeting will be held at the County Government Center located at 1 Government Center Place in Abingdon, VA. Mr. Straten explained an open house is scheduled for October 18, 2012, beginning at 5:00 p.m. to dedicate the Government Center and bronze statue of George Washington. After the dedication ceremony there will be guided tours of the facility.

9. Board Information and Reminders (County Administrator and County Attorney)

Ms. Culberson provided a review of Board Information and Reminders.

Ms. Phillips advised the Board that a letter was placed at stations from the Virginia Department of Corrections dated August 14, 2012, providing notice about their intent to renew office space located in downtown Abingdon. If Board members wish to express comments about the renewal, they may do so.

10. Closed Meeting

a. Request to convene in Closed Meeting Virginia Code Section 2.2-3711(A)(5), for discussion of prospective business or industry or the expansion of existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, regarding two business interests in the Washington County Industrial Park and one business interest in property in the Exit 7 vicinity.

On motion of Mr. Owens, second by Mr. McCall, the Board acted to convene in Closed Meeting pursuant to Virginia Code Section 2.2-3711(A)(5), for discussion of prospective business or industry or the expansion of existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, regarding two business interests in the Washington County Industrial Park and one business interest in property in the Exit 7 vicinity. County Administrator Nadine Culberson, County Attorney Lucy Phillips, Washington County Industrial Development Authority Chairman Henry Snodgrass and Director of Economic Development and Community Relations Christy Parker were invited to participate in the Closed Meeting.

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Pennington	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

On motion of Mr. Owens, second by Mr. Gibson, the Board acted to take a ten minute prior to convening in closed meeting.

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Pennington	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

b. Reconvene Open Meeting and Certification of Closed Meeting

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

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

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Pennington	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***Aye***

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

On motion of Mr. Pennington, second by Mr. Stevens, the Board acted to recess to September 29, 2012, at 8:30 a.m. for Board of Supervisors Retreat to be held at the Jubilee Retreat House in Abingdon, Virginia.

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

Mr. Gibson	***Aye***
Mr. McCall	***Aye***
Ms. Mumpower	***Aye***
Mr. Owens	***Aye***

Mr. Pennington	***Aye***
Mr. Stevens	***Aye***
Mr. Straten	***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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Joseph C. Straten, Chairman