

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, March 26, 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

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:

- James DeBoard

4. Approval of Agenda

Ms. Culberson advised the Board that the United Way presentation has been withdrawn from the agenda.

Mr. Gibson questioned Item 5.d.1 of the Consent Agenda and asked for clarification that the Board is asked at this time to approve only the position descriptions for the Director of Building and Development Services and Building Official Position. Ms. Culberson commented that is correct.

On motion of Mr. McCall, second by Mr. Stevens, it was resolved to approve the agenda as presented.

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, b, c, and d of the Consent Agenda as set forth below.

a. Approval of Minutes:

1. February 26, 2013 Regular Meeting

2. March 7, 2013 Recessed Meeting

b. Approval of Routine Financial Matters:

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

2. Request for Supplemental Appropriations – Washington County Department of Emergency Management for 2011 EMPG Award in the Amount of \$50,000.00

3. Request for Supplemental Appropriations – Washington County Department of Building and Development Services for 2012 Storm Water Management Grant Award in the Amount of \$39,000.00

4. Request for Revenue Refund – Overpayment of 2012 Business Personal Property Taxes – Wellmont Cardiology Services

5. Payment of Bills – From January 11, 2013 Thru February10, 2013

6. Budget Status Report – February 28, 2013

Mr. Gibson noted for the record that during the month of February that \$54,744.30 of expenditures on the County Government Center was listed in accounts payable.

c. Award of Bids and Approval of Contracts:

- 1. **Consideration of Extension and Amendment to the Agreement Effective July 1, 2009 for the Purchase of Electricity from Appalachian Power Company***
- 2. **Renewal of FY 2013-2014 The Local Choice Program Health Insurance Benefits***

d. Authorization of Routine Business Matters:

- 1. **Consideration of New Director of Building and Development Services and Building Official Position Descriptions***

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>

6. General Business:

a. Action Items:

- 1. Consideration of Resolution to Approve Refinancing of the Public Infrastructure Facilities Revenue Review Bonds for the Highlands Shopping Center Series 2007 of the Industrial Development Authority of Washington County, Virginia**

Mr. Dan Siegel with Sands Anderson, who serves as Bond Counsel for the County, presented a Resolution to the Board that authorizes the financing of the Public Infrastructure Facilities Revenue Review Bonds for The Highlands Shopping Center. Mr. Siegel commented at the March 12, 2013, Board meeting Davenport & Company presented the Board with the analysis of the Request for Proposals issued for the refinancing. Davenport recommends that the Industrial Development Authority of Washington County (IDA) issue to the Bank of Marion a Public Infrastructure Facilities Revenue Refunding Bond, Series 2013, in an amount not to exceed \$1,721,000.00. Mr. Siegel explained the net result of this refinancing to the developer is around \$100,000.00, and the County will incur no additional expenses to achieve this increased benefit to the development. He further explained the proposed Resolution also approves the refinancing and related documents. Mr. Siegel commented that the IDA will consider the Resolution at their April 10 regular meeting and the closing on the transaction will take place on April 12, 2013.

There were no questions.

Ms. Phillips, County Attorney, noted that the offer letter from the Bank of Marion states the deadline to respond is March 30, 2013. However, because the IDA does not meet until April 10, 2013, the Bank has extended the deadline until April 12, 2013.

On motion of Mr. Owens, second by Mr. Gibson, the Board acted to adopt the following Resolution of the Board of Supervisors of the County of Washington, Virginia Approving Refinancing of the Public Infrastructure Revenue Bonds (The Highlands Project), Series 2007 of the Industrial Development Authority of Washington County, Virginia, and to approve the Documents associated with the Resolution:

RESOLUTION 2013-11

**OF THE BOARD OF SUPERVISORS OF THE COUNTY OF WASHINGTON, VIRGINIA
APPROVING REFINANCING OF THE PUBLIC INFRASTRUCTURE FACILITIES REVENUE
BONDS (THE HIGHLANDS PROJECT), SERIES 2007 OF THE INDUSTRIAL DEVELOPMENT
AUTHORITY OF WASHINGTON COUNTY, VIRGINIA,**

WHEREAS, on December 6, 2007, the Industrial Development Authority of Washington County, Virginia (the "Authority") issued its \$3,580,000 Public Infrastructure Facilities Revenue Bonds (The Highlands Project), Series 2007 (the "2007 Bonds") to finance the acquisition, design, construction, equipping and installation of certain public infrastructure improvements at an area of Washington County, Virginia (the "County"), known as "The Highlands" near Exit 7 off Interstate 81 (the "Project");

WHEREAS, the Board of Supervisors (the "Board of Supervisors") of the County, desires to refinance the Project by refunding all or a portion the outstanding 2007 Bonds to achieve budgetary advantages and debt service savings;

WHEREAS, County staff directed Davenport & Company LLC as Financial Advisor to the County (the "Financial Advisor") and Sands Anderson, PC as Bond Counsel ("Bond Counsel") to request a proposal (the "RFP") to refund the 2007 Bonds;

WHEREAS, the Financial Advisor has evaluated the responses to the RFP and has recommended that the Authority issue on behalf of the County its Public Infrastructure Facilities Revenue Refunding Bond, Series 2013, in an amount not to exceed \$1,721,000 (the "2013 Bond") to the Bank of Marion (the "Bank") based on its proposal (the "Bank of Marion Proposal");

WHEREAS, the Authority, pursuant to the Industrial Development and Revenue Bond Act (the "Act") under which it is created, is authorized to exercise all the powers set forth in the Act, which include, among other things, the power to make loans to, among others, a county in furtherance of the Act, to finance or refinance and facilities for use by, among others, a county, to issue its revenue bonds, notes and other obligations from time to time for such purposes and to pledge all or any part of its revenues and receipts derived from payments received by the Authority in connection with its loans or from the leasing by the Authority of such facilities or from any source, as security for the payment of principal of and interest on any such obligations;

WHEREAS, the Board of Supervisors desires that the Authority issue its 2013 Bond pursuant to the terms of a Bond Purchase Agreement (as hereinafter defined), and (b) loan the proceeds of the 2013 Bond to the County to pay the costs of refunding the 2007 Bonds, including all or a portion of the costs of issuing the 2013 Bond pursuant to the terms of a Financing Agreement (as hereinafter defined);

WHEREAS, the Bank has been selected as the purchaser of the 2013 Bond based on the Bank of Marion Proposal; and

WHEREAS, there have been presented to this meeting drafts of the following documents (collectively, the "Documents") in connection with the transactions described above, copies of which shall be filed with the records of the Board of Supervisors:

- (a) Financing Agreement to be dated as of the date of the 2013 Bond (the "Financing Agreement") between the Authority and the County pursuant to which the Authority will loan the proceeds of the 2013 Bond to the County;*
- (b) Bond Purchase Agreement to be dated as of the sale date of the 2013 Bond (the "Bond Purchase Agreement") between the Authority and the Bank, which Bond Purchase Agreement is to be acknowledged and consented to by the County;*
- (c) Form of 2013 Bond.*

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA:

1. The following plan for refunding the 2007 Bonds and refinancing the Project is approved. The Authority will issue the 2013 Bond in an aggregate principal amount not to exceed \$1,721,000. The Authority will loan the proceeds of the 2013 Bond to the County pursuant to the terms of the Financing Agreement. The County will make Semi-Annual Payments and Additional Payments (each as defined in the Financing Agreement) to the Authority in amounts sufficient to pay debt service on the 2013 Bond and to pay the fees or expenses of the Authority and the Bank. The obligation of the Authority to pay principal of and premium, if any, and interest on the 2013 Bond will be limited to Semi-Annual Payments and Additional Payments received from the County. The obligation of the County to make Semi-Annual Payments and Additional Payments will be subject to the Board of Supervisors making annual appropriations in sufficient amounts for such purposes. If the County exercises its right not to appropriate money for such payments, the Bank shall have the right to exercise any remedies provided in the Financing Agreement upon an event of non-appropriation. The Financing Agreement shall contain such additional requirements and provisions as may be approved by the County.

2. The Authority is hereby requested to undertake the issuance of the 2013 Bond, to loan the proceeds of the 2013 Bond to refund, redeem and defease the 2007 Bonds and to secure the 2013 Bond as set forth in the Documents.

3. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make appropriations beyond the current fiscal year, hereby states its intent to make annual appropriations in future fiscal years in amounts sufficient to make all Semi-Annual Payments and Additional Payments due under the Financing Agreement and hereby recommends that future Boards of Supervisors do likewise during the term of the Financing Agreement. The Project is hereby declared to be essential to the efficient operation of the County and the Board of Supervisors anticipates that the Project will continue to be essential to the operation of the County during the term of the Financing Agreement and the term of the 2013 Bond.

4. The Chairman or Vice Chairman of the Board of Supervisors (the "Chairman") is authorized and directed to execute or approve the Documents, which shall be in substantially the forms submitted to this meeting, which are approved, with such completions, omissions, insertions and changes not inconsistent with this Resolution as may be approved by the Chairman, his execution to constitute conclusive evidence of his approval of any such completions, omissions, insertions and changes.

5. *The Documents shall provide for payments of Semi-Annual Payments in amounts equivalent to the payments on the 2013 Bond, which shall be sold to the Bank pursuant to the Bond Purchase Agreement, which shall provide that the 2013 Bond (a) matures not later than January 15, 2018; (b) bears interest at the rate per annum of 2.20%; and (c) is subject to optional redemption without any redemption premium. Following the sale of the 2013 Bond, the Chairman shall evidence his approval of the final terms and purchase price of the 2013 Bond by executing the Bond Purchase Agreement. The actions of the Chairman in approving the terms of the 2013 Bond by executing the Bond Purchase Agreement shall be conclusive, and no further action shall be necessary on the part of the Board of Supervisors.*

6. *The Chairman, Clerk of the Board of Supervisors, County Administrator, Director of Finance, the County Treasurer, the County Attorney and all other officers of the County are hereby authorized and directed to work with representatives of the Authority, the Financial Advisor, Bond Counsel, the Bank and its representatives to perform all services and prepare and execute all documentation necessary to sell the 2013 Bond and refund the 2007 Bonds, including (a) approving the final forms of the Documents, (b) executing a certificate setting forth the expected use and investment of the proceeds of the 2013 Bond to show that such expected use and investment will not violate the provisions of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and regulations thereunder, applicable to "arbitrage bonds," (c) making any elections that such officers deem desirable regarding any provision requiring rebate to the United States of "arbitrage profits" earned on investment of proceeds of the 2013 Bond, (d) executing any certificates providing for the County to pay any such rebate amount and (e) executing irrevocable instructions and/or an escrow agreement with Regions Bank, as trustee for the 2007 Bonds (the "Trustee") to refund, redeem and defease the 2007 Bonds and any related certificates, and to take all such further action as they may consider necessary or desirable in connection with the issuance and sale of the 2013 Bond and the refunding of the 2007 Bonds.*

7. *The County covenants that it shall not take or omit to take any action the taking or omission of which will cause the 2013 Bond to be "arbitrage bonds" within the meaning of Section 148 of the Code or otherwise cause interest on the 2013 Bond to be includable in the gross income for Federal income tax purposes of the registered owners thereof under existing law. Without limiting the generality of the foregoing, the County shall comply with any provision of law that may require the County at any time to rebate to the United States any part of the earnings derived from the investment of the gross proceeds of the 2013 Bond. The County shall pay from its legally available funds any amount required to be rebated to the United States of America pursuant to the Code.*

8. *All costs and expenses in connection with the refunding of the 2007 Bonds and the issuance of the 2013 Bond, including the Authority's fees and expenses and expenses of bond counsel, county attorney, the County's Financial Advisor, counsel for the Authority, the Bank shall be paid from the proceeds of the 2013 Bond or other legally available funds of the County. If for any reason the 2013 Bond is not issued, it is understood that all such expenses shall be paid by the County from its legally available funds and that the Authority shall have no responsibility therefor.*

9. *The Board of Supervisors on behalf of the County previously agreed to the Authority's designation of the 2007 Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code and expects that the 2013 Bond shall be deemed designated a "qualified tax-exempt obligation" pursuant to such section and to the extent that the 2013 Bond is not so deemed designated, the County agrees to the Authority's designation of such amount as a "qualified tax-exempt obligation."*

10. All other acts of the Chairman and such other officers of the County as designated by the Chairman that are in conformity with the purposes and intent of this Resolution and in furtherance of the plan of financing, the issuance and sale of the 2013 Bond and the undertaking of the Project are hereby approved and ratified.

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 Citizen Request that Board Amend Washington County Zoning Ordinance 66- 942, which Restricts the Number of Manufactured Homes that may be Placed on Adjoining Parcels Owned by the Same Individual(s) or Members of the Same Family

Ms. Phillips, County Attorney, explained the request before the Board comes from Gary and Dianne Andis who own a large tract of land and are interested in placing manufactured homes on their property for rental as an income stream, but they want to place more homes than the County ordinance currently allows without compliance with Manufactured Home Park (MHP) standards. She explained that Mr. and Mrs. Andis own a total of 581.36 acres in multiple adjoining parcels, and the current County Zoning regulation limits the number of manufactured homes that may be placed on adjoining parcels owned by the same individual or members of the same family to no more than two on any one parcel and no more than four on adjoin parcels, regardless of the size of the parcel(s). If landowners wish to exceed those limits, then the owners are required to comply with County standards for a MHP. The MPH standards govern street development, minimum lot area, water supply, sewage disposal, solid waste collection, and other matters. Ms. Phillips further explained Mr. and Mrs. Andis request that the ordinance be amended to include provision specifically written for parcels exceeding 20 acres. For such parcels, the Andises suggest the County allow one manufactured home per each 10 acres of cumulative ownership, regardless of whether public water or sewer is available.

Mr. Andis addressed the Board explaining that he grew up in Washington County and moved away in 1986. When he and his wife returned to the County they begin to purchase property. In 2001 they purchased 274 acres and in 2002 they placed a three section manufactured home on the property. In 2003 they purchased another 51 acres that joined their 274 acre farm. Then in 2009 they purchased 159.92 additional acres and in 2010 purchased 33.44 acres. The purchases adjoin their farm acquired in 2001 for a total acreage of 518.36 acres. Mr. Andis explained all the land is rural mountainous area with less than 30 acres of tillable farm land. He stated it was their intention to place manufactured home lots on different areas of their land to generate income to help pay for their land purchases. Mr. Andis further stated in 2010 he and his wife learned the County has an ordinance that only allows two manufactured homes per farm. He commented that they also learned that since all the parcels they purchased are adjoining the first parcel purchased, the County considers it as one farm. Mr. Andis explained there is

two homes on the property that they fully intended to remodel. However, they found out in a short time that people steal the cooper wire and water piping about as quick as they would get it installed.

Mr. Andis commented that he has worked with the County since 2010 to get something done about his situation and has addressed the Land Use Steering Committee. Mr. Andis explained that he and his wife propose amendment to the existing ordinance for parcels exceeding 20 acres, that the County would allow one manufactured home lot that is equal to but not less than 10 acres, on a minimum 20 acre parcel, regardless of whether multiple parcels that join one another are owned by the same party or parties in areas where there is no city or county water or sewer supplied.

There was discussion among the Board and Mr. Andis.

Mr. McCall asked if each mobile home would have access to the highway or would there be shared roads to each parcel. Mr. Andis explained that most of the ten acre tracts would have their own access.

Mr. Gibson asked for clarification that Mr. Andis is asking to place one mobile home per ten acre tract. Mr. Andis explained that is correct. Mr. Andis commented about the size of a 40 acre tract and stated that would not be putting mobile homes on top of each other. He also commented about issues with the property perking.

Mr. McCall further inquired about the zoning for the property. Mr. Andis explained it was zoned A-1 and the property is located in a rural part of the County.

Mr. McCall recommended that the Andis request be sent to the Planning Commission for review. He commented this might be a situation where special exception permits would be required so that the Board would have the opportunity to review each request and look at the areas where the mobile homes would be placed.

Mr. Gibson inquired if this issue has been before the Planning Commission. Ms. Phillips commented that Mr. and Mrs. Andis have not been before the Planning Commission.

Mr. Owens commented that Mr. Andis has made some good points that his property is not good for growing crops or grazing of livestock. Mr. Owens further commented that he would like the Planning Commission to review the request and make provisions for Mr. and Mrs. Andis.

On motion of Mr. McCall, second by Mr. Stevens, the Board acted to send the request of Mr. and Mrs. Andis for the Board to amend the Washington County Zoning Ordinance 66-942, which restricts the number of manufactured homes that may be placed on adjoining parcels owned by the same individual(s) or members of the same family to the Washington County Planning Commission for their review and recommendation to the Board.

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>

Mr. Straten *Aye*

3. Consideration of County Facilities Committee Recommendation to Sell Former Washington County Sheriff's Office Property

Ms. Donna Price with Holston Mountain Artisans used a PowerPoint Presentation to present information about the artisans group including historical information, financial data, their mission, relocation four years ago and renovations to the former Washington County Sheriff's Office property on Park Street. Ms. Price explained that the artisans group has promoted regional handcrafts since 1971 and is proud to be one of the oldest arts and crafts cooperatives in the United States. Their specialty is traditional arts and crafts. Ms. Price explained the Holston Mountains Artisans Group is interested in purchasing the former Washington County Sheriff's Office property.

Discussions were held among the Board, Ms. Price and Ms. Culberson.

Mr. McCall asked about the number of people employed by Holston Mountain Artisans. Ms. Price explained there were four part-time employees. Mr. McCall questioned if the artisans make everything sold in the shop. Ms. Price commented that everything is made by the artisans except for t-shirts. She further commented that the service area for the Artisans Groups is a 50 mile radius serving all of Southwest Virginia.

Mr. Gibson asked if anything could be done with the old jail building. Ms. Price stated no because the building has asbestos and no heating, which would make it difficult to do anything with the building. She further stated that the building would also most likely need to be re-plumbed.

Mr. Gibson inquired if the Artisans Group paid rent. Ms. Price explained the County leased the property to the Town of Abingdon and the Town subleased the property to Holston Mountain Artisans for one dollar per year.

Mr. Stevens commented that he has toured the building since renovated by the Artisans Group and talked about the improvement.

Ms. Culberson, County Administrator, explained the County Facilities Committee has worked on this project over the last year or so. The Committee reviewed several options for pricing and disposal of the former Sheriff's Office property. She commented the property on Park Street is located in the Town of Abingdon corporate limits and is in a flood plain. The Facilities Committee decided to recommend selling the Administration Building and to let the jail be included in the transaction due to various zoning issues. Ms. Culberson talked about Abingdon's zoning requirements including curbing of sidewalks that would have to be met if the jail was split from the property.

Mr. Gibson asked how much the Town leases the property from the County for. Mr. Owens (Facilities Committee Member) explained they leased it for one dollar a year and the lease has expired.

Mr. Straten (Facilities Committee Member) explained the Facilities Committee recommends selling the building all inclusive for \$100,000.00 to be paid to the County over a 15 year period at no interest.

Mr. McCall asked if these terms were agreeable to Holston Mountain Artisans. Ms. Price commented that the Artisans need a home and they made the proposal to the Facilities Committee.

The Board and Ms. Price talked about use of the old jail building, in particular the liabilities associated with the building and possible demolition.

Mr. McCall commented that Holston Mountain Artisans is a good draw to Town of Abingdon and County.

On motion of Mr. Straten, second by Mr. Owens, the Board acted to authorize the County Administrator to make the offer to sell the former Washington County Sheriff's Office property consisting of the Administration Building, Ready Room and Old Jail located on Park Street in Abingdon to the Holston Mountain Artisans Group for \$100,000.00 to be paid to the County over a 15 year period at no interest, and further to authorize the County Administrator to develop the necessary agreements.

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 Personnel Committee Recommendations

Ms. Kathy Johnson, Director of Human Resources, presented a recommendation from the County Personnel Committee for adoption of Personnel Policy #01-06, Definitions. Ms. Johnson explained this policy defines the differences between full time and part time employees in the County. She further explained that part time employees are limited to 1,500 hours in a consecutive 365 day period, which follows the state guidelines. Ms. Johnson discussed the new Health Care Reform Law and the health insurance requirements relating to part-time workers. She commented that the County Administrator recommends sending a memorandum to all County department heads (including Constitutional Officers) pointing out the ramifications of allowing their employees to work over 30 hours (yearly average) and the cost of health insurance coverage for these employees as required by the Health Care Reform Law.

On motion of Mr. Straten, second by Mr. Gibson, the Board acted to adopt Personnel Policy #01-06, Definitions.

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 Resolution in Support of Mount Rogers Planning District Commission as Indoor Plumbing Rehabilitation Program Regional Sub-Recipient

Ms. Culberson, County Administrator, explained that the Mount Rogers Planning District Commission (MRPDC) in response to a statewide initiative from the Department of Housing and Community Development (DHCD) to more efficiently and effectively service the localities currently participating in the DHCD's Indoor Plumbing Rehabilitation (IPR) Program, the MRPDC in conjunction with Lenowisco Planning District Commission and Cumberland Plateau Planning District Commission, will be submitting a letter of interest to DHCD to undertake the role of Sub-recipient and Regional Administrator for the IPR Program of the areas served by MRPDC, Lenowisco, and Cumberland Plateau Planning District Commissions (Service Area 1). Ms. Culberson explained they will work with People Incorporated but would like to keep administration of the IPR Program within the three planning district commissions with MRPDC being the lead organization. Ms. Culberson commented the Board is asked to consider the proposed resolution in support of MRPDC's role in the proposal.

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

**RESOLUTION 2013-12
IN SUPPORT OF MOUNT ROGERS PLANNING DISTRICT COMMISSION AS IPR
REGIONAL SUB-RECIPIENT**

WHEREAS, The Virginia Department of Housing and Community Development has modified the program delivery vehicle of the Indoor Plumbing Rehabilitation Program; and

WHEREAS, this modification results in the formation of Six Service Regions across the State served by a sole Regional Sub-Recipient; and

WHEREAS, The Mount Rogers Planning District Commission is submitting a proposal to serve as the Regional Sub-Recipient for Service Area One; and

WHEREAS, the Planning District Commissions are governed by an Executive Committee comprised of representatives from each member locality; and

WHEREAS, the MRPDC's proposal is based on partnerships with several independent organizations that will serve as "Local Service Providers" to the localities; and

WHEREAS, The MRPDC's proposal includes language to continue working with the governing body of each member locality to solicit input and direction on the delivery of the IPR Program; and

WHEREAS, under the MRPDC's proposal, each member locality will be asked to choose an area provider from all interested Local Service Providers.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board supports the Indoor Plumbing Rehabilitation Program Delivery proposal as written and submitted by the Mount Rogers Planning District Commission, and looks forward to the continued success of this program in our locality.

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>

6. Consideration of County Attorney Request for Board Authorization to Schedule Public Hearing for Consideration of Ordinance to Amend County Sewer Use Regulations

Ms. Phillips, County Attorney, requested authorization to schedule a public hearing on a proposed ordinance to update the County's Sewer Use Regulations. She commented the Board was provided with a copy of the draft ordinance and explained it is still being fine tuned. Ms. Phillips explained in the interest of timing, she would like to get approval to schedule a public hearing when the ordinance is ready.

Mr. Gibson asked if there are major differences in the proposed ordinance. Ms. Phillips explained the recommendation is to repeal the old ordinance and replace with the proposed new ordinance.

On motion of Mr. Owens, second by Mr. Pennington, 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)

<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. Presentation for 2012 Smyth-Washington Industrial Facilities Authority Annual Report

Mr. Henry Snodgrass, Vice Chairman of the Smyth-Washington Regional Facilities Authority (SWIFA), presented the Board with SWIFA's Annual Report for 2012, which included a financial update of SWIFA through December 31, 2012; audited financial statements ending June 30, 2012, annual report of activities accomplished by the Authority and next year's anticipated activities; and a summary of Prospect Activity.

Scrivener's Note: The 2012 Annual Report referenced above is included as Minutes Exhibits Item 2012-3-26-A.

2. Update Presentation by the United Way Virginia Highlands – This presentation was withdrawn from the agenda

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

Supervisor Stevens (member of Land Use Steering Committee) reported on the Committee's March 13, 2013, meeting. He commented that the Committee received a lot of information at this meeting including regulations from the Department of Mines, Minerals and Energy (DMME). Mr. Stevens said staff was asked to bring back to Committee a map that would overlay where they would like natural gas extraction to be permitted in the County. Mr. Stevens further commented the Committee is studying what rules and regulations for natural gas extraction that the County can put in place (i.e. Special Exception Permit).

Supervisor McCall (member of Land Use Steering Committee) reported that Dr. Charles Bartlett attended the March 13, 2013, Committee meeting and took part in the discussions. Mr. McCall explained that Dr. Bartlett was asked by the Committee what areas of the County that his company wanted to drill, and Dr. Bartlett stated two miles south of the North Fork River in the Mendota area. Mr. McCall commented about the overlay map stating the Committee is trying to identify areas up to Route 19 and possibly over to where the East Tennessee gas line comes through now. He stated these are the areas the Committee will first look at to allow natural gas extraction. Mr. McCall further stated that there are very few things the County can regulate and that DMME will be the regulatory agency for gas and oil drilling. The Committee is considering the Special Exception Permit requirement. Mr. McCall commented that there were a number of concerned citizens that attended the meeting and spoke to the Committee.

The Board discussed the Land Use Steering Committee's work and issues pertaining to natural gas extraction.

Mr. Pennington requested that when the Committee has completed their work on an amended zoning ordinance that a joint meeting be scheduled between the Board of Supervisors and Planning Commission so the ordinance could be considered by both bodies at the same time. Mr. McCall and Mr. Stevens were in agreement with Mr. Pennington's request.

7. Board Member Reports

Mr. Stevens reported on the St. Patrick's Day Celebration he attended at the Abingdon Senior Center.

Mr. Straten reported on a meeting with Judge Randall Lowe, County Administrator Nadine Culberson and General Services Director Kevin Hill to discuss future activity at the Courthouse such as general maintenance to make the facility suitable for long range use. Mr. Straten explained during this meeting uses for the Treasurer's Building was discussed, and Judge Lowe expressed interest in using the Treasurer's Building for Juvenile and Domestic Relations Court if the building could be retrofitted. Mr. Straten proposed that an Ad Hoc Committee be established to study courthouse improvements. He commented that Judge Lowe will send a letter to the County outlining the courts request.

Mr. Straten reported on a meeting and tour he attended at Paramont Manufacturing.

Mr. Owens reported the heaters approved by the Board for the library branch located in the Mendota Community Center have been installed and are adequate to meet the needs. Mr. Owens expressed appreciation for the Boards support and stated that the Mendota Community Association is also appreciative.

Ms. Mumpower also reported on the meeting and tour of Paramount Manufacturing.

8. Board Information

Ms. Culberson, County Administrator, provided a review of Board information and reminders including:

- County Offices will be closed on Friday, March 29, 2013 in observance of the Good Friday Holiday.
- The Mount Rogers Planning District Commission Annual Dinner will be held on Thursday, April 4, 2013, beginning at 6:00 p.m. at the Bristol Train Station.
- Reviewed draft agenda for the March 28, 2013, recessed Board meeting and commented the Board will consider at this meeting a resolution establishing the real property tax rate for Calendar Year 2013.
- The Virginia Department of Transportation (VDOT) has expressed interest in conducting a work session with the Board to discuss transportation issues and develop the Six Year Plan. VDOT would also like to schedule a public hearing on the Six Year Plan at the May 14, 2013, regular meeting. VDOT's requests will be placed on the April 9, 2013 regular meeting agenda for Board consideration.

9. Adjourn/Recess

On motion of Mr. Pennington, second by Mr. Stevens, the Board acted to recess the meeting to Thursday, March 28, 2013 beginning at 6:00 p.m. in the Board Auditorium, County Government Center for recessed Board of Supervisors meeting.

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

3-26-13

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

Dulcie M. Mumpower, Chairman