V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, March 28, 1995, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

James T. Osborne, Chairman
Dulcie M. Mumpower, Vice Chairman
Kenneth G. Mathews
Bobby D. Ingle
Joe W. Derting
Maurice H. Parris
Jackson Barker

Bruce E. Bentley, County Administrator
Joseph B. Lyle, County Attorney
Mark W. Seamon, Director of Accounting
Sandra M. Hatfield, CPS, Executive Secretary

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Call to Order

The meeting was called to order by Mr. James T. Osborne, Chairman of the Board who welcomed everyone in attendance.

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Invocation and Pledge of Allegiance - James T. Osborne

Chairman James T. Osborne gave the Invocation and led in the pledge of allegiance.

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Approval of Agenda

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to approve the Agenda as amended:

Add:
15.b Authorization for Judicial Sale of Delinquent Tax Property

Delete:
18. Executive Session pursuant to Section 2.1-344(a)(3) of the 1950 Code of Virginia, as amended, in order to discuss the acquisition and condition of real property within the County for the potential future location of County agencies, including but not necessarily limited to the County Health Department and County Social Services Department

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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Approval of Minutes of March 14, 1995

On motion of Mr. Derting, second by Mr. Mathews, it was resolved to approve the Minutes of March 14, 1995 with the following corrections:

Page 7591, Item 5, Planning & Zoning Public Hearings Request for Special Use Permit (2) Charles O. Byrd, Paragraph 11:

Add the following to existing paragraph:

"In addition, Mr. Osborne pointed out the citizens overwhelmingly opposed granting the special use permit, and the person requesting the special use permit could not be named and was not present. In his concluding comments, Mr. Osborne stated the Board is obligated to represent the citizenry.

Page 7594, Item 7, Dog Damage Claim, Mike Johnson, $65.00

Correct name of Ken Frist to read Ken Fritz.

The vote on this motion to approve the corrected minutes of March 14, 1995 was as follows (7-0):

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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Dog Damage Claim, Kenneth Dale Fritz, $150.00

Mr. Kenneth Dale Fritz was present to respond to questions from the Board relative to his dog damage claim.

On motion of Mr. Parris, second by Mrs. Mumpower, it was resolved to pay the dog damage claim submitted by Kenneth Dale Fritz in the amount of $150.00 each for a total of $300.00.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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Proclamation, Morgan McClure Motorsports

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to approve the following proclamation:

WHEREAS, the KODAK NASCAR Racing Team of Morgan-McClure Motorsports has raced to victory in the Daytona 500 and the TransSouth Financial 400 in 1995, and

WHEREAS, Washington County is the home of Morgan-McClure Motorsports which is a source of great pride for this community, and

WHEREAS, it is altogether fitting and proper that Washington County recognize and pay tribute to Morgan-McClure Motorsports and the KODAK Racing Team for its contributions to this community, its victories and championship spirit;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it hereby designates and proclaims the week of March 27 - April 2, 1995 as **MORGAN-McCLURE MOTORSPORTS WEEK** in Washington County, and urges all citizens to recognize the contribution of Morgan-McClure Motorsports to this community.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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Proclamation, Child Abuse Prevention Month, April 1995 (Katie Gifford, Director, Office on Youth)

On motion of Mr. Barker, second by Mr. Derting, it was resolved to proclaim April as Child Abuse Prevention Month, and adopt the following proclamation:

PROCLAMATION

WHEREAS, the incidence of child abuse and neglect have reached alarming proportions in Virginia where 14,663 cases of child abuse and neglect were substantiated and where over forty children die from child abuse or neglect in fiscal 1994; and

WHEREAS, most child abuse and neglect CAN be prevented if families are given the support and education which they need; and

WHEREAS, Virginia and Washington County face a continuing need to support innovative programs to prevent child abuse and assist parents and family members when child abuse occurs; and

WHEREAS, Congress has expressed its commitment to seeking and applying

solutions to this problem by establishing April as Child Abuse Prevention Month nationwide; and

WHEREAS, in Washington County, the Multi Agency Council to Prevent Child Abuse is developing programs to raise the community's awareness of the problem of child abuse and how to counter the problem; and

WHEREAS, in Washington County we have dedicated individuals and organizations who work daily to counter the problems of child abuse and neglect and to help parents obtain the assistance they need; and

WHEREAS, it is vital that we join forces to reach out to parents and children and prevent the reoccurrence of child abuse and neglect; and

WHEREAS, it is appropriate and fitting to focus attention upon the problem of child abuse and neglect in Virginia and Washington County;

NOW, THEREFORE, BE IT RESOLVED, that Washington County Board of Supervisors do hereby proclaim the month of April, 1995 as CHILD ABUSE PREVENTION MONTH in Washington County, and call upon our citizens to observe the month with appropriate programs, ceremonies, and activities.

BE IT FURTHER RESOLVED, that the Washington County Board of Supervisors commend the County's Protective Service staff who help protect the well being of our children and commend the volunteers of the Multi Agency Council for developing programs that strengthen families and educate parents.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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<u>Proclamation, Big Brothers/Big Sisters Appreciation Week, April 23-29, 1995 (Victoria Tucker, Exec. Director)</u>

On motion of Mr. Derting, second by Mrs. Mumpower, it was resolved to adopt the following proclamation for Big Brothers/Big Sisters Appreciation Week, April 23-29, 1995:

PROCLAMATION

WHEREAS, volunteering one's time and resources has traditionally, and continues to be, an elemental part of the essence and tradition of our county and is essential to its spirit and vitality; and

WHEREAS, we are a nation of people who thrive on helping others as well as ourselves to better life; and

WHEREAS, volunteerism is increasingly recognized as an important partner in government and industry in doing the work of the nation; and

WHEREAS, volunteerism is as vital, fulfilling and enriching to the

participants as to the recipients of the service and should be encouraged for the benefits to all and the community at large; and

WHEREAS, there are children in Washington County, Virginia who are in need of the individual support, help and guidance of a stable adult; and

WHEREAS, there are many volunteers in our community who provide these children with the one-to-one support they need; and

WHEREAS, it is important for all of us to recognize our responsibility and to follow the example of these volunteers by also giving of ourselves for the betterment of all; and

WHEREAS, it is fitting to set aside a special week in tribute to these dedicated Big Brothers and Big Sisters who make our county a better place to live and work and learn;

NOW, THEREFORE, the Board of Supervisors of Washington County, Virginia does hereby proclaim April 23 - 29, 1995 BIG BROTHERS/BIG SISTERS APPRECIATION WEEK and urge all residents to participate in appropriate observances; and to assume their duty as citizens of Washington County by becoming involved in our local Big Brothers/Big Sisters program.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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Request to Authorize Expenditure for Adopt-A Highway Volunteers (Stephen Richardson, Recycling Coordinator)

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to donate up to $300.00 from the Recycling Department Budget, Line Item 6013, Program Supplies, to the Washington County Clean Virginia Program, Adopt-A-Highway Committee.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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Emory/Meadowview Sewer Project Funding Delinquency (B. Ingle)

On motion of Mr. Ingle, second by Mr. Parris, it was resolved that Washington County intends to fund $350,000 to the Washington County Service Authority by December 31, 1995 to be used toward the $700,000 Emory/Meadowview Sewer Project Funding Delinquency in the event grant funding is not available.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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Chairman Osborne recognized Delegate Joseph P. Johnson, Jr., in the audience. Mr. Johnson stated he would like to speak during Citizen Comments.

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Consideration of Appointment to Virginia Highlands Community College Board

Mr. Mathews proposed the nomination of Mr. Ben King for appointment consideration to the Virginia Highlands Community College Board of Directors. He asked this appointment be placed on the Board of Supervisors Meeting Agenda for April 11, 1995. Mr. Mathews stated he is submitting Mr. King's name at this time to allow the Supervisors time to consider him for this appointment.

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Citizen Comments:

At this time, Mr. Osborne invited comments from citizens on items that do not appear on the Agenda.

Delegate Joseph P. Johnson, Jr. informed the Supervisors that the Governor's Veto Session is scheduled for April 5, 1995. Mr. Johnson referred to data he submitted to Messrs. Bentley and Lyle to review on HB 1802, waste haulers, stating it is subject to different interpretations. He assured the Supervisors that if the legislation turns out to be detrimental to Washington County that amendments can be offered in the next session of the General Assembly.

Delegate Johnson emphasized the important legislation coming out of the General Assembly was the bill that frees up lottery money for education and the Community College bill.

Delegate Johnson reiterated his position of not support any legislation that shifts the tax burden to the localities. He urged the Supervisors to keep in touch with him on matters of concern to Washington County.

Mr. Ingle inquired about potential cuts in funds for VPI Extension Service. Mr. Johnson assured the Supervisors he would not support a cut in funds that are used to support the major industry for Virginia.

Mr. Mathews requested Delegate Johnson to provide the Supervisors with information on enterprise zones. Mr. Johnson suggested the Supervisors may want to consider joining with Bristol, Virginia City Council in seeking to obtain a multijurisdictional designation of enterprise zones.

Patrick Mannix stated he picked up a cordless telephone conversation over the scanner pertaining to the County Administrator and Bruce Martin concerning the Ingersol Rand Property. He commented on a recent 911 article in the newspaper involving a call to 911 from a parent whose child was choking. He defended the actions of the Call-Taker and said the newspaper account was taken out of context. Mr. Mannix asked the Supervisors when he would be paid $111.00 that the court ordered.

Barbara Addison, parent who called 911 for help when her child was choking, spoke about the incident and the manner in which her call was handled. She emphasized her concern of the Supervisors are aware there is a problem with the operation of the 911 system and asked that it be fixed. She questioned the Supervisors about Mr. Mannix' investigation and his judgment of the matter.

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Recess

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to take a brief recess.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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County Administrator Comments:

The following action was taken on County Administrator Comments:

a. Street Light Request, Bristol-Washington County Industrial Park

Received request from Bristol Compressors for a street light to be installed due to safety reasons.

On motion of Mr. Derting, second by Parris, it was resolved to set a 40' pole along SR 1727 in the Washington County/Bristol, Virginia Industrial Park, install a 400 Watt HPS light, and install a transformer which will increase monthly charges by $14.69.

The vote on this motion was as follows (6-0):

Mrs, Mumpower	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye

Mr. Mathews returned to the Board table from recess after the vote had been taken.

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b. United States Department of Agriculture, Forest Service, Request

for Comments, Special Use Applications:

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to respond to the United States Department of Agriculture, Forest Service, with a favorable response to the following applications for special uses in the George Washington and Jefferson National Forests:

:: A Leg Up: A Therapeutic Riding Center for the Handicapped, Inc., Horse Ride-A-Thon, April 22, 1995, Fairwood Livery;
:: Garrie and Marshall Bates, Horse Ride, August 4-6, 1995, Raven Cliff Horse Camp;
:: Adventure Challenge by Magik Treks, Hiking Trips, August 10-14, 1995 on Iron Mountain and October 17-20, 1995 on Virginia Creeper Trail;

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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c. Mount Rogers Planning District Commission Request for Comments on Town of Damascus Intent to Apply for Federal and/or State Aid on Damascus Housing Rehabilitation Project

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to respond to Mount Rogers Planning District Commission with a favorable review of the Town of Damascus intent to apply for federal and/or state aid on the Damascus Housing Rehabilitation Project.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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d. Congressman Rick Boucher Request for Comments, Legislation Empowering County Boards of Supervisors and City Councils to Ban the Importation of Municipal Solid Waste Originating Out of State Into Unwanted Local Private Landfills

Received communication from Congressman Rick Boucher concerning legislation he has introduced empowering County Boards of Supervisors and City Councils to ban the importation of municipal solid waste originating out of state into unwanted local private landfills. Congressman Boucher requested comments from Washington County.

On motion of Mr. Derting, second by Mr. Mathews, it was resolved to respond to Congressman Boucher that Washington County endorses a local government option of accepting or rejecting out of county solid waste or sludge.

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

Mr.	Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye	
Mr.	Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye	
Mrs.	Mumpower	Aye					

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e. Washington County Park Request for Surplus Truck

Received request from Washington County Park Authority relative to obtaining a surplus pickup truck for use at the Washington County Park.

After discussion, there was consensus agreement among the Supervisors to add the Park Authority to the current list of agencies who have requested surplus vehicles from the County. If and when a surplus pickup truck becomes available, the Board of Supervisors will consider their request.

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f. Washington County Fire & Rescue Request for ALS Status

Received request from the Washington County Fire Rescue Department to support their intent to upgrade their license from Basic Life Support to Advanced Life Support.

On motion of Mr. Parris, second by Mr. Ingle, it was resolved to grant permission to Washington County Fire Rescue Department to operate Advanced Life Support service in Washington County, Virginia.

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

Mr.	Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye	
Mr.	Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye	
Mrs.	Mumpower	Aye					

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g. Communications

The following communications were received:

Interoffice Communications:

:: County Administrator, Comments to Secretary Martinez and Members of the Transportation Board, 1995 Preallocation Public Hearing, Bristol District, March 23, 1995, Harry L. Coomes Recreation Center;
:: Assistant County Administrator/Economic Development concerning Assessed Value of Wal-Mart/Lowes Commercial Development;
:: Director of Accounting to Patrick J. Mannix, Sr. concerning examination of VISA Account Credit Card Activity from January 1, 1990 through present;
:: Resource Management Consultant concerning:
  :: Surplus or Non-Useable Items;
  :: Request for E-911 Mapping Emergency Response Books;
:: Sheriff's Department, COPS MORE Application;
:: Industrial Development Authority of Washington County, Chairman's Report,

March 1995;

Federal, State and Local Representatives:

:: United States Senator John W. Warner concerning Application for Federal Assistance, Washington County Industrial Park Water Improvement Project;
:: United States Senator Charles S. Robb concerning reductions in funding for programs under the Job Training Partnership Act;
:: United States Department of Commerce, Economic Development Administration, concerning Request for Authorization to Proceed to Bid Washington County Industrial Park Water Improvements Project;
:: United States Department of Agriculture concerning Rural Performance Partnership Initiative;
:: United States Department of Agriculture, Mount Rogers National Recreation Area, concerning decision to repave Hurricane Road #84 and Hurricane Campground Road #84B Repaving, and Hurricane Campsite Parking Spur Paving;
:: Department of Environmental Quality concerning Washington County Sanitary Landfill Closure, Permit No. 406;
:: Department of Health concerning construction of additions to noncommunity waterworks, United States Forest Service, Beartree Recreation Area;
:: Department of Transportation, Report of Changes to Secondary System of State Highways, Additions Made Effective February 1995: Addition, Beechwood Hills Subdivision, Beech Hideaway, Route 1753; Abandonment, Porter Lane, SR 904;

General Correspondence:

:: CaMac Corporation, on behalf of Washington County Industrial Park Association, expressing appreciation for donation of $2,500 to be used toward procurement of new sign and upgrading entrance to Park;
:: Echols-Sparger & Associates Semi-Final Inspection for roof replacements, Hayter's Gap and Mendota Community Centers;
:: Green County Partnership announcing location of Wal-Mart Corporation Regional Distribution Center in Green County;
:: Hayter's Gap Senior Citizens Invitation to Hot Dog Supper, Saturday, April 8, 1995;
:: Shirley Leonard concerning 911 incident;
:: Joyce Engineering, Inc. Waste Management Bulletin;
:: McGuireWoods Battle & Boothe concerning Solid Waste Management regulations, detection/quantitation issues;
:: Mount Rogers Planning District Commission announcing upcoming meeting on Virginia Defense Conversion Revolving Loan Fund;
:: A. G. Parent, Jr. concerning C-4 Media Cable and franchise agreement renewal;
:: Cecil Scyphers concerning SR 910, or Spring Lake Road, and request to have road resurfaced;
:: Tennessee Valley Authority concerning implementation of fee system for processing Section 26a permit applications;
:: Virginia Association of Counties Capitol Contact concerning HB 2542 and SB 859;
:: Virginia Cooperative Extension concerning status of state funding for VCE.

Mr. Bentley referred to a communication sent directly to the Supervisors from Mrs. Rubinette Niemann, and pointed out the Annual Litter Prevention and Recycling Workshop is scheduled for Thursday, March 30, 1995.

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h. Reminders of meetings were noted.

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County Attorney's Reports

The following action was taken on County Attorney's Reports:

a. Improving Subdivision Streets to State Standards

On motion of Mr. Parris, second by Mr. Derting, it was resolved to approve the following resolution:

WHEREAS, it appears that Trent Farm Subdivision, off of State Route 605 near the intersection of Route 91 and 605 in the Taylor Magisterial District, Damascus, Virginia may qualify for upgrading and inclusion in the state system pursuant to Sec. 33.1-72.1 of the 1950 Code of Virginia, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS that the County Attorney is to request the Virginia Department of Transportation to estimate the cost of improving said streets to state standards.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

Mr. Ingle inquired about the need for a similar resolution for Moccasin Circle.

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b. Authorization for Judicial Sale of Delinquent Tax Property

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to approve real properties within Washington County on which taxes are delinquent and which are eligible for judicial sale pursuant to Sec. 58.1-3965 et seq. of the Virginia Code:

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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Consent Agenda:

On motion of Mr. Mathews, second by Mr. Derting, it was resolved to

approve the following consent agenda items:

a. Appropriation to FY 1994-95 School Board Budget, $63,945.86, Federal/State Funds
b. Drawdown No. 12, Southwest Virginia Microenterprise Development Project, CIG 93-33
c. Drawdown No. 13, Southwest Virginia Microenterprise Development Project, CIG 93-33
d. Supplemental Appropriation, $1,297.95, Insurance Reimbursement, Dept. No. 31200, Account No. 6009)
e. Requests for Refunds, Utility Tax, $7,044.89, Commissioner of Revenue

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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Board Member Reports

The following Board Member reports were given:

Jackson Barker announced the Mendota Festival date is scheduled July 22, 1995.

Joe Derting updated the Supervisors on the availability of an office building located next to the Courthouse. He stated the building has been sold to an attorney.

Kenneth Mathews referred to Delegate Johnson's remarks during Citizen Comments about the forthcoming return of lottery revenue to the localities. He did a mathematical computation of how the revenue would impact Washington County.

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19. Recess to Wednesday, March 29, 1995 for the purpose of holding a budget work session of County Revenue Estimates

On motion of Mr. Parris, second by Mr. Ingle, it was resolved to recess to Wednesday, March 29, 1995, Board of Supervisors Meeting Room, for the purpose of holding a budget work session of County Revenue Estimates.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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James T. Osborne, Chairman