V I R G I N I A:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, March 12, 2013, at 6:30 p.m., at the County Government Center 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

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

3. Public Comment

The following individuals addressed the Board during public comment:

- Kevin Thayer
- Clyde Rasnake
- Charlie Hargis
- Jim Alligood
- Joseph Boyd
- Harry Waters
- Barbara Waters
- Rich Marvin
- Douglas Marvin
- James Deboard
- Larry Hines

- Gary Johnson
- John Clark
- Edward Cozart
- Vernon Smith

4. <u>Approval of Agenda</u>

Ms. Culberson, County Administrator, provided a review of additional materials given to the Board included a revised application for the proposed CDBG Hidden Valley Water System Extension Project, Phase 1 and presentation materials from Davenport and Company.

At this time, Ms. Culberson introduced Ms. Cherith Marshall, the new Director of Community Development Planning and spoke of Ms. Marshall's credentials.

Ms. Marshall addressed the Board and thanked them for the opportunity to work for the Board and citizens of Washington County. She commented that she is excited to be able to come back home to work.

On motion of Mr. McCall, second by Mr. Owens, it was resolved 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***

5. Consent Agenda:

On motion of Mr. Owens, 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. January 28, 2013 Joint Recessed Meeting with Washington County School Board

2. February 5, 2013 Recessed Board Meeting

3. February 12, 2013 Regular Board Meeting

4. February 21, 2013 Recessed Board Meeting

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

1. Consideration of CDBG Disaster Recovery Project Budget Revision Document

2. Consideration of Payment in the Amount of $8,000 to Mangum Economic Consulting, LLC for its Analysis of and Associated Report Regarding the City of Bristol Proposal for Department of Taxation Approval of The Falls Project as a "Development of Regional Impact"

c. Award of Bids and Approval of Contracts:

There were no bids or contracts presented to the Board for approval.

d. Authorization of Routine Business Matters:

1. Adoption of Resolution Authorizing Application for Virginia Commission for the Arts Local Government Challenge Grant – approved as follows:

RESOLUTION 2013-07

BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia (hereinafter Board) desires to apply for 2013-2014 Local Government Challenge Grant funds in the amount of $5,000.00 from the Virginia Commission for the Arts, and that the Board shall supplementally appropriate in equal amounts such grant as may be awarded to the following organizations, in addition to any amount of local funds such organizations may receive from the County in Fiscal Year 2013-2014:

William King Foundation
Barter Foundation
Depot Artist Association
Virginia Highlands Festival

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***

6. Public Hearings:

a. Public Hearing to Solicit Public Input on the Proposed Community Development Block Grant (CDBG) Application to be Submitted to the Virginia Department of Housing and Community Development for the Hidden Valley Water System Extension Project, Phase 1 and Consideration of Adoption of Resolution Authorizing Submission of Application for CDBG Funds

Ms. Mumpower noted this is the second of two required public hearings on CDBG projects.

Ms. April Helbert, Manager of Engineering Services, Washington County Service Authority (WCSA), presented information on the Community Development Block Grant (CDBG) application for the Hidden Valley Water System Extension Project, Phase 1 and to solicit public input on the proposed CDBG application. Ms. Helbert provided the following facts about the proposed CDBG Project:

- WCSA began the process of studying the Hidden Valley area in 2009 for interest in public water service. User agreements were collected in 2009 and 2010. In late 2010, WCSA procured for engineering services to develop a Study of the area and the steps WCSA may need to take to serve the Hidden Valley Community with public water service. In 2012, The Lane Group began to Study the area and develop a Preliminary Engineering Report (PER). The draft report is complete and is attached. WCSA expects a final report by April 2013.

- The PER divided the area into two phases.
    - Phase 1 will extend a water line from the Washington/Russell County line southeast along Porterfield Highway to the residents near the southern intersection of Douglas Lane and Porterfield Highway. It will also serve Hidden Valley Road and its intersecting roads up to 8466 Hidden Valley Road (near Swiss Lane intersection). The project will include approximately 14,750 linear feet of 6-inch and smaller waterlines and all associated appurtenances. The source of supply will be the Town of Lebanon Water Treatment Plant through the Russell County Public Service Authority distribution system.
    - Phase 2 will extend a water line along Hidden Valley Road from the end of Phase 1 project area to the higher lying parts of Hidden Valley Road (8116 Hidden Valley Road; just beyond Snowbird Lane). The project would consist of two pumping stations with a storage tank located along Hidden Valley Road, a pressure reducing valve station, and approximately 3,055 linear feet of 4-inch and smaller diameter waterlines, and all associated appurtenances.
    - The area was divided into two phases to address both hydraulic and affordability issues. Phase 1 can be served without a pump station or water storage tank.

- The PER included funding options for the project and recommended Virginia Community Development Block Grant (CDBG) funding be sought for a portion of the Phase 1 of the Hidden Valley Water System Extension Project. Without substantial grant funding from an agency like CDBG, the project is not affordable.

- The latest DRAFT PER indicates Phase 1 will cost approximately $854,700. Though the project could serve up to 56 connections, 37 have signed user agreements committing to purchasing a water connection.

- Funding
    - Approximately $855,000 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 $337,500.
    - WCSA Board has agreed to contribution $54,000.
    - Additional funding will be sought from Mount Rogers Planning District Commission and Virginia Department of Health.
    - Approximately 20-28 low and moderate income families would be benefitted (20 LMI residents have signed up for service; a total of 28 LMI residents live in the Phase 1 area).

- No displacement of families or individuals would occur.

- Applicants must provide for input from citizens, both prior to submitting applications and throughout the Project's implementation
  - Two Public hearing are required prior to the submittal of an application.
  - The first public hearing was general in nature covering general information about DHCD-CDBG.
  - The second public hearing covers the review of and comment on the final draft of the CDBG Community Improvement Grants (CIG) Proposal.

Ms. Mumpower opened the public hearing and invited comments in regards to the CDBG application for the Hidden Valley Water System Extension Project, Phase 1. The following individuals addressed the Board:

- Mr. Kenneth Taylor, member of WCSA Board of Commissioners, explained he presents the Jefferson Election District where the Hidden Valley community is located and asks for Board support of the CDBG application. Mr. Taylor commented there is a need for water in this community.

- Three people in the audience stood in support of the CDBG application.

There was no opposition present.

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

On motion of Mr. Pennington, second by Mr. Owens, the Board acted to adopt the following Resolution authorizing submission of an application for CDBG funds:

RESOLUTION 2013-08

IN SUPPORT OF
HIDDEN VALLEY WATER SYSTEM EXTENSION PROJECT, PHASE 1
COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

WHEREAS, the County of Washington, Virginia wishes to apply for $337,500 in Virginia Community Development Block Grant (VCDBG) funds for the "Hidden Valley Water System Extension Project, Phase 1;" and

WHEREAS, citizen participation requirements have been met through two duly advertised public hearings; and

WHEREAS, the project will meet the VCDBG National Objective of providing benefit to low- or moderate-income persons by providing improved public water service to 27 residential connections. It is projected that at least 20 of the households are low- or moderate income.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of Washington County, that the County Administrator is hereby authorized to sign and submit any and all appropriate documents for the submittal of this Virginia Community Development Block Grant proposal.

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***

7. General Business:

a. Action Items:

1. Consideration of Resolution Approving Execution and Delivery of a Support Agreement or Agreements with the Southwest Virginia Regional Jail Authority for the Issuance by Such Authority of its Jail Authority Request from Southwest Virginia Regional Jail Authority Revenue Bonds or Bonds and Jail Facility Grant Revenue Anticipation Notes

Mr. Stephen Clear, Superintendent, Southwest Virginia Regional Jail Authority, made a presentation to the Board concerning the Authority's need for expansion of its regional jail facilities and requested Board adoption of the proposed Resolution provided in agenda packets that approves the execution and delivery of a Support Agreement or agreements with the Southwest Virginia Regional Jail Authority for the issuance by the Authority of its Jail Facility Revenue Bond or bonds and Jail Facility Grant Revenue Anticipation notes.

Mr. Clear explained that the Authority Board contracted with Huskey and Associates to complete a Community-Based Corrections Plan for Southwest Virginia. The plan provided a forecast of the number of inmates housed in the Authority's facilities through fiscal year 2025. The Authority has a current Virginia Department of Corrections rated capacity of 896 and a permanent bed count of 1,549 with an additional 315 temporary beds. Ms. Clear talked in detail about the need for expansion of the regional jail facilities and commented that the Authority is now required to hold state prisoners for two years. Mr. Clear commented that the General Assembly in the 2012 Session appropriated $16,910,186, which is 50% of the expansion costs.

Discussion was held by the Board and Mr. Clear.

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

RESOLUTION 2013-09

WHEREAS, the Southwest Virginia Regional Jail Authority (the "Authority") is a public instrumentality of the Commonwealth of Virginia created pursuant to Article 3.1, Chapter 3, Title 53.1, Code of Virginia of 1950, as amended (the "Act") by resolutions duly adopted by the governing bodies

of the Counties of Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Tazewell, Washington and Wise, Virginia and the City of Norton, Virginia (collectively, the "Member Jurisdictions") for the purpose of developing regional jail facilities (collectively, the "Regional Jail") to be operated on behalf of the Member Jurisdictions by the Authority;

WHEREAS, the Authority and the Member Jurisdictions have entered into a Southwest Virginia Regional Jail Authority Service Agreement, dated February 1, 2003, which was amended to include Tazewell County by an Amended Service Agreement dated as of July 1, 2005 (the "Service Agreement"), in which the Authority has agreed to, design, construct and equip the Regional Jail and obtain financing therefore.

WHEREAS, the Authority desires to issue its jail facility revenue bond (the "New Money Local Bond"), the proceeds of which, together with other available funds, are expected to be sufficient to finance a portion of the construction and improvement of additions to the Regional Jail facilities in an estimated maximum aggregate principal amount of $24,000,000 (collectively, the "Project");

WHEREAS, the Authority proposes to issue its jail facility revenue refunding bond (the "Refunding Local Bond," and, together with the New Money Local Bond, the "Local Bond") to finance the refunding, redemption and defeasance of all or a portion of the Authority's outstanding $61,095,000 Jail Facilities Revenue Bonds, Series 2003 (the "2003 Bonds"), subject to certain debt service savings parameters as determined by the Authority, in an aggregate principal amount sufficient to refund, redeem and defease the 2003 Bonds;

WHEREAS, the Authority's financial advisor, Davenport & Company LLC (the "Financial Advisor") has advised the Authority that the Virginia Resources Authority ("VRA"), a public body corporate and political subdivision of the Commonwealth of Virginia, is willing to finance the Project and refinance the 2003 Bonds, if appropriate, at favorable rates to the Authority and that alternatively the Authority may choose to issue the Local Bond in a public offering utilizing one or more underwriting firms (the "Underwriter");

WHEREAS, VRA has indicated its willingness to purchase such Local Bond from a portion of the proceeds of its Series 2013A VRA Bonds (as more particularly defined in the below-defined Local Bond Sale and Financing Agreement, the "VRA Bonds") and to provide a portion of the proceeds thereof to the Authority to finance the Project and refinance the 2003 Bonds and pay certain costs of issuance of the Local Bond, in accordance with the terms of a Local Bond Sale and Financing Agreement to be dated as of a date to be specified by VRA, between VRA and the Authority (the "Local Bond Sale and Financing Agreement") and alternatively if the Local Bond is issued in a public offering the proceeds thereof may be used for the same purposes in accordance with the terms of a bond purchase agreement (the "Bond Purchase Agreement") to be entered into between the Authority and the Underwriter;

WHEREAS, the Authority desires to issue its jail facility grant revenue anticipation note in an estimated maximum aggregate principal amount of $19,000,000 (the "Note") to be sold to a purchaser to be selected by the Authority, the proceeds of which, together with proceeds from the sale of the New Money Local Bond are expected to be sufficient to finance a portion of the construction of the Project;

WHEREAS, VRA has indicated that its agreement to purchase the Local Bond will be conditioned upon each of the Member Jurisdictions undertaking non-binding obligations to appropriate from time to time moneys to the Authority in connection with payments due on the Local

Bond and a similar agreement to purchase the Note by the purchaser thereof will require a similar non-binding obligation to appropriate;

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County of Washington, Virginia (the "County") has through the issuance of the 2003 Bonds and the execution of the Service Agreement previously indicated its support of the financing the Project and the issuance of the Local Bond by the Authority and desires to enter into a support agreement evidencing such obligation to better secure VRA or such other purchasers of the Local Bond (the "Bond Support Agreement") and a support agreement to better secure the purchaser of the Note, if required in such Note transaction (a "Note Support Agreement").

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia:

1. ***It is determined to be in the best interests of the County and its citizens for the Board of Supervisors to support the issuance of the Local Bond by the Authority and enter into the Bond Support Agreement to better secure VRA or such other purchasers of the Local Bond as described above and a Note Support Agreement to better secure the purchaser of the Note.***

2. ***It is acknowledged and agreed that (i) VRA would not purchase the Local Bond without the security and credit enhancement provided by the Bond Support Agreement, (ii) VRA will be an express, intended third party beneficiary of the Service Agreement, and (iii) VRA is treating the Bond Support Agreement as a "local obligation" within the meaning of Section 62.1-199 of the Code of Virginia of 1950, as amended, including amendments thereto taking effect as of July 1, 2011 (the "Virginia Code"), which in the event of a nonpayment thereunder authorizes VRA or the trustee for VRA's bonds to file an affidavit with the Governor that such nonpayment has occurred pursuant to Section 62.1-216.1 of the Virginia Code. In purchasing the Local Bond, VRA is further relying on Section 62.1-216.1 of the Virginia Code, providing that if the Governor is satisfied that such nonpayment has occurred, the Governor will immediately make an order directing the Comptroller to withhold all further payment to the County of all funds, or of any part of them, appropriated and payable by the Commonwealth of Virginia to the County for any and all purposes, and the Governor will, while the nonpayment continues, direct in writing the payment of all sums withheld by the Comptroller, or as much of them as is necessary, to VRA, so as to cure, or cure insofar as possible, such nonpayment.***

3. ***In consideration of the Authority's undertakings with respect to the financing plans of the Project and the plan to refund, redeem and defease the 2003 Bonds, the Chairman or Vice-Chairman of the Board of Supervisors, either of whom may act, is hereby authorized and directed to execute and deliver the Bond Support Agreement and a Note Support Agreement. The Bond Support Agreement and the Note Support Agreement shall be in substantially the forms presented to this meeting, which are each hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice-Chairman of the Board of Supervisors, in their sole discretion, the execution thereof by the Chairman or Vice-Chairman of the Board of Supervisors to constitute conclusive evidence of his or her approval of such completions, omissions, insertions or changes.***

4. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Bond Support Agreement and the Note Support Agreement on the County Administrator, and to take all proper steps on behalf of the County as may be required, in accordance with the plan of financing set forth above, including, but not limited to, any amendments, supplements or certifications under the Service Agreement in connection therewith, if any, or any other documents relating to the financing of the Project or the refunding, redemption and defeasance of the 2003 Bonds.

5. Nothing contained herein or in the Bond Support Agreement or the Note Support Agreement is or shall be deemed to be a lending of the credit of the County to the Authority, VRA or to any holder of the Local Bond or the Note or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County, nor shall anything contained herein or in the Bond Support Agreement or the Note Support Agreement legally bind or obligate the Board of Supervisors to appropriate funds for purposes described in the Bond Support Agreement or the Note Support Agreement.

6. All actions previously taken by representatives or agents of the County in furtherance of the plan of financing of the Project, the refinancing of the 2003 Bonds and the issuance of the Local Bond and the Note are hereby ratified and approved.

7. This resolution shall take effect immediately.

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. Consideration of Proposed Refinance of Bond Financing for Development of The Highlands Shopping Center for Purpose to Reduce Finance Expense

Mr. Roland Kooch with Davenport & Company, presented a PowerPoint presentation to show the results of the Request for Proposal process they completed for Washington County regarding the Series 2007 Highlands Bond Refinancing. Davenport received five proposals from BB &T; Bank of Marion, First Bank & Trust Company; First Community Bank; and New Peoples Bank. Mr. Kooch explained after completing an analysis of the proposals, the best overall proposal in terms of interest rate and provisions (no collateral will be required) was from the Bank of Marion. The County could save in excess of $90,000, and on a present value basis this would translate into approximately 4.5% present value savings. The financing structure would be identical to that of the 2007 Bonds (no collateral was needed).

Mr. Kooch next explained that Davenport respectfully recommends the County pursue a potential refinancing with Bank of Marion for the following reasons: 1. Interest rate proposal provides for interest rate savings and present value savings in excess of industry standard benchmarks; 2. No additional collateral beyond the Financing Agreement and Moral Obligation of the County; 3. Pre-payable anytime

at par; and 4. No bank closing or origination fees imposed by the bank. Mr. Kooch concluded the presentation by reviewing the next steps required by the County and Industrial Development Authority.

Mr. Gibson asked for clarification of the cost of issuance referred to in Mr. Kooch's presentation as closing costs. Mr. Kooch explained that was correct and closing costs are paid by the developer. The potential savings is netted out after closing.

Ms. Mumpower expressed appreciation to Mr. Fred Parker, County Treasurer, for his work with this project and for looking out for the best interests of the citizens and businesses of Washington County.

On motion of Mr. McCall, second by Mr. Gibson, the Board acted to authorize Davenport & Company to go forward with Bank of Marion proposal for refinancing of the Series 2007 Highlands Bonds.

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***

3. Review for Revocation of Special Exception Permits for 24204 Drake Road (Parcel No. 189-A916B) for Operation of Used Car Dealership from Existing Garage

Ms. Cathie Freeman, County Zoning and Subdivision Official, presented a request for the Board to consider revocation of the Special Exception Permit that was issued in 1989 to Ethel Blankenship for operation of a used car dealership on 2.12 acres located at 24204 Drake Road. Ms. Freeman explained after consultation with Mr. Harold Blankenship, the Planning Commission acted on February 25, 2013, to recommend the Board revoke the permit. Ms. Freeman stated that Mr. Stephen Richardson, Assistant Zoning Official, presented the Commission a copy of notice from the Commonwealth Motor Vehicle Dealer Board dated December 7, 2012, that stated "B&S Auto Sales" located at 24204 Drake Road is "no longer in business," and Mr. Blankenship testified to the Commission that he no longer had an interest in operating a used car dealership. Ms. Freeman reviewed the chronological order of events involving the properties owned by Ethel Blankenship.

On motion of Mr. Gibson, second by Mr. Stevens, the Board acted to revoke the Special Exception Permit for operation of a used car dealership at 24204 Drake Road due to inactivity.

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 Issuing Request for Proposals for Financial Advisory Services

Mr. Seamon, Director of Budget and Finance, explained the County's auditors have recommended the County procure financial advisory services and enter into a written agreement with charges for services based on hourly rates plus travel expenses. Mr. Seamon further explained his department has obtained sample Request for Proposals (RFP) from other Virginia localities to use as guideline in developing an RFP for financial advisory services. Mr. Seamon asked the Board for authorization for the Department of Budget and Finance to issue an RFP for these services. Mr. Seamon also explained the Board is asked that the evaluation and selection committee be comprised of the Board of Supervisors Chair, Industrial Development Authority Chair, County Administrator, County Treasurer and Director of Budget & Finance.

Mr. Gibson asked if the financial advisor would be used in situations where the County borrowed large amounts of money. Mr. Seamon stated yes and for optional alternatives such as bond issuance.

Mr. Straten asked if Davenport & Company provided these services for the County in the past. Mr. Seamon explained that Davenport was compensated as the County's Financial Advisor for the initial work on the King College School of Medicine and Washington County Public School bonds. Mr. Straten inquired if Davenport could continue to provide these services to the County. Mr. Seamon explained the County needs to enter into an agreement for financial services and it is in the best interest to negotiate terms to assure the County gets the best hourly rate on a competitive basis. Mr. Straten asked if Davenport could submit a proposal.

Mr. Owens asked if the County just recently learned of this new requirement. Mr. Seamon explained the County's auditor questioned the use of an underwriter as well as financial advisor and commented that in the past an underwriter was used when the County issued bonds or bond anticipation notes. Mr. Seamon also stated that according to law underwriters can provide limited financial advisory services. Mr. Seamon reiterated that the County has not used a financial advisor except in the two cases he previously mentioned.

Mr. Gibson asked if Davenport and Company did not serve as the County's financial advisors for the 2010 bonds issued for the Government Center Building and Public Safety Building. Mr. Seamon explained that Davenport was the underwriter for these bonds and not the financial advisor.

On motion of Mr. Stevens, second by Mr. Straten, the Board acted to authorize the Department of Budget and Finance to issue Request for Proposals for Financial Advisory Services, and further the Evaluation and Selection Committee be comprised of the Board of Supervisor Chair, Industrial Development Authority Chair, County Administrator, County Treasurer, and Director of Budget and Finance.

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 County Attorney for Board Authorization to Schedule Public Hearing for Consideration of Ordinance to Vacate Tract No. Ten-C (10C) in Block "C" from the Tract Known as the "Plat of a Part of the Kirby Smith Land" (Plat Book 17, Page 17) on Horseshoe Trail in the Wilson Magisterial District of Washington County, Virginia

Ms. Phillips, County Attorney, asked for Board authorization to schedule a public hearing on an application filed by Joseph and Tammy Widener to vacate from the subdivision plate the parcel they own on Horseshoe Trail in the Wilson Magisterial District. She explained that Mr. & Mrs. Widener wish to subdivide Lot 10C, which was created by recordation of the "Plat of a Part of the Kirby Smith Land." Ms. Phillips further explained that County ordinance and state law require that a lot shown in a recorded subdivision plat must be vacated from the plat before it may be divided, and one method to vacate the lots from the plat is for the Board of Supervisors to adopt an ordinance to that affect.

On motion of Mr. Owens, second by Mr. Gibson, the Board acted to authorize the County Attorney to schedule the public hearing as requested.

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***

The Board of Supervisors took a ten minute recess at this time.

6. Consideration of Motion to Rescind Board Action at its Regular Meeting on February 12, 2013

Mr. Gibson commented about the motion made at the February 12, 2013, regular meeting to send a resolution or a letter of non-support of the Crooked Road National Heritage Area Designation and the motion failed on a 3-3-1 vote. Mr. Gibson asks that this action be rescinded.

Ms. Phillips, County Attorney, reviewed the procedures for rescinding prior Board action.

Discussions ensued among the Board concerning Mr. Gibson's request.

On motion of Mr. Gibson, second by Mr. Stevens, the Board acted to rescind Board action at its regular meeting on February 12, 2013, to send a resolution or letter of non-support regarding The Crooked Road National Heritage Area Designation.

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

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

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

7. Discussion and Consideration of Sending a Resolution or Letter Regarding Board of Supervisors Position on The Crooked Road National Heritage Area Designation

The Board held lengthy discussions concerning a resolution or letter regarding the Board's position on The Crooked Road National Heritage Area Designation. The following actions were taken:

Original motion:

A motion was made by Mr. Gibson, second by Mr. Pennington, for the Washington County Board of Supervisors to issue a Resolution of non-support for the Crooked Road to be designated as National Heritage Area.

Substitute Motion:

A motion was made by Mr. Straten, second by Mr. McCall, to delay vote on the Resolution of non-support for the Crooked Road to be designated as a National Heritage Area and to schedule a public hearing on the issue as soon as possible and invite speakers on both sides of the issue to present, and further to allow the Board time to read the materials distributed at this meeting.

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

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

The motion failed.

Action on original motion:

On motion of Mr. Gibson, second by Mr. Pennington, the Washington County Board of Supervisors resolves to issue a Resolution of non-support for the Crooked Road to be designated as National Heritage Area.

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

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

9. Consideration of Personnel Committee Recommendation

Ms. Culberson, County Administrator, presented a recommendation from the Personnel Committee to approve a salary adjustment of $6,018.00 for Mr. David Wyancko, Building Inspector and Interim County Building Official, until a permanent Building Official is appointed. Ms. Culberson explained the Personnel Committee is not ready to recommend a permanent appointment to the County Building Official position. Mr. Wyancko is currently serving as Interim County Building Official and at the request of the Committee has agreed to continue in the interim position for the next six months.

On motion of Mr. Straten, second by Mr. Owens, the Board acted to approve the salary adjustment of $6,018.00 for Mr. David Wyancko, Building Inspector and Interim County Building Official until a permanent Building Official is appointed.

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***

10. Consideration of Recommendation for Appointment to Washington County Board of Zoning Appeals Expiring January 9, 2013

On motion of Mr. Owens, second by Mr. Pennington, the Board acted to recommend re-appointment of Beulah S. Lambert to the Washington County Board of Zoning Appeals for a five year term expiring January 9, 2017.

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. Information Items:

There were no informational presentations.

8. Board Member Reports

Mr. Straten commented on the work sessions scheduled in March for the Board to work on the Requested and Recommended County Operating Budget for FY 2013-2014. He encouraged citizens to attend the work session meetings.

Ms. Mumpower reported on the opportunity she had to attend a County Administrative Division Management Team meeting and commented it was wonderful to see the managers working together on things that are helpful and beneficial to County citizens.

9. Board Information and Reminders

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

10. Adjourn/Recess

On motion of Mr. Gibson, second by Mr. Stevens, the Board acted to recess the meeting to Thursday, March 14, 2013 beginning at 6:30 p.m. for second budget adjustment worksession on the Requested and Recommended Budget for FY 2013-2014.

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:

_____

Naoma A. Norris, Recording Clerk

Approved by the Washington County Board of Supervisors:

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Dulcie M. Mumpower, Chairman