V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, September 12, 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

Mark K. Reeter, County Administrator
Joseph B. Lyle, County Attorney
Sandra M. Hatfield, CPS, Executive Secretary

ABSENT:

Mark W. Seamon, Director of Accounting

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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 - Joe W. Derting

Mr. Joe Derting gave the Invocation and led in the Pledge of Allegiance.

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Approval of Agenda

On motion of Mr. Ingle, second by Mr. Mathews, it was resolved to approve the Agenda with the following addition:

21.a Executive Session pursuant to *51.1-945.7(D) and *2.1-344(a)(7) of the 1950 Code of Virginia, as amended, to consider the City of Bristol's proposed Interlocal Annexation/Revenue Sharing Agreement of the Clear Creek Property and for legal advice as to the procedures for approval and the legal effect of such agreement.

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:

a. Recessed Meeting of August 15, 1995

On motion of Mr. Ingle, second by Mr. Parris, it was resolved to approve the minutes of August 15, 1995 with the following correction:

Page 7826, Item 3, Executive Session-Continued, Line 2:

Change dollar amount to read "($2,200,000.00) DOLLARS ... "

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				

*****

b. Regular Meeting of August 22, 1995

On motion of Mr. Barker, second by Mr. Derting, it was resolved to approve the minutes of August 22, 1995, as written.

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				

****

Planning & Zoning Public Hearings

The following action was taken on Planning & Zoning public hearings with Ms. Cathie Freeman, Planner, present to respond to questions from the Board:

a. Intent to Rezone:

(1) James A. Brown: Request to rezone approximately 4.170 acres of property located near the intersection of Routes 825/19 onto a right-of-

way from R-1 (Residential, Limited) to B-2 (Business, General), Harrison Magisterial District.

Mr. Osborne invited comments both in support of and in opposition to the application filed by James A. Brown.

James A. Brown addressed the Supervisors stating ten acres of frontage property was rezoned to B-2 prior to 1988. He stated he is now requesting the back portion of the property be rezoned explaining that the B-2 designation will be the full depth of the property.

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

On motion of Mr. Ingle, second by Mr. Mathews, it was resolved to follow the recommendation of the Planning Commission and approve request of James A. Brown to rezone approximately 4.170 acres of property located near the intersection of Routes 825/19 onto a right-of-way from R-1 (Residential, Limited) to B-2 (Business, General), Harrison Magisterial District.

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				

*****

(2) Arthur L. Goff, Jr. for J.D. Matney: Request to rezone 1.55 acres of property located on the East side of State Route 670 near the intersection of Routes 670/75 from R-2 (Residential, General) to B-2 (Business, General), Madison Magisterial District.

Mr. Osborne invited comments both in support of and in opposition to the application filed by Arthur L. Goff, Jr. for J. D. Matney.

Mr. Arthur L. Goff, Jr. was present but did not speak.

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

On motion of Mr. Derting, second by Mr. Barker, it was resolved to follow the recommendation of the Planning Commission and approve request of Arthur L. Goff, Jr. for J.D. Matney to rezone 1.55 acres of property located on the East side of State Route 670 near the intersection of Routes 670/75 from R-2 (Residential, General) to B-2 (Business, General), Madison Magisterial District.

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				

*****

(3) June W. Fox: Request to rezone approximately 3 acres of property located on the North side of State Route 647 near the intersection of Routes 647/1526 from R-1 (Residential, Limited) to R-2 (Residential, General), Madison Magisterial District.

Mr. Osborne invited comments both in support of and in opposition to the application filed by June W. Fox.

June Fox addressed the Supervisors requesting three acres of her property be rezoned to R-2 so that she could operate a bed and breakfast out of her home.

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

On motion of Mr. Derting, second by Mr. Barker, it was resolved to follow the recommendation of the Planning Commission and approve request of Arthur L. Goff, Jr. for J.D. Matney to rezone 1.55 acres of property located on the East side of State Route 670 near the intersection of Routes 670/75 from R-2 (Residential, General) to B-2 (Business, General), Madison Magisterial District.

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				

*****

b. Request for Special Use Permit:

(4) Blue Diamond Leasing Company: Request for a Special Use Permit to construct and operate mini-storage warehouse facilities with boat storage on property located on the South side of I-81 adjacent to the Corporate Limits of the Town of Abingdon off of U.S. Route 75 in a B-2 (Business, General) zone, Madison Magisterial District.

Mr. Osborne invited comments both in support of and in opposition to the application filed by Blue Diamond Leasing Company.

Mr. Dave Hutton, representing Blue Diamond Leasing Company, explained that Mr. Blankenship intends to improve his property by building mini storage warehouses and a boat warehouse building, and requested he be granted a special use permit for this purpose.

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

On motion of Mr. Derting, second by Mr. Ingle, it was resolved to follow the recommendation of the Planning Commission and approve special use permit for Blue Diamond Leasing Company to construct and operate mini-storage warehouse facilities with boat storage on property located on the South side of I-81 adjacent to the Corporate Limits of the Town of Abingdon off of U.S. Route 75 in a B-2 (Business, General) zone, Madison Magisterial District.

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				

****

Public Hearing to receive comment on an Ordinance to Continue the Existence of and Establish Washington County Park Authority

Mr. Osborne invited comments both in support of and in opposition to an Ordinance to Continue the Existence of and Establish Washington County Park Authority

Lee Garrett, Vice Chairman of the Washington County Park Authority, and Eli Blankenship, Superintendent of Washington County Park, addressed the Supervisors each expressing appreciation to the Board of Supervisors for the past support of the Washington County Park. Mr. Blankenship gave an overview of the capital projects that are currently being worked on. Messrs. Garrett and Blankenship requested the Board of Supervisors to reestablish the Washington County Park Authority.

There being no further comments, Mr. Osborne declared the public hearing closed. On motion of Bobby Ingle, seconded by Dulcie Mumpower, it was resolved to adopt the following resolution:

AN ORDINANCE TO CONTINUE THE EXISTENCE OF
AND REESTABLISH THE WASHINGTON COUNTY PARK AUTHORITY

ORDINANCE NUMBER 95-7

WHEREAS, on September 13, 1965, the Washington County Board of Supervisors (the "Board") established the Washington County Park Authority (the "Authority") pursuant to Chapter 27 of Title 15.1 of the 1950 Code of Virginia, as amended, said Act being codified in Article VI of Chapter 2 of the Washington County Code; and

WHEREAS, in Section V of said Act, the Board provided that the Authority "shall have existence for thirty years unless the governing body of Washington County, Virginia shall provide for an earlier termination of the existence of said Authority;" and

WHEREAS, the Authority is due to cease existence on September 13, 1995; and

WHEREAS, the Authority provides tremendous service to the citizens of Washington County, is an asset to Washington County and, thus, its continued existence is of the utmost importance.

NOW THEREFORE, pursuant to Chapter 27 of Title 15.1 of the 1950 Code of

Virginia, as amended, the Park Authorities Act, be it ORDAINED by the Washington County Board of Supervisors:

1. That the Washington County Park Authority, a public body politic and corporate, be, and hereby is, continued and reestablished effective September 13, 1995.

2. Articles of Incorporation

I. The name of the park authority is the Washington County Park Authority, hereinafter referred to as the Authority, and the address of its principle office is Abingdon, Virginia.

II. Washington County, Virginia is the sole incorporating political subdivision.

III. The Washington County Board of Supervisors shall appoint eight (8) members who shall exercise the powers of the Authority in accordance with the Park Authorities Act. After expiration of the initial appointment terms, the term of office of all members shall be four (4) years.

IV. The Authority's first members on its reestablishment and continuation on September 13, 1995, together with their addresses and terms of office, are:

Name	Address	Term Expires
James T. Osborne	P.O. Box 335, Glade Spring, VA	June 30, 1996
Curtis Addison	875 E. Main St., Abingdon, VA	June 30, 1996
Jack McClanahan	19629 Stone Mtn. Rd., Abingdon, VA	June 30, 1996
James F. Hutton	12246 Deerfield Lane, Gl Spring, VA	June 30, 1996
Lee F. Garrett	19116 County Park Rd., Abingdon, VA	June 30, 1998
Vernon Waters,Sr.	P.O. Box 311, Damascus, VA	June 30, 1998
Wiley Helton	11626 Goose Creek Rd., Bristol, VA	June 30, 1998
Dallas F. Hayden	23372 Ivy Rd., Bristol, VA	June 30, 1998

V. The purposes for which the Authority is recreated and continued are:

1.To maintain and operate the existing Washington County Park.

2.To survey the need for additional park facilities in Washington County, Virginia and the availability of desirable park sites.

3.To acquire, develop and operate other park facilities in Washington County, Virginia.

4.To arrange for the maintenance, operation and furnishing of park facilities or services in Washington County, Virginia with others which it may agree.

VI. The Authority shall have existence until the Washington County Board of Supervisors shall provide for the termination of its existence in accordance with law.

3. That Article VI of Chapter 2 of the Washington County Code is amended and reenacted to read as follows:

ARTICLE VI. PARK AUTHORITY

*2-29. Created; powers.

There is hereby created a park authority in the County with such public and corporate powers as are set forth in the Park Authorities Act, constituting *15.1-1229 et seq. of the 1950 Code of Virginia, as amended, and\or any law or laws of this Commonwealth which may amend, supplement, supersede or replace said Act. The name of the park authority shall be the Washington County Park Authority.

4. That ** 2-30, 2-31 and 2-32 of the Washington County Code are repealed.

5. That should a court of competent jurisdiction declare invalid or unconstitutional any section or provision of this ordinance, such decision shall not effect the validity or constitutionality of any other section or provision of this ordinance or the Washington County 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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<u>Resolution of Board of Supervisors on Application of Johnston Memorial Hospital for Issuance of First Mortgage Revenue Refunding Bonds</u>

On motion of Mrs. Mumpower, second by Mr. Mathews, it was resolved to adopt the following resolution:

RESOLUTION OF THE
BOARD OF SUPERVISORS OF
WASHINGTON COUNTY, VIRGINIA

WHEREAS, the Industrial Development Authority of Washington County (the "Authority") has considered the request of Johnston Memorial Hospital, Inc. (the "Hospital") for the issuance of the

Authority's revenue refunding bonds in an amount now estimated not to exceed $9,000,000 (the "Bonds), to assist in refunding all or a portion of the Authority's Hospital Facility Revenue Refunding Bonds (Johnston Memorial Hospital, Series 1986, issued in the original aggregate principal amount of $9,840,000 to refund bonds previously issued by the Authority to finance improvements, renovations and additions to the hospital facilities located on Court Street in the Town of Abingdon in Washington County, Virginia (the "County); and

WHEREAS, the Authority has held a public hearing on the issue of the Bonds for the refunding on August 16, 1995; and

WHEREAS, Section 147(f) of the Internal Revenue Code of Virginia, as amended (the "Code"), and Section 15.1-1378.1 of the Code of Virginia, as amended (the "Virginia Code"), provide that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds; and

WHEREAS, the Authority issued its bonds on behalf of the County, the Hospital's facilities are located in the County and the Board of Supervisors (the "Board") constitutes the highest elected governmental unit of the County;

WHEREAS, the Authority has agreed to assist the Hospital by issuing the Bonds for the refunding; and

WHEREAS, the Authority recommends that the Board approve the issuance of the Bonds; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds, a record of the public hearing and a "fiscal impact statement" with respect to the refunding have been filed with the Board;

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

1. The Board of Supervisors hereby approves the issuance of the Bonds by the Authority for the benefit of the Hospital to the extent required by Section l47(f) of the Code and Section 15.1-1378.1 of the Virginia Code, to permit the Authority to assist in the refunding, provided that the Bonds are issued in calendar year l995.

2. The approval of the issuance of the Bonds as required by Section l47(f) of the Code does not constitute an endorsement to a prospective purchaser of the Bonds of the credit worthiness of the Hospital. As required by Section 15.1-1380 of the Virginia Code, the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the

revenues and moneys pledged therefore, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the County or the Authority shall be pledged thereto.

3. The County hereby designates the Bonds as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code. The County hereby represents and covenants as follows:

(a) The County will in no event designate more than $10,000,000 of obligations as qualified tax-exempt obligations in calendar year 1995, including the Bonds, for the purpose of Section 265(b)(3) of the Code.

(b) The County, all its "subordinate entities" (within the meaning of Section 265(b)(3) of the Code), and all entities that issue tax-exempt obligations on behalf of the County and its subordinate entities , together, have not issued more than $10,000,000 of tax-exempt obligations in calendar year 1995 (not including "private activity bonds" as defined in Section 141 of the Code other than "qualified 501(c)(3) bonds" as defined in Section 145 of the Code), including the Bonds.

(c) Barring circumstances unforeseen as of the date of delivery of the Bonds, the County will not issue tax-exempt obligations itself or approve the issuance of tax-exempt obligations of any such other entities if the issuance of such tax-exempt obligations would, when aggregated with all other tax-exempt obligations theretofore issued by the County and such other entities in calendar year 1995, result in the County and such other entities having issued a total of more than $10,000,000 of tax-exempt obligations in any such year (not including private activity bonds other than qualified 501(c)(3) bonds), including the Bonds.

(d) The County has no reason to believe that the County and such other entities will issue tax-exempt obligations in calendar year 1995 in an aggregate amount that will exceed such $10,000,000 limit; provided, however, if the County receives an opinion of nationally recognized bond counsel that compliance with any covenant set forth in (a) or (c) above is not required for the Bonds to be qualified tax-exempt obligations, the County need not comply with such restriction.

4. This resolution shall take effect immediately upon its adoption.

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 from Virginia Cooperative Extension to Fund Alternative Crops Specialist Position (Phil Blevins)

Mr. Phil Blevins, Unit Director, Cooperative Extension Service, was present to address the Supervisors and respond to their questions.

On motion of Mr. Barker, second by Mr. Derting, it was resolved to make a contribution of $6,000 from Reserves for Contingency to Virginia Cooperative Extension as Washington County's portion toward the salary of the Alternative Crops Specialist for Southwest Virginia in order to continue the position until July 1, 1996; further, it was resolved to communicate Washington County's request that Virginia Tech absorb the salary of the Alternative Crops Specialist for Southwest Virginia after July 1, 1996.

During discussion of the Alternative Crops Specialist position, Mr. Mathews indicated his desire to receive a report from Extension Service on the contributions received from Smyth, Grayson, Carroll, and Wythe Counties for funding this position to July 1, 1996.

The vote on this motion was as follows (6-1):

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

****

Selection of Administrator of Indoor Plumbing/Rehabilitation Program Grant Funds for FY 1996 (Kathy Shearer)

Mrs. Kathy Shearer, HOME Coordinator, People, Incorporated, was present to respond to questions from the Board of Supervisors.

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to select People Incorporated to continue to administer the Indoor Plumbing/Reha- biligation Program Grant Funds for FY 1996.

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

****

Request from Southwest Virginia Higher Education Center for Financial Assistance (Rachel Fowlkes)

Mr. Rachel D. Fowlkes, Executive Director, Southwest Virginia Higher Education Center, addressed the Supervisors requesting Washington County to contribute toward the construction of Education Center by providing $30,000 for a waterline to the building site.

On motion of Mr. Mathews, second by Mr. Ingle, it was resolved to make a contribution of $25,000 from Account 94560-8249 and $5,000 from Reserves for Contingency to Southwest Virginia Higher Education Center for the purpose of constructing a waterline from State Route 140 at the entrance of Virginia Highlands Community College to the Education Center building site.

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. Barker requested the record reflect that the Higher Education Center is used extensively by teachers and other employees of the Washington County School System, and filed a statement disclosing he has a personal interest in certain aspects of the Washington County Budget related to appropriations to the Washington County School Board; that he is an employee of the Washington County School Board and appropriations to the Board could indirectly affect his position, salary, employment benefits, etc.; that he is a member of a group of employees which are affected by the amount of the appropriation to the Washington County School Board; that he can participate in this transaction fairly, objectively and in the public interest.

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Mount Rogers Planning District Commission Request for Project Proposals, 1995-96 OEDP Update

On motion of Mr. Ingle, second by Mr. Parris, it was

resolved to adopt the following Overall Economic Development Plan Project Proposals for 1995-96 for Washington County:

A. Present Projects (Already Underway):

1. Emory/Meadowview Regional Sewer Project
   Project Cost: $6,172,456.00 as budgeted

2. Washington County Industrial Park Water Improvement Project
   Project Cost: $1,367,100.00 as budgeted

3. U. S. Highways 11 and 58 Water Improvements Project (Phases 1 through 6 - Abingdon to Glade Spring)
   Project Cost: Phase 1: $2,000,000 expended; Phase 2: $2,500,000.00 as budgeted; Phases 3 through 6: $5,000,000.00 estimated

B. Pending Projects (Anticipated for Next Three Years):

1. Town of Glade Spring Sewer Project
   Project Cost: $5,307,812.00 as budgeted

2. Glade-Highlands Industrial Park Development (Phase 1)
   Project Cost: Unknown

3. I-81 Exit 22 Sewer Projects
   Project Cost: Unknown

4. Bristol West Planned Unit Development
   Project Cost: Unknown

C. Future Projects (Anticipated Beyond Next Three Years):

1. Completion of East-Central Washington County Sewer System
   Project Cost: Unknown

2. West-Central Washington County Sewer System
   Project Cost: Unknown

3. Bristol-Washington County Industrial Park Access Road Project
   Project Cost: Unknown

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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Recess

On motion of Mr. Parris, second by Mr. Mathews, 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

****

Request to Declare Vehicle as Surplus

On motion of Mr. Derting, second by Mr. Parris, it was resolved to declare as surplus one 1987 Chevrolet Caprice automobile, VIN 1G1BL51HXHX203944, and further, it was resolved to transfer the title to Mount Rogers Volunteer Fire 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

****

Supplemental Appropriation, End of Year Carryovers, Washington County Solid Waste and Recycling Departments

On motion of Mr. Mathews, second by Mr. Barker, it was resolved to approve supplemental appropriations in the amount of $10,391.85, end of year carryovers, for the Solid Waste and Recycling Departments, as follows:

County General Fund:
Solid Waste Department $ 7,606.69
(Part-Time Help)
Recycling & Litter Control $ 2,785.16
(Dump Cleanup)

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

****

Proposals for Preparing County's Cost Allocation FY 1995 through FY 1997

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to accept the low bid of David M. Griffith & Associates in the amount of $2,000.00 annually to prepare Washington County's Cost Allocation Plan for the fiscal years ending June 30, 1995, 1996 and 1997.

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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Certificate of Records Disposal, Accounting Department/County Administrator's Office/Commissioner of Revenue, 1973-1985

On motion of Mr. Mathews, second by Mrs. Mumpower, it was resolved to approve Certificate of Records Disposal for Accounting/Animal Control/Commissioner of Revenue/County Administrator records determined to be nonpermanent records.

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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Citizen Comments:

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

Jim Cozart addressed the Supervisors asking them to consider housing the Health Department and Department of Social Services in the Kroger Building if he will make improvements to the building.

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County Administrator Comments:

The following action was taken on County Administrator Comments:

a. Designation of Records Manager

On motion of Mr. Derting, second by Mr. Mathews, it was resolved to designate Mark W. Reeter as Records Manager for the purposes of Virginia State Library and Archives files.

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

*****

b. NACo Alert Regarding Federal Telecommunications Legislation

Received communication from National Association of Counties concerning recently enacted telecommunications reform legislation. Also received was a letter from Virginia Highlands Airport Commission in response to the same communication in which the Commissioners have positioned themselves in support of continued local zoning authority control over the placement of cellular telephone and other telecommunications towers. The Board of Supervisors by consensus agreed to forward correspondence supporting the NACo position. *****

c. Invitation to Participate in 46th Annual Burley Festival and Farm Show Parade, Saturday, September 16, 1995, 10:00 a.m.

Received invitation to participate in the Burley Festival and Farm Show Parade on Saturday, September 16, 1995. Mr. Reeter polled the Supervisors for their attendance.

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d. Communications

The following communications were received:

Interoffice Communications:

Federal, State and Local Representatives:

General Correspondence:
:: Jim Cozart to Chairman James T. Osborne proposing use of Kroger Building to house Department of Health and Department of Social Services; Acknowledgement of letter;
:: Draper Aden Associates concerning status of final detection monitoring at Washington County Landfill;
:: Mount Rogers Planning District Commission concerning VDOT Maintenance Area Study;
:: Virginia Tech concerning Virginia Industrial Development Authorities Institute.

On motion of Mr. Ingle, second by Mr. Parris, it was resolved to grant permission to the County Administrator to attend the Virginia Industrial Development Authorities Institute October 18-20, 1995, at Virginia Tech.

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

On motion of Mrs. Mumpower, second by Mr. Derting, it was resolved to purchase a cellular telephone for the administrative staff to use while working in the field.

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
*****

e. Reminders

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County Attorney's Reports

Mr. Joseph B. Lyle reported he will advertise a public hearing for the Virginia Highlands Cable Franchise in October of this year.

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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. Payment of Bills, September 1995
b. Supplemental Appropriation, Sheriff's Department,
:: F.A.S.P. Account, $261.25
:: Dept. 31200, $5,501.69
c. Requests for Refunds, Building Permit Fees:
:: Patricia G. Smith, $20.00;
:: Bill Counts, $200.00
d. Cancelled Check No. 045796, Standard Register Company, $353.00

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

****

Board Member Reports

The following Board Member reports were given:

Mr. Parris reported receiving a communication from Director of Administration, Ronald A. Walls, Washington County Public Schools, requesting assistance in getting Route 747, located off Route 91 in the Rhea Valley community, paved. Mr. Reeter was asked to present the request to Virginia Department of Transportation for their consideration.

Mr. Ingle reported the Washington County Service Authority will possibly contact the Board of Supervisors requesting their financial assistance with funding the cost of additional waterlines.

Mrs. Mumpower announced she is holding a public information meeting at Wallace Middle School on September 21, 1995, 7:00 p.m. concerning the development of the Clear Creek property by the City of Bristol.

Mr. Osborne spoke of touring the Westinghouse facility recently and commented favorably on their efforts to assist the employees who were terminated.

*****

21.a Executive Session pursuant to *15.1-945.7(D) and *2.1-344(a)(7)
of the 1950 Code of Virginia, as amended, to consider the City of Bristol's proposed Interlocal Annexation/Revenue Sharing Agreement of the Clear Creek Property and for legal advice as to the procedures for approval and the legal effect of such agreement.

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to go into executive session pursuant to *15.1-945.7(D) and *2.1-344(a)(7) of the 1950 Code of Virginia, as amended, to consider the City of Bristol's proposed Interlocal Annexation/Revenue Sharing Agreement of the Clear Creek Property and for legal advice as to the procedures for approval and the legal effect of such agreement.

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

Messrs. Reeter and Lyle were requested to be present during executive session.

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to come out of executive session and proceed with business at hand in public as required by law.

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

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to adopt the following certification:

WHEREAS, the Washington County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Washington County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully

exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion of convening the executive meeting were heard, discussed or considered by the Washington County Board of Supervisors.

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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Adjournment

On motion of Mr. Parris, second by Mr. Barker, it was resolved to adjourn the meeting.

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