

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, October 9, 2012, at 6:30 p.m., at the County Government Center 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

1. Call to Order

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

Mr. Straten noted this was the first meeting in the new County Government Center Building.

2. Invocation and Pledge of Allegiance

Supervisor Bill Gibson gave the Invocation and led the Pledge of Allegiance.

3. Public Comment

The following individuals addressed the Board:

- James Alligood
- James DeBord
- Larry Hines

4. Approval of Agenda

Ms. Culberson reviewed an amended agenda.

On motion of Ms. Mumpower, second by Mr. Owens, the Board acted to approve the agenda with the following amendments:

New General Business Item 7.a.5 - Consideration of Resolution Recognizing HAPCO for 50 Years of Operation in Washington County

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

<i>Mr. Gibson</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Pennington</i>	<i>Aye</i>
<i>Mr. Stevens</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>

5. Consent Agenda:

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

a. Approval of Minutes:

- 1. September 11, 2012 Regular Meeting*
- 2. September 19, 2012 Recessed Joint Meeting*
- 3. September 25, 2012 Regular Meeting*

b. Authorization of Routine Business Matters:

- 1. Adoption of Resolution Requesting Incorporation of New Street into State System of Secondary Highways, Harmony Hills Subdivision – approved as follows:*

**RESOLUTION 2012-36
ADDITION OF 0.19 MILES OF HARMONY HILLS LANE
TO SECONDARY SYSTEM OF STATE HIGHWAYS
HARMONY HILLS SUBDIVISION**

WHEREAS, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Washington County, and

WHEREAS, the Resident Administrator for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

WHEREAS, the County and the Virginia Department of Transportation have entered into an agreement on 9 December 2003 for comprehensive storm water detention which applies to this request for addition,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Washington County, Virginia that the Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the Secondary System of Highways, pursuant to §33.1-229, Code of Virginia, and the Virginia Department of Transportation Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills, and drainage, and

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

2. Request for Recycling Information Systems Surplus Items

6. Public Hearings:

a. Request(s) for Special Exception Permit

1. Wendell A. Newberry, Property Tax Map #088-A-39E: Request for Special Exception Permit to operate an agriculturally related business consisting of hosting and producing horse related events such as team penning, ranch sorting and open arena riding in an existing structure, a barn approximately 60' X 110' on property located at 31675 Mont Heritage Drive (private road) near the intersection of State Route 736 (Indian Run Road) and Mont Heritage Drive (Private) in an A-1 (Agricultural, Limited) zone, Monroe Magisterial District

County Zoning and Subdivision Official Cathie Freeman addressed the Board and provided an overview of the public hearing held by the Washington County Planning Commission regarding a request from Wendell A. Newberry for a Special Exception Permit to operate an agriculturally related business that consists of ranch sorting, a family related event that is being conducted in other states. The business is operated primarily from October through March. Ms. Freeman explained there were several people that attended the Planning Commission's hearing speaking in support of the Special Exception Permit request; there was no opposition present. Ms. Freeman advised the Board the Planning Commission recommends approval of the application of Mr. Wendell A. Newberry for a Special Exception Permit.

Mr. Straten opened the public hearing and received comments regarding the request for special exception permit.

Mr. Aaron Newberry, the applicant, addressed the Board and provided further explanation of his proposed business. Mr. Newberry explained ranch sorting is a small, family oriented business. This type business is currently being conducted in other states. Friends and family encouraged him to offer ranch sorting events in this area. By doing so, it will keep local participants from traveling six to seven hours in order to take part in this type of activity. Mr. Newberry further explained he has held these type events in the past and was very successful. There are no issues with littering and no late hours. The activities start early in the day and all efforts are made for activities not to run late.

At this time, a question and answer period ensued among the Board of Supervisors and Mr. Newberry.

Mr. Stevens inquired about the frequency of the events.

Mr. Newberry explained one to two events are held during the months of operation. Currently, there is a Virginia sanctioned event, and he will be hosting the state tournament. Mr. Newberry further explained he is getting requests to host events during off weekends. He stated that he has no intentions of operating the business during the summer months.

Mr. McCall explained the proposed location of the business is rural in nature. He asked if events had been held on the property and if so, were there any issues.

Mr. Newberry explained events have been held at the property in question. During the first event there were 35 horse trailers. After the event, he spoke with several of the neighbors and received no complaints. Mr. Newberry added that several neighbors have spoken in support of the proposed business.

Mr. McCall next asked if the property in question provided enough room for the proposed business.

Mr. Newberry explained that the property was large enough to accommodate the business and he turned the outdoor arena previously located on the property into a parking area.

Mr. Owens questioned the days of week the events would take place.

Mr. Newberry explained events would take place on Saturdays.

Mr. Newberry added that the proposed business boosts the economy as it brings tourism dollars (i.e., hotels, restaurants) into the area from those traveling from other areas to participate in the activities.

This concluded the period of questions between the Board and Mr. Newberry. The public hearing continued.

Mr. Daniel Kimberlin addressed the Board speaking in favor of Mr. Newberry's application for a Special Exception Permit. Mr. Kimberlin explained he was a horse trainer and the events provide him the opportunity to pick up work. Also, the events are an opportunity to sell horses. Mr. Kimberlin added that kids are actively involved in the events.

Mr. James Debord addressed the Board speaking in favor of Mr. Newberry's application for a Special Exception Permit because of its benefit to the economy. Mr. Debord explained his only concern with the proposed business is safety on the road that the horse trailers will travel.

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

On motion of Mr. Stevens, second by Mr. Gibson, the Board acted to follow recommendation of the Washington County Planning Commission and approve the request of Wendell A. Newberry for a Special Exception Permit to operate an agriculturally related business consisting of hosting and producing horse related events such as team penning, ranch sorting and open arena riding in an existing structure, a barn approximately 60' X 110' on property located at 31675 Mont Heritage Drive (private road) near the intersection of State Route 736 (Indian Run Road) and Mont Heritage Drive (Private) in an A-1 (Agricultural, Limited) zone, Monroe Magisterial District.

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

<i>Mr. Gibson</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Pennington</i>	<i>Aye</i>
<i>Mr. Stevens</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>

7. General Business:

a. Actionable Items:

1. Consideration of Request for Reimbursement from Industrial Development Authority for Big R Bridge Local Incentive Grant

Mr. Henry Snodgrass, Chairman, Washington County Industrial Development Authority (IDA), addressed the Board and presented a request from the IDA for reimbursement of \$58,000.00 provided by the IDA to Big R Bridge as a local economic incentive to locate their business in Washington County. Mr. Snodgrass explained in addition to local incentives, Big R Bridge receive incentives from the Governor's Opportunity Fund and Virginia Tobacco Commission.

On motion of Mr. Gibson, second by Mr. Owens, the Board acted to approve appropriation of \$58,000.00 from the County Opportunity Account within the Economic Development Fund to the Washington County Industrial Development Authority for reimbursement of the local match paid by the Industrial Development Authority for Big R Bridge.

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

<i>Mr. Gibson</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Pennington</i>	<i>Aye</i>
<i>Mr. Stevens</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>

2. Consideration of Resolution Supporting Smyth County Enterprise Zone Modification

County Attorney Lucy Phillips addressed the Board and explained Smyth County has asked the Board of Supervisors to adopt the proposed resolution regarding the Smyth County portion of the Smyth-Washington County Enterprise Zone. Smyth County and the Town of Chilhowie are applying for an enterprise zone amendment for the purpose of amending the local incentives offered in the zone and extending the zone boundary in the Marion area. Ms. Phillips explained that Washington County and Smyth County originally created the Enterprise Zone, which includes property in both counties, as a joint effort in 2001. She further explained that Washington County's Enterprise Zone boundaries are not affected by the Smyth County request, but Washington County is required to sign the application for amendment because the original zone designation was created as part of the Smyth county/Washington County joint enterprise zone program.

Substantial discussions ensued among the Board and Ms. Phillips regarding the request. A majority of Board members felt action on the proposed Resolution and Joint Application Agreement should be tabled until Smyth County and the Town of Chilhowie had acted on it. Subsequently, the following action was taken by the Board:

On motion of Mr. Stevens, second by Mr. Gibson, the Board acted to table action on the request from Smyth County to adopt the proposed Resolution and approve the Joint Application Agreement acknowledges Smyth County's proposed enterprise zone amendment until Smyth County and the Town of Chilhowie act on the matter.

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

<i>Mr. Gibson</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Nay</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Pennington</i>	<i>Aye</i>
<i>Mr. Stevens</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Nay</i>

3. Consideration of Resolution Concurring with Virginia Department of Transportation's Decision to Temporarily Close a Portion of Route 700 for Bridge Replacement

County Administrator Nadine Culberson addressed the Board and explained the Virginia Department of Transportation will temporarily close a portion of Route 700 between Routes 741 and 693 to through traffic for approximately two weeks (weeks of October 9th and 16th) in order to replace a small bridge that is listed as deficient. The closure will cause a detour of about four miles. VDOT asks for Board adoption of the proposed Resolution concurring with their decision to temporarily close a portion of Route 700 for bridge replacement.

On motion of Mr. Owens, second by Mr. Pennington, the Board acted to adopt the following Resolution concurring with the Virginia Department of Transportation's decision to temporarily close a portion of Route 700 for bridge replacement:

RESOLUTION 2012-37

WHEREAS, on Route 700, in Washington County, Structure Number 6070 is to be replaced by Virginia Department of Transportation maintenance forces, and;

WHEREAS, in order to facilitate the replacement of the bridge a section of Route 700 from Route 693 to Route 741 will have to be closed to through traffic for the weeks of October 9th and 16th, resulting in a detour around Routes 741 and 693, the detour be approximately 4.1 miles. This project was advertised in December 2006, and;

NOW, THEREFORE, BE IT RESOLVED that in order to facilitate the needed replacement of this structure, the Washington County Board of Supervisors hereby concur with the closure plan and detour for Route 700 being approximately two weeks.

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

<i>Mr. Gibson</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Pennington</i>	<i>Aye</i>
<i>Mr. Stevens</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>

4. Consideration of Request to Surplus County Property and Conduct a Surplus Sale

Ms. Culberson addressed the Board and explained after completion of the move to the new Government Center Building there is a surplus of furniture and equipment. The County has been able to use much of the furniture left by Alpha Natural Resources in the Government Center Building. Ms. Culberson asked the Board to declare the extra furniture and equipment as County surplus property. She explained that the furniture will be staged in the County Administration Building at 205 Academy Drive. Government agencies that receive funding from the County will be given the first look at furniture and equipment and can tag items they would like to have for government use. The agencies will have three days to remove their items. With the Board's authorization, the remaining items will be sold at a public sale.

On motion of Mr. McCall, second by Mr. Stevens, the Board acted to declare certain furniture and equipment as Surplus County Property, to allow County departments and agencies not located in the County Government Center to tag and remove furniture for government use, and to authorize a public sale of remaining surplus County property.

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

<i>Mr. Gibson</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Pennington</i>	<i>Aye</i>

Mr. Stevens *Aye*
Mr. Straten *Aye*

5. Consideration of Resolution Recognizing HAPCO for 50 Years of Operation in Washington County

Ms. Christy Parker, Director of Economic Development and Community Relations, addressed the Board and presented a proposed Resolution recognizing HAPCO for 50 years of operation in Washington County. Ms. Parker explained that HAPCO is one of Washington County's largest employers with over 150 employees and is a leader in the engineering and manufacturing of high quality aluminum and steel light poles and brackets for industrial, transportation, and commercial applications. HAPCO will be celebrating their 50th anniversary of operation in Washington County on October 17, 2012. Ms. Parker noted that all HAPCO products are made in the United States.

On motion of Mr. McCall, second by Mr. Gibson, the Board acted to adopt the following Resolution recognizing and congratulating HAPCO for 50 years of operation in Washington County:

**RESOLUTION 2012-38
COMMENDATION AND RECOGNITION TO HAPCO
FOR 50 YEARS OF OPERATION IN WASHINGTON COUNTY**

WHEREAS, Hubbard and Company relocated its HAPCO (Hubbard Aluminum Products Co.) operation to Washington County, VA from Pittsburgh, PA on October 17, 1962; and,

WHEREAS, over the last 50 years HAPCO has established itself as an industry leader in engineering and manufacturing high quality aluminum and steel light poles and brackets and offers a wide range of products and styles; and,

WHEREAS, HAPCO is dedicated to creating lifetime customer relationships by providing the very best quality products and the highest possible level of customer service, thus becoming the company of choice in every market they serve including: Commercial & Industrial, Investor Owned Utilities , Municipal Utilities, Department of Transportation, and Original Equipment Manufacturing markets; and,

WHEREAS, HAPCO is located in a 200,000+ square foot facility in Washington County in the Washington County Industrial Park; and,

WHEREAS, HAPCO empowers a motivated, team-approached workforce of over 150 people and contributes to the tax base of Washington County supporting education and other basic services and many charitable organizations in the community; and,

WHEREAS, HAPCO supports other existing industry in Washington County and Southwest Virginia as a supplier and purchaser of goods and services; and,

WHEREAS, all of HAPCO's products are manufactured in the USA and meet the criteria for the Buy American Requirement under Section 1605 of the American Recovery and Reinvestment Act of 2009.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board hereby commends and recognizes HAPCO for 50 years of operation in Washington County which will be marked in an Anniversary celebration on October 17, 2012; and,

BE IT FURTHER RESOLVED, that the Board of Supervisors wishes to acknowledge the valuable contribution of the company owners, management, supervisors and employees to continuing a proud manufacturing tradition in Washington County and helping to create a great place to live, work and raise a family in our community.

8. Board Member Reports

Mr. Pennington reported on the Board of Supervisors Retreat held September 29 & 30. He commented that the two days were productive and the Board came away with a better understanding of where they need to be. Mr. Pennington expressed appreciation to each member of the Board. He thanked County Administrator Nadine Culberson and staff for their hard work in putting the Retreat together.

Mr. Stevens also reported on the Board of Supervisors Retreat. He stated the two days were well spent; Board members learned about each and received direction.

Mr. Gibson reported on the Romney campaign stop in Washington County on October 5. Washington County gained national attention. Mr. Gibson urged everyone to vote on November 6.

Mr. Gibson next reported on the Tea Party rally held recently in Bristol, VA. The guest speaker at this event was Mr. Don Casey. He explained Mr. Casey's presentation was very informative and information received about national heritage areas was disturbing. Mr. Gibson stated on Thursday, October 11, The Crooked Road will conduct their Board meeting at the Virginia Highlands Community College Theater. Mr. Casey will make a presentation at this Board meeting.

Mr. Gibson addressed concerns about the attack on the coal industry in Southwest Virginia and the negative impact this will have on localities in Southwest Virginia. He expressed concerns about the FY 2013-14 budget year.

Mr. Owens reported on the Board Retreat. He stated that Board members learned about each other and the Retreat provided an opportunity for Board members to interact with each other and think about where Washington County is going and the responsibilities of the Board.

Mr. Owens commented that the past four budget years have been difficult and the Board will need to be careful going into the FY 2013-14 budget process.

Mr. McCall reported on the opportunity that he along with Supervisors Mumpower and Owens had to address Leadership Washington County on October 6. He commented that Leadership Washington County is a good program that showcases the County and mechanisms of State government. Mr. McCall commended Barry Firebaugh for his leadership of the class.

Ms. Mumpower reported on the Board Retreat. She stated that the Retreat was excellent and the Board accomplished a lot.

Ms. Mumpower praised the local high school bands that have recently won awards at competitions in Lee County and Chilhowie. Also, she commended the John S. Battle High School Football Team and coaches for being undefeated for the first time in school history.

Mr. Straten reported on the Board Retreat. He explained the Board came out of the Retreat with distinctive goals and objectives for the County. These goals and objectives were recorded and will ultimately be published in a report made available to the public. The Board also established criteria for the future County Administrator.

Mr. Straten reported on a telephone call he received from a representative of a major political party questioning why the Board of Supervisors removed God from the Invocation. Mr. Straten explained that the Board has never stated that it removed God from the Invocation. He explained, however, that many counties throughout the Commonwealth have been sued because they invoke Jesus name in their Invocation. The Board is taking measures to keep taxpayer dollars from being spent on such a lawsuit.

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

Ms. Culberson reviewed the following Board Information and Reminders:

- Public dedication of the Government Center Building and George Washington Houdon Statue on Thursday, October 18, 2012. Beginning at 10:00 a.m. Washington County 4th Graders will receive a historic presentation and facility tours. Then at 5:00 p.m. an official dedication and unveiling ceremony will be held. Facility Tours will be conducted from 5:30 – 7:00 p.m.
- The Virginia Association of Counties 2012 Annual Conference will be held November 11-13 at the Homestead in Bath County, VA.
- The 26th Annual Southwest Virginia Chambers of Commerce Legislative Breakfast will be held on Monday, November 19th at the Scott County Career and Technical Center in Gate City, VA.

Ms. Phillips thanked the Board for their support of continuing education for her and Legal Assistant Vicky Henderson. She distributed copies of the program for the Local Government Attorneys Conference held recently and a copy of the conference program the Legal Assistants Conference that Vicky Henderson will be attending.

Ms. Phillips next distributed copies of a brochure that summarizes the Virginia Freedom of Information Act. This brochure is sponsored by the Weldon Cooper Center for Public Service and the Local Government Attorneys.

10. Adjourn or Recess

On motion of Mr. Owens, second by Mr. Stevens, the Board acted to adjourn the meeting.

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

Mr. Gibson

Aye

<i>Mr. McCall</i>	<i>Aye</i>
<i>Ms. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Pennington</i>	<i>Aye</i>
<i>Mr. Stevens</i>	<i>Aye</i>
<i>Mr. Straten</i>	<i>Aye</i>

Prepared by:

Naoma A. Norris, Recording Clerk

**Approved by the Washington County Board
of Supervisors:**

Joseph C. Straten, Chairman