

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, February 26, 2013, at 6:30 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

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

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 Ms. Dulcie Mumpower, Chair 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:

- Ed Harlow
- James Deboard
- Charlie Hargis
- James Alligood
- Larry Hines

4. Approval of Agenda

Ms. Culberson, County Administrator, reviewed an amended agenda.

Mr. Gibson requested that financials be removed from Consent Agenda and added to General Business for discussion.

Mr. Pennington requested that Item 8.3 – Consideration of Emergency Medical Services Response Plan be removed from General Business and added to Consent Agenda under Routine Business Matters.

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

New Consent Agenda Items:

6.d.1. – Consideration Resolution Recognizing Douglas Miller for 42 Years of Service as Election Official at the Valley Institute Precinct

6.d.2. – Consideration of Emergency Medical Services (EMS) Response Plan

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. Special Recognitions & Presentations:

a. Update Presentation on Status of King School of Medicine

Mr. Tariq Zaidi, Interim President for King School of Medicine, provide a presentation on the status of the proposed King School of Medicine Project. Mr. Zaidi first commented that as part of his presentation a request for \$50,000 will be made and for the record he would like to state that Ms. Dulcie Mumpower, member of the King School of Medicine Board of Trustees, was not able to attend the last Board of Trustees meeting and was not made aware of the request in advance of the meeting. Mr. Zaidi next talked about the article about the King School of Medicine that was in today's edition of the Bristol Herald Courier.

The following is an overview of the KSOM Progress Report dated February 18, 2013 as follows:

- The new independent KSOM Board of Trustees completed transition to an Independent Virginia Project and has achieved measurable results since the end of November.
- Mr. Zaidi has completed due diligence on the project as promised to the Board of Supervisors in July 2012. This has resulted in countless discussions with numerous community leaders, elected officials, physicians and philanthropists. Through these discussions, one consistent theme emerged the need for an allopathic medical school whose primary focus is recruiting, educating, and retaining physicians to live and work in this region. Also, during the discussions, significant questions were

voiced about the high costs of starting an independent allopathic medical school, such as the need for an initial endowment of \$100,000,000 and creation of a research program from scratch.

- Understanding the concerns, the new independent KSOM Board confronted the problem of determining how to develop an allopathic medical school model that reduces the prohibitively high costs of entry, is more sustainable, yet provides the same end goal of training physicians to practice in rural settings in a modern and high quality environment. At the same time, the passage of the Affordable Health Care Act and the recent election results will likely compound the already existing and predicted physician shortage and increase the need for the project. It is estimated that at least 450,000 individuals will be added to Medicaid in Virginia alone, with a significant portion being in the areas served by the VTICRC.
- The new independent KSOM recognized the need for an expert in both medical education and healthcare systems. In August 2012, the Board of Directors engaged Dr. William Kanto to provide advice and guidance in the development of a medical school within those parameters. Over the next few months, the solution became clear and a redefined strategy emerged – the establishment of a partnership campus in collaboration with an existing Liaison Committee on Medical Education (LCME) accredited allopathic medical school. This will allow the creation of an academic medical campus in Abingdon at significant cost savings. The partner campus is able to develop its own program under the main campus' LCME accreditation, so long as it follows the objectives and measurements of the main campus' curriculum. This enhances the likelihood of successfully attaining accreditation. During a December meeting the LCME informed the KSOM Board that many of the new medical schools are in planning under this structure, for the very reasons the Board is embarking upon this path. More importantly, this strategy avoids many serious challenges that exist when attempting to create an independent medical school, while fulfilling the ultimate goal of developing a medical school in Southwest Virginia. To implement this strategy, discussions were initiated with East Tennessee State University (ETSU) and its Quillen College of Medicine. In three decades, ETSU has developed into one of the nation's leading schools for rural medicine and primary care training. Over the past couple months, the KSOM Board has worked closely with ETSU leadership and have negotiated a Memorandum of Understanding to explore the potential for collaborating on the establishment and development of a partnership campus in Abingdon. ETSU has a high quality educational program, a well-established research program and facilities and commitment to the improvement of the region, including Southwest and Southside Virginia. By partnering with ETSU, the proposed KSOM will be able to offer a high quality research experience for faculty and students without the prohibitive cost of developing the program from the ground up. ETSU also has long-established relationships with healthcare systems in the area, a successful medical practice plan, and graduate medical education program. In collaboration with ETSU, the King School of Medicine, Inc. can become established quicker, reduce the entry costs, remove significant risk, enhance sustainability and deliver the intended goals. The Memorandum of Understanding with ETSU was executed on January 7, 2013 and the Board is moving forward quickly. The KSOM new strategy was validated after a meeting with LCME co-Secretaries in December. They embraced the partnership strategy.
- As the new partnership strategy was further developing, KSOM Board felt it critical to engage the local medical community in the discussion and planning. In August, the Board formed the Physicians Advisory Committee.

- As part of KSOM Board's commitment to serve Southwest and Southside Virginia, the Board has engaged in significant discussions with LifePoint Hospitals to partner on clinical rotations and to work with them to solve their need for well-trained physicians to practice in Danville, Martinsville, Wytheville, Galas and Richlands. Letters of Support from LifePoint are included in agenda materials.
- On November 28, 2012 execution of the Assignment, Assumption and Consent Agreement dated November 20, 2012 among King College, Inc., VTICRC and Medical School to assign Grant #1958 to KSOM.
- On January 8, 2013 an extension of the VTICRC Grant #1958 was granted to KSOM.

Mr. Zaidi concluded his report by stating that over a short period of time since the assignment of the VTICRC grant to KSOM a lot has been accomplished.

Mr. Zaidi made a request to the Board for \$50,000 to match the funds that the Town of Abingdon advanced for the project. He expressed appreciation for the Board of Supervisors' support.

Lengthy discussions were held between the Board, Mr. Zaidi and Ms. Phillips, County Attorney. A particular point of discussion was the validity of the original agreement executed on September 16, 2011, between the Town of Abingdon, County of Washington and King College. There were discussions among the Board concerning revision of the original agreement to reflect the recent developments and brought back before the Board for approval before the project goes any further and before the \$50,000 request by KSOM is considered. After further discussions, the following action was taken:

On motion of Mr. Straten, second by Mr. Stevens, the Board directed the County Administrator and County Attorney to modify the Memorandum of Agreement dated September 16, 2011 to reflect the current participants and assure the MOU is within legal limits.

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>

Further discussions ensued. Ms. Phillips, County Attorney, commented that she would consult with Abingdon's attorney and Mr. Zaidi concerning revision of the MOU.

6. Consent Agenda:

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

a. Approval of Minutes:

No minutes were presented.

b. Approval of Routine Financial Matters: (Moved to General Business Item 8.2.a)

1. *Request of Revenue Refunds for Washington County Sheriff's Office – Animal Sterilization Fees*
2. *Request for Supplemental Appropriations – Washington County Department of Emergency Management for 2012 EMPG Award in the Amount of \$5,000.00*
3. *Payment of Bills – From January 11, 2013 Thru February 10, 2013*
4. *Budget Status Report – January 31, 2013*

c. Award of Bids and Approval of Contracts:

1. *Request for Transfer of \$9,932.84 from Capital Improvement Fund Undesignated Reserve Account to Beaverdam Creek Park Project*

d. Authorization of Route Business Matters:

1. *Consideration of Resolution Recognizing Douglas Miller for 42 Years of Service as Election Official at the Valley Institute Election Precinct (amended agenda item) – approved as follows:*

**RESOLUTION 2013-06
IN RECOGNITION OF DOUGLAS MILLER FOR 42 YEARS OF SERVICE
AS ELECTION OFFICIAL AT VALLEY INSTITUTE ELECTION PRECINCT**

WHEREAS, DOUGLAS MILLER is being honored for 42 years public service on behalf of the people of the County of Washington, Virginia on February 26, 2013; and

WHEREAS, DOUGLAS MILLER, a Washington County native, has served as an Election Officer at the Valley Institute Election Precinct since 1971 and is currently serving as the Precinct Chief; and

WHEREAS, DOUGLAS MILLER, even though he was already active in his church, his community, and the Republican Party, he chose to become an Election Official who has worked hard to encourage every eligible person to register and to vote in all elections, to protect the integrity of the electoral process, and provide equal access to the process; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board of Supervisors of the County of Washington, Virginia, on February 26, 2013 hereby commends and honors DOUGLAS MILLER for his 42 years of exemplary public service as an Election Officer/Chief of the Valley Institute Election Precinct.

2. Consideration of Emergency Medical Services (EMS) Response Plan

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. Public Hearings:

a. Public Hearing to Solicit Public Input on Local Community Development Needs in Relation to Community Development Block Grant (CDBG) Funding

Mr. Robbie Cornett, General Manager, Washington County Service Authority (WCSA), provided general information about the Community Development Block Grant (CDBG) Program and gave a brief overview of the proposed Hidden Valley Water System Extension Project, Phase 1 identified as a potential community development need. Mr. Cornett explained approximately \$800,000 would be expended to provide a public water system to the Phase 1 area of Hidden Valley (from the Russell/Washington County line along Hidden Valley Road to 8466 Hidden Valley and along Douglas Lane). CDBG funds would be sought in the amount of \$462,500 with additional funding being sought as well as WCSA contributions. Approximately 28 low and moderate income families would be benefitted. No displacement of families or individuals would occur. Mr. Cornett stated that additional information about the proposed project will be provided at the second public hearing scheduled for March 12, 2013.

There were discussions between the Board and Mr. Cornett concerning the proposed CDBG project.

Chairman Mumpower opened the Public Hearing and invited comments both in support of and in opposition to solicit public input on Local Community Development Needs in relation to Community Development Block Grant (CDBG) funding.

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

No action was requested.

8. General Business:

1. Consideration of Recommendations from County Revenue Review Committee Regarding Departments of Zoning and Building and Development Services

Mr. Barry Firebaugh, Chairman, County Revenue Review Committee made a presentation on the Committee's recommendations for change to the fee structure for Departments of Zoning and Building and Development Services effective July 1, 2013. Mr. Firebaugh explained the Committee has worked at

length since last spring on revising fee structures for the aforementioned departments and commented it has been many years since the fees have been increased.

The Committee's recommendations on existing zoning fees are:

- **Application for rezoning – recommended increase from \$50.00 to \$250.00**
The application process to apply for a rezoning request involves the costs of advertising and mailing a notification to adjoin property owners.
- **Application for Special Exception Permit – recommended increase from \$50.00 to \$250.00**
The costs for processing an application for a Special Exception Permit are identical to that of application for rezoning.
- **Appeal before Board of Zoning Appeals (BZA) – recommended increase from \$50.00 to \$250.00**
The process to appeal a zoning determination before the BZA is similar in nature to the application process for rezoning and special exception permit requests. The same amount of work is required.
- **Zoning Permit Fee for Maintenance of Zoning Maps and Files – recommended increase from \$5.00 to \$20.00**
Every building/electrical permit requires an additional \$5 fee for zoning maps. Because of the upkeep on digital and aerial maps and to support the County's GIS database, the fee is recommended to increase.
- **Division of Motor Vehicle Authorization Review – recommended new fee of \$20.00 be implemented**
- The Department of Zoning Administration is required to review the zoning and location of automobile dealers within the County. The County currently does not charge a fee for these services. Due to the time and document retention, the proposed fee is recommended.

Mr. Firebaugh next reviewed permit fees for Building and Development Services. He explained total fees collected for all types of building permits issued for both residential and commercial during CY 2012 was \$61,008.47. The estimated collections with proposed new fees are \$119,906.90, which is 42% of the personnel costs. The County has 23 building permit types issued to cover all basic trades.

Mr. Firebaugh reviewed sample residential permit issuance comparing the current fee with the new proposed fee. The example used was based on a 2,000 sq. ft. ranch on full unfinished basement with three bedrooms, two baths, 200 amp electrical service, three ton heat pump/furnace and decorative gas logs. The example used showed a difference of \$219 or a 53% increase in revenue generated.

He next reviewed a sample commercial permit issuance comparing the current fee with the new proposed fee. The example used was based on a 10,000 sq. ft. restaurant with 800 amp electrical service, two – five ton heat pump/furnace units, one kitchen hood with suppression, men and women's restrooms with two toilets and one sink each, fire alarm, and fire sprinkler with 200 heads. The example used showed a difference of \$1,469 or 217% increase in fees collected.

The Committee's recommendations on existing building permit fees and presentation referenced above are attached as an exhibit to the minutes.

Mr. Firebaugh commented if the Board makes the decision to go forward with the recommendations it will require revision to County Code Section 66-98 Zoning Permit Fees and County Code Section 14 Building and Development Regulations and public hearings scheduled on both amended ordinances.

The Board and Mr. Firebaugh discussed the Committee's recommendations.

Mr. Owens (member of Revenue Review Committee) explained that fees for zoning and building permits have not been updated since the 1980's. New inspections have been implemented due to state requirements. He commented the Committee after review of both departments concluded that inspections are not designed to bring income into the County but are conducted to provide quality and safety to homeowners/business. Mr. Owens further explained the Committee does not recommend recovery of all the fees but do recommend an update to the fee structure to cover a portion of the costs.

Mr. Gibson explained he was a member of the County Revenue Review Committee during the time fees were reviewed for the Departments of Zoning and Building and Development Services. He commented that he voted against the recommendations in Committee and will do so tonight because he believes the recommended increases are too much of a jump at one time. Mr. Gibson stated the increases should be implemented in small increments.

Mr. Straten (member of Revenue Review Committee) stated that now the taxpayer is bearing most of the financial burden for processing of building permit and zoning related fees and it makes good business sense for the user to pay the majority of the cost and not the taxpayers as a whole.

Ms. Culberson, County Administrator, commented that the new fees, if approved, would take effect July 1, 2013.

There were further discussions devoted to the Revenue Review Committee's recommendations.

On motion of Mr. Straten, second by Mr. McCall, the Board acted to accept the recommended changes to the fee structure for Departments of Zoning and Building and Development Services effective July 1, 2013, and to direct the County Administrator and County Attorney to draft the necessary ordinances and authorize scheduling of public hearings on amendment of County Code Section 66-98 Zoning Permit Fees and County Code Section 14 – Building and Development Regulations.

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>

Scrivener's Note: The Presentation and Building Permit Fee schedule referenced above are included as Minutes Exhibits Item 2013-2-26-A.

2. Consideration of Personnel Committee Recommendations

Ms. Kathy Johnson, Director of Human Resources, presented recommendations of the County Personnel Committee regarding implementation of a Drug & Alcohol Free Workplace Policy and revision to various Position Descriptions. Ms. Johnson explained work has been on-going for the last few months on the proposed Drug & Alcohol Free Workplace Policy for Administrative Division employees. The proposed policy includes the mandated State and Federal requirements for Commercial Driver License employees as well as pre-employment and random testing on all Administrative Division employees. Ms. Johnson provided a brief review of the proposed policy and related drug testing forms. She explained the main concern of the Personnel Committee is that all employees be educated on the policy. Ms. Johnson further explained some employee meetings have been held with the primary question from employees being about prescription drugs. Ms. Johnson stated that employees are responsible for letting their supervisor and the Human Resources Department know what prescription drugs and other medication they are taking. She next reviewed startup costs for the program explaining they were \$2,200 and could be handled in the current year's budget mainly for General Services and Solid Waste. In subsequent fiscal years the drug testing program would be budgeted for in the Human Resources Department with the cost being approximately \$1,800 a year. Ms. Johnson advised that the Personnel Committee recommends the proposed policy.

There were discussions held between the Board and Ms. Johnson concerning the proposed drug policy.

Mr. Gibson asked if the testing would be random. Ms. Johnson stated that it would be. Mr. Gibson next asked if the test would be for certain drugs. Ms. Johnson explained there is a required list for the CDL drivers and a panel of 11 drugs for random and pre-employment testing.

Mr. Bill Gibson asked if the proposed policy includes Constitutional Officers and their staff. Ms. Culberson explained for now the proposed policy will apply only to Administrative Division employees and commented that the Washington County Sheriff's Office as a Drug and Alcohol Free Workplace Policy already in place. Ms. Johnson commented that she hopes other Constitutional Offices will follow suit.

Mr. Gibson commented that County employees should not be subject to something the Board members are not willing to do as Board members drive county vehicles.

On motion of Mr. Owens, second by Mr. Stevens, the Board acted to accept the Personnel Committee's recommendations as follows:

- a. *Adopt Personnel Policy #10-15, Drug & Alcohol Free Workplace effective March 1, 2013.*
- b. *Add This is a Safety-Sensitive position to the following Position Descriptions:*

*Director of General Services
General Services Supervisor
General Services HVAC Technician
General Services Maintenance Technician
General Services Custodial Technician*

*Director of Solid Waste
Solid Waste Specialist
Solid Waste Technician
Solid Waste Operator Driver
Solid Waste Convenience Station Attendant*

Mr. Stevens asked if Board members would be added to the Drug & Alcohol Free Workplace Policy. Ms. Mumpower stated that the motion made did not include Board members.

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.a. b. Approval of Routine Financial Matters: (from Consent Agenda)

1. Request of Revenue Refunds for Washington County Sheriff's Office – Animal Sterilization Fees
2. Request for Supplemental Appropriations – Washington County Department of Emergency Management for 2012 EMPG Award in the Amount of \$5,000.00
3. Payment of Bills – From January 11, 2013 Thru February 10, 2013
4. Budget Status Report – January 31, 2013

Mr. Gibson questioned the \$52,000 expended for the Government Center Building and \$40,000 on building improvements.

Mr. Seamon explained this is for final retainage to conclude the contract on the Government Center Project.

On motion of Mr. McCall, second by Mr. Straten, the Board acted to approve routine financial matters as follows:

1. *Request of Revenue Refunds for Washington County Sheriff's Office – Animal Sterilization Fees*
2. *Request for Supplemental Appropriations – Washington County Department of Emergency Management for 2012 EMPG Award in the Amount of \$5,000.00*
3. *Payment of Bills – From January 11, 2013 Thru February 10, 2013*

4. Budget Status Report – January 31, 2013

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>

3. Consideration of Emergency Medical Services (EMS) Response Plan – (Moved to Consent Agenda)

4. Consideration of Washington County Appointment to the Mount Rogers Transportation Rural Technical Committee

On motion of Mr. Stevens, second by Mr. Straten, the Board acted to appoint Tom Taylor to the Mount Rogers Transportation Rural Technical Committee for a two year term beginning January 1, 2013 through December 31, 2014.

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. Consideration of Appointment to Washington County Park Authority

On motion of Mr. Straten, second by Mr. Owens, the Board acted to appoint Keith Bazyk to represent the Taylor Election District on the Washington County Park Authority through June 30, 2014.

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>

At this time motion was made by Mr. Pennington, second by Mr. Owens to take a ten minute recess.

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>

b. Information Items:

1. Report on Status of Commonwealth Review of City of Bristol, Virginia’s Proposal for The Falls to be Approved as a “Development of Regional Impact” to Qualify for Receipt of a Portion of State Sales Tax Revenues to Support the City’s The Falls Project

Mr. Fred Parker, County Treasurer, provided a status report on the Commonwealth’s review of the City of Bristol, Virginia’s proposal for The Falls to be approved as a “Development of Regional Impact” in order to qualify for receipt of a portion of state sales tax revenues to support the City’s project and the County’s efforts in this regard.

b. Update from Land Use Steering committee on Preparation of Zoning Ordinance for Natural Gas Exploration, Drilling, and Extraction Use

Mr. Stevens and Mr. Owens (Members of the Joint Land Use Steering Committee) provided a report of the February 13, 2013, Committee meeting where preparation of a zoning ordinance for Natural Gas exploration, drilling and extraction use was discussed.

Mr. Stevens explained that Virginia’s Attorney General has said that no local body can ban altogether the exploration, drilling and extraction of natural gas. The Committee wants to look at how the County can best handle and implement state and federal rules.

Mr. McCall stated the Committee wants to establish a plan of where gas drilling could occur in the County. He commented that County Attorney Lucy Phillips is looking into these matters. Mr. McCall added that the Committee continues to research and review this matter but do not have recommendations at this time for the Board.

Mr. Owens commented that much discussion has been devoted to this subject and it appears to him if the County is going to implement any type of restrictions it should be done soon. He commented that if the County does not act soon, the state will begin to issue drilling permits. Mr. Owens further commented that the Attorney General has said the County cannot deny a permit; therefore, if a permit is approved by the state is it too late for the County to do anything.

Ms. Phillips, County Attorney, explained that state statute authorizes the Virginia Department of Mines, Minerals and Energy to regulate drilling and extraction of natural gas and does specifically acknowledge the role of local governments to enforce zoning.

Mr. Owens commented that if the County is going to determine zones in the County where drilling would be permitted that needs to be done now. Also, the County Zoning Ordinance needs to be updated to say that drilling is permitted in order to be compliant with the state.

Ms. Mumpower asked if the Land Use Committee could make another report at the March 26 Board meeting.

Mr. Stevens commented the Board has an obligation to the gas companies and citizens of the County to remedy the situation quickly, and should a permit be issued by the state before the County gets prepared, the obligations are not being upheld.

Mr. Gibson stated that he concurs with Mr. Stevens' comments and believes that Rick Cooper with Department of Mines, Minerals and Energy could answer the questions and suggested inviting Mr. Cooper to the next meeting.

Mr. Owens commented that Mr. Cooper has indicated he is more than willing to attend a meeting to answer question and suggested to the County Attorney that Mr. Cooper be invited to attend the next Land Use Steering Committee meeting.

Ms. Phillips stated with concurrence of the Land Use Steering Committee members and Board members that she would send a letter to Mr. Cooper advising him of the next Committee meeting.

9. Board Member Reports

Mr. Pennington reported that he was contacted by a constituent about the signage at the entrance into the County Government Center being difficult to read and commented he hopes the county is working on getting better signage. Mr. Pennington also commented about the narrow steps at the front of the building and requested a handrail be installed.

Mr. Gibson reported when he came to the County Government Center to pay taxes at the Treasurer's Office he heard complaints about the handicapped parking spaces being located at the ends of the parking lot. Mr. Gibson asked if two handicapped parking spaces could be put at the front door.

Ms. Culberson responded there are plans to place two handicapped parking spaces at the front door and that handrail needs to be installed at the front steps.

Mr. McCall reported on the Spectra Energy Public Hearing recently held regarding their natural gas line extension project.

10. Board Information

Ms. Culberson, County Administrator, reviewed Board information and reminders.

11. Adjourn/Recess

On motion of Mr. Stevens, second by Mr. Pennington, the Board acted to recess the meeting to Thursday, March 7, 2013 beginning at 6:00 p.m. for public hearing on the Requested and Recommended Budget for FY 2013.2014 followed by the first budget adjustment worksession.

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>

Prepared by:

Naoma A. Norris, Recording Clerk

Approved by the Washington County Board of Supervisors:


 Dulcie M. Mumpower, Chairman