

VIRGINIA:

At a rescheduled meeting of the Washington County Board of Supervisors held Wednesday, January 10, 1996, 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
 Mark W. Seamon, Director of Accounting
 Sandra M. Hatfield, CPS, Executive Secretary

1. Call to Order

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



2. Invocation and Pledge of Allegiance - Bobby D. Ingle

Mr. Ingle gave the Invocation and led in the Pledge of Allegiance.

3 Approval of the Agenda

On motion of Mr. Derting, second by Mr. Mathews, it was resolved to approve the Agenda as presented.

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

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

4 Approval of Minutes of December 12, 1995

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to adopt the Minutes of December 12, 1995 with the following correction:

Page 7932, Paragraph 10, Line 2:

Correct paragraph to read as follows: A... Maxine Hayden ~~request~~ request to rezone approximately 1.71 acres of property@

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

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

5 **Organization of the Board of Supervisors, Calendar Year 1996**

The following action was taken on the Organization of the Board of Supervisors for Calendar Year 1996:

a. Election of Chairman

Mrs. Mumpower made a motion, second by Mr. Parris to nominate James T. Osborne as Chairman of the Board of Supervisors for the Calendar Year 1996.

Mr. Osborne expressed his appreciation to members of the Board for the nomination, however, he declined to accept it.

Mr. Osborne passed the gavel to Mrs. Mumpower for the purpose of making a substitute motion.

Mr. Osborne made a motion, second by Mr. Barker, to nominate Mr. Joe W. Derting as Chairman of the Board of Supervisors for the Calendar Year 1996.

The result of Mr. Osborne's motion made it unnecessary to take action on the original motion.

The vote on Mr. Osborne's substitute motion was as follows (4-0-3):

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

Mrs. Mumpower returned the gavel to Mr. Osborne, who in turn passed the gavel to Mr. Derting.

Mr. Osborne expressed his appreciation to the Supervisors for their support.

b. Election of Vice-Chairman

Mr. Mathews made a motion to nominate Mr. Barker as Vice Chairman for the 1996 Calendar Year. The motion died for lack of a second.

Mr. Parris made a motion, second by Mrs. Mumpower, to nominate Bobby D. Ingle as Vice Chairman for the 1996 Calendar Year.

Mrs. Mumpower made a motion, second by Mr. Mathews to close nominations for Vice Chairman.

The vote on the motion to close nominations was as follows (7-0):

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

The vote on Mr. Parris=motion to nominate Bobby D. Ingle as Vice Chairman for Calendar Year 1996 was as follows (6-0-1):

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

- c. Establish Term of Office for Chairman
- d. Establish Term of Office for Vice-Chairman

On motion of Mr. Barker, second by Mr. Parris, it was resolved to establish the terms of office for the Chairman and Vice-Chairman for the 1996 Calendar Year as one year for each office.

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

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

- e. Adopt By-Laws of Board of Supervisors

Discussion of the By-Laws of the Board of Supervisors ensued. Mr. Barker raised his concern about having current media coverage of Board of Supervisor meetings in the two local weekly newspapers, and suggested setting the meeting days to fall on the first and fourth Monday of

each month in order to accommodate their deadlines.

Supervisors pointed out that changing the Board of Supervisor meeting dates would pose a conflict with Towns and City government meeting dates, and expressed their preferences to leave the meeting dates unchanged.

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to adopt the following By-Laws for Calendar Year 1996:

**BOARD OF SUPERVISORS
BY-LAWS, GENERAL POLICIES, AND OPERATIONAL PROCEDURES
FOR CALENDAR YEAR 1996**

Statement of Intent and Purpose

The intent of these By-laws, General Policies, and Operational Procedures of the Washington County Board of Supervisors are as follows:

- (1). To establish ways and means by which the Board of Supervisors as the governing body of Washington County, Virginia shall conduct itself in the performance of its duties and responsibilities;
- (2). To establish certain procedures to be followed by the Board of Supervisors as individual members and as a governing body, and by appointed officials and employees of the Board of Supervisors, to help ensure legality, fairness and consistency in the conduct of governance of Washington County; and
- (3). To establish certain rules and guidelines considered vital to the conduct of the Washington County government and the proper functioning of its elected and appointed officials, employees, agencies, departments, organizations; and the promotion and protection of the interests of the citizens of the County.

To these ends these By-laws, General Policies and Operational Procedures are so adopted.

CHAPTER ONE BY-LAWS OF THE BOARD OF SUPERVISORS

By-laws Definitions: As used in these By-laws, the following terms are defined:

Action of Record: An action taken or decision made by the Board recorded in the Minutes of the Meetings. Action of Record may take the following forms:

- a. Motions and seconds with votes of the members of the Board recorded.
- b. Consensus agreement of the Board without vote by the Board.
- c. Directive of the Chairman in the exercise of that Office during the conduct of an official meeting of the Board.

Adjourned Meeting: Pursuant to ' 15.1-536 of the Virginia Code, an official meeting of the Board which may be adjourned to a later date and time not beyond the date and time fixed for the next Regular Meeting of the Board. An Adjourned Meeting is not considered a Special Meeting of the Board, but rather a continuation of the original official meeting.

Annual Meeting: Pursuant to ' 15.1-536 of the Virginia Code, the Board's first meeting in the month of January.

Board: The Washington County Board of Supervisors.

Committees: A designated group of persons which may be formed by the Board for the purpose of undertaking work on matters germane to the interests of the Board or County. Formal Board Committees are as follows:

- A. Standing Committee: A Committee composed of two (2) members of the Board and such other persons as may be appointed by the Board to serve, the purpose of which shall be confined to review, study and development of recommendations on matters of County personnel, ordinances and policies,
- B. Select Committee: A Committee composed of up to three (3) members of the Board and such other persons as may be appointed by the Board to serve, the purpose of which shall be of in-depth review, investigation, oversight, research, development and/or reporting on

or about a particular matter or matters of interest to the Board or County.

County Code: The Washington County Code.

Directive: An exercise of discretionary authority granted to the Chairman from the Board empowering the Chairman as follows:

- a. To enforce the protocols of Article 8.5. of these By-laws for the conduct of business and discourse before the Board to ensure proper decorum, civility, fairness and order.
- b. To cause the removal of any person or persons without charge of civil or criminal offense for misconduct, disruption or disturbance of a meeting of the Board of Supervisors consistent with adopted policies and procedures of the Board;
- c. To charge any person or persons with civil or criminal offenses pursuant to federal, state or local laws for the misconduct, disruption or disturbance of a meeting of the Board;

Item of Business: A matter to be presented before the Board at an official meeting, specified on the Meeting Agenda or modification thereof, and which may be subject to an Action of Record.

Meeting or official meeting: Any Annual, Regular, Adjourned or Special Meeting of the Board.

Primary Motion: The first motion presented following informal discussion of any Item of Business at a Board meeting.

Regular Meeting: All official meetings of the Board scheduled no less than once per calendar month at the Annual Meeting.

Substitute Motion: A motion presented succeeding and in lieu of a primary motion on any Item of Business at a Board meeting.

Special Meeting: A meeting of the Board approved and scheduled by appropriate action. Action of Record may be taken on any Item of Business presented at a Special Meeting. A Special Meeting may be approved and scheduled during any official meeting of the Board or called pursuant to 15.1-537 of the Virginia Code (otherwise known as a Called Special Meeting). The following terms may also be used to further define and specify purposes for Special Meetings:

- A. Joint Special Meeting A Joint Special Meeting may be conducted simultaneously with one or more corporate and politic bodies for the purpose of review, inquiry and discussion of matters of mutual interest or in the interest of expedient disposition of public business matters. Action of Record may be taken at said meeting, and a quorum of both the Board and other body(ies) is required to Call to Order and conduct a Joint Special Meeting.
- B. Public Information Meeting A Public Information Meeting shall be limited to the dissemination of information to and/or from the public where no Action of Record will be taken by the Board at said meeting. A quorum of the Board is not required to Call to Order and conduct a Public Information Meeting.
- C. Public Hearing A public hearing shall be conducted at said meeting and the Board may take Action of Record on such matters as may arise from the Public Hearing. A quorum of the Board is required to Call to Order and conduct a Public Hearing.
- D. Rescheduled Meeting. A Rescheduled Meeting shall be for the purpose of conducting a Regular Meeting of the Board where, by virtue of necessity or at the discretion of the

Board, a Regular Meeting cannot be conducted on its prescribed date or time or at its prescribed location pursuant to these By-laws. Action of Record may be taken on any Item of Business presented at a Special Meeting, and a quorum of the Board is required to Call to Order and conduct a Rescheduled Meeting.

- E. Workshop Meeting A Workshop Meeting shall be for the purpose of in-depth review, inquiry and discussion of specified Items of Business where Action of Record may be taken by the Board. A quorum of the Board is not required to Call to Order and conduct said meeting, but no Action of Record may be taken in the absence of a quorum. Workshop Meetings may also be called and scheduled for the purposes of presentations to the Board for educational and informational purposes.

Special Meetings as defined herein are not exclusive of each other and may be concurrently conducted.

Virginia Code: The 1950 Code of Virginia, as amended.

Construction As used in these By-laws, the masculine shall include the feminine, and the singular the plural unless otherwise specified herein.

Article 1. General

- 1.1. The County of Washington is a political subdivision of the Commonwealth of Virginia, and is bestowed all powers and authorities granted generally to counties without charters as set forth in the Virginia Code.

Article 2. Board of Supervisors

- 2.1. The County of Washington is governed by a Board consisting of seven (7) Supervisors elected from the citizenry of Washington County, one (1) Supervisor from each of the County's seven (7) Election Districts. Terms of each Supervisor are for four (4) years and may be successive. Qualifications for election to the Board of Supervisors are prescribed in the Virginia Code and Election Districts shall be defined by ordinance and set out in the County Code.
- 2.2. The Board of Supervisors is the governing body of the County of Washington and exercises all powers and authorities granted generally to counties without charters as set forth in the Virginia Code.
- 2.3. The Board of Supervisors may authorize by appropriate action and annually provide for such sums for their salaries and expenses as members of the Board pursuant to the Virginia Code.

Article 3. Officers of the Board of Supervisors

- 3.1. Pursuant to 15.1-528 of the Virginia Code, the Board shall elect annually from its membership a Chairman and Vice-Chairman.
- 3.2. The term of office of the Chairman and Vice-Chairman shall be one (1) calendar year, or until the election of new officers at the Annual Meeting.

Article 4. Election of Officers

- 4.1. Election of officers of the Board shall be held at the Annual Meeting. In the absence of a quorum of the Board at the Annual Meeting, the current seated officers shall continue to exercise their offices until such time as a quorum is present at a subsequent Regular Meeting of the Board, at which time election of officers shall be held.

- 4.2. Election of officers of the Board shall be the first Item of Business after Reading and Approval of Minutes at the meeting which elections are to be held.
- 4.3. Nominations for officers shall be conducted in open session upon motion and second by Board members and acceptance of the nomination. No member of the Board may be nominated as an officer if not present at the meeting. A motion with second a majority vote of the Board members present is required to close nominations, at which time election of officers will be conducted starting with the last accepted nomination first. A majority vote of a quorum of the Board is needed to elect officers. If the first nomination receives a majority vote of a quorum of the Board, that nominee is elected.
- 4.4. In the event of a tie vote during the election of officers, either by an abstaining vote or an even quorum of the Board present and voting, election of that officer shall be continued to the next Regular Meeting of the Board and the Board shall proceed with other officer elections. In the event of a subsequent tie vote, the officer shall be selected by a single blind lot drawing from the slate of accepted nominations. Officers selected in this manner shall be fully vested with all duties and powers accorded the office pursuant to these By-laws.
- 4.5. Upon election of new officers, the current seated Chairman and Vice-Chairman shall continue to exercise their offices until the adjournment of the meeting of the Board at which elections were held. Immediately upon adjournment of such meeting, these offices shall be relinquished to the newly elected officers.

Article 5. Duties and Powers of Officers of the Board of Supervisors

- 5.1. In accordance with accepted rules of order and parliamentary practice, the Chairman is to preside at all meetings of the Board. The Vice-Chairman shall act with the full power and authority of the Chairman in the absence of the Chairman at any meeting of the Board. In the absence of both the Chairman and Vice-Chairman, the most senior member of the Board (by virtue of total time holding elected office as a member of the Board) shall chair the meeting and exercise the full power and authority of Chairman in the capacity of Acting Chairman. Where used in these Bylaws, Chairman shall also be construed to mean Acting Chairman.
- 5.2. When the Board is engaged in official meetings, whether held in the Board of Supervisors Meeting Room or at some other location, the building and associated grounds constituting the meeting place are under the control of the Chairman for the orderly conduct of the meeting. In addition to the exercise of parliamentary powers, the Chairman or Acting Chairman is empowered to issue Directives which shall be recorded as an Action of Record in order to facilitate orderly conduct of meetings.
- 5.3. The Chairman of the Board is empowered to administer oaths and execute all official documents as authorized by the Virginia Code.
- 5.4. The Chairman shall adhere to and is empowered to enforce the protocols of Article 8.5 during official meetings of the Board. The Chairman shall act as parliamentarian of the Board, and shall seek the advice of the County Attorney or, in his absence, the County Administrator in the interpretation of the provisions of these By-laws and other established procedures for the conduct of meetings.
- 5.5. In the event of a vacancy in the office of Chairman, the Vice-Chairman shall assume the position of Chairman and the most senior member of the Board (by virtue of total time holding elected office as a member of the Board) shall assume the position of Vice-Chairman. In the event of concurrent vacancies in both the office of Chairman and Vice-Chairman, the most senior members

of the Board shall respectively assume these offices. Upon such vacancy, election of new officers shall occur at the first Regular Meeting after the vacancy on the Board has been filled pursuant to the Virginia Code. In this event, such new officers shall serve until the next Annual Meeting of the Board, at which time new election of officers will be held. Officers selected in this manner shall be fully vested with all duties and powers accorded the office pursuant to these By-laws.

- 5.6. The Chairman shall be an ex-officio member of all Standing and Select Committees of the Board, privileged to attend and participate in all meetings of such Committees, including sequestered meetings, but shall not vote on Committee matters.

Article 6. Meetings of the Board of Supervisors

- 6.1. The Annual Meeting of the Board for Calendar Year 1996 and 1997 shall be held on the second Tuesday of January of those years. The Regular Meetings of the Washington County Board of Supervisors for Calendar Year 1996 shall be on the second and fourth Tuesday of each month. These Annual and Regular Meetings shall be Called to Order at 7:00 p.m. and shall be held at the Board of Supervisors Meeting Room in the County Administration Building at 205 Academy Drive, Abingdon, Virginia. The Annual and Regular Meeting date, place and time shall continue indefinitely unless changed by appropriate action of the Board.
- 6.2. The Board will attempt to complete all Items of Business at the Annual and Regular Meetings by 11:00 p.m.. The Board may adjourn such meetings from day to day, or from time to time or from place to place not beyond the time fixed for the next Regular Meeting, until the business before the Board is complete.
- 6.3. If the Annual or any Regular Meeting day falls on a legal holiday, the meeting will be held on the next regular business day.
- 6.4. Special Meetings of the Board may be approved and scheduled, or a Called Special Meeting conducted by the Board pursuant to 15.1-537 of the Virginia Code. A Special Meeting may also be scheduled or called for specific purposes, as follows:
 - a. Joint Special Meeting;
 - b. Public Information Meeting;
 - c. Public Hearing;
 - d. Rescheduled Meeting;
 - e. Workshop Meeting.

Special Meetings of the Board may be scheduled at the Annual Meeting for the calendar year and set out in the Board of Supervisors Operational Procedures.

- 6.5. The Annual, Regular and Special Meetings of the Board shall be open to the public. The Board reserves the right to enter Executive Session pursuant to the Virginia Code at any official meeting.
- 6.6. Executive Sessions or "closed meetings" will be restricted for those proper purposes enumerated in the Code of Virginia and all Executive Sessions will be held in strict accordance with Virginia law.
- 6.7. No gathering of members of the Board of Supervisors, whether there be a number equal to or exceeding a quorum of the Board or a lesser number, shall be considered an official meeting of the Board unless such gathering takes place at a bona fide Annual, Regular, Adjourned or Special Meeting as set forth in this Article. No Action of Record may be taken on any matter outside of the time, place and location of an official meeting of the Board.

- 6.8. The Sheriff of Washington County shall provide at least one (1) deputy to attend the Annual and Regular Meetings of the Board and, upon request of the Board or County Administrator, at any other official meeting. When in attendance of any official meeting, deputies shall be under the direction of the Chairman of the Board during the period of the official meeting, and under the direction of the County Administrator, Acting County Administrator, or his designee during the period prior to the meeting's Call to Order and immediately upon Adjournment of the meeting.

Article 7. Agendas for Board of Supervisors Meetings

- 7.1. The Annual and Regular Meetings of the Board shall have a formal Meeting Agenda prepared by the County Administrator or his designee. Agendas for Special Meetings are optional at the discretion of the Board of Supervisors or County Administrator.
- 7.2. The Order of Business of the Meeting Agenda for the Annual and Regular Meetings of the Board for Calendar Year 1996 shall be generally as follows:
- a. Call to Order and Determination of Quorum
 - b. Welcome, Invocation and Pledge of Allegiance
 - c. Approval of the Agenda
 - d. Approval of Minutes
 - e. Public Hearings
 - f. General Business
 - g. Citizen Comments
 - h. Administrative, Legal and Departmental Reports
 - i. Consent Agenda
 - j. Board Member Reports
 - k. Adjournment

Deviations from the Order of Business may be made at the discretion of the County Administrator during the preparation of the Meeting Agenda, and by the Board as a modification of the Meeting Agenda at the time of Approval of the Agenda.

- 7.3. A request for modification of the Meeting Agenda shall be made from the Board Table and only by members of the Board, County Administrator, or County Attorney. Approval of modification requires majority vote of Board members present. A modification made at the time of Approval of the Agenda shall be reflected in the Minutes of the Meeting at which the modification was made.
- 7.4. The Board shall take no Action of Record on any matter which is not on the Meeting Agenda unless a modification to the Meeting Agenda is requested at the time of Approval of the Agenda. Modification of the Meeting Agenda requires a majority vote of Board members present. Upon Approval of the Agenda, no further modifications may be made. Executive Sessions are exempt from the provisions of this Paragraph.
- 7.5. The Meeting Agenda and supporting documents comprising the Meeting Agenda Book should be delivered to members of the Board a minimum of three (3) calendar days in advance of the meeting date. The supporting documentation should include recommendations on actions prepared by County administrative personnel and other County officials if a recommendation is available and appropriate.

Article 8. Conduct of Meetings of the Board of Supervisors

- 8.1. The Board will generally follow Roberts' Rules of Order (Robert, Henry M.; Rules of Order and Parliamentary Practice), the provisions of Article 8.4. notwithstanding. In following these rules

of parliamentary procedure, the Board intends that special attention will be given to the following:

- a. Protecting the rights of each individual member of the Board and members of the staff and public.
 - b. Preserving and ensuring a spirit of harmony and cooperation within the Board, and between individual Board members.
 - c. Allowing full and free discussion among the members of the Board in order to ensure that all viewpoints are considered prior to taking action on behalf of the County.
- 8.2. Where provisions of these By-laws differ from similar procedures established by Robert's Rules of Order, provisions of these By-laws shall prevail.
- 8.3. At any official meeting of the Board, all members of the Board present at such meeting, the County Administrator, Assistant County Administrator, County Attorney, Recording Clerk and County Director of Accounting as may also be present are authorized to be seated at the Board Table during the conduct of said meeting.
- 8.4. The following rules and procedures shall prevail at meetings of the Board:
- a. A quorum of the Board is a majority of the membership comprising at least four (4) of the seven (7) members of the Board. A quorum must be present to Call to Order and continue an official meeting and to take Action of Record.
 - b. The Chairman shall Call to Order an official meeting at the designated time and determine a quorum. If a quorum is not present at the designated time, the Chairman may direct a delay of up to fifteen (15) minutes in the start of the meeting at his discretion. Any further delay in the start of the meeting may be made only with the consensus agreement of the majority of those Board members present.
 - c. Should for any reason a quorum not be maintained continuously during any official meeting, the meeting shall adjourn at that time. A Board member's physical presence on the grounds of the location of the meeting shall be considered as being present at the meeting and satisfactory for the maintenance of a quorum. Board members shall notify the Chairman if required to leave the grounds of the location of the meeting, either temporarily or for the remainder of the meeting.
 - d. All informal/formal discussions of Items of Business and Actions of Record must be made from the Board Table. Any Board member away from the Board Table but maintaining physical presence at the meeting location at the time of an Action of Record will be counted as having cast an abstaining vote.
 - e. Informal discussion of an Item of Business by Board members is permitted while primary or substitute motion is pending.
 - f. A second to a primary and substitute motion is required in order to formally discuss and/or vote upon the motion. Voting shall be by show of hands. The Chairman shall verbally summarize the vote upon conclusion of an Action of Record, noting by individual name those Board members abstaining or voting in the minority on the Item of Business.
 - g. Any member of the Board may terminate debate or discussion of an Item of Business and call for a vote on a pending motion by "calling for the question" after being recognized by

the Chairman.

- h. An abstaining vote is neither an affirmative nor a negative vote and has no effect on the vote, or the status of the quorum.
- i. A tie vote fails. A tie-breaker is not designated by the Board.
- j. A substitute motion will be voted on prior to the primary motion, in reverse order (i.e. the substitute motion will be voted on first). Only one (1) substitute motion will be considered prior to a vote on the primary motion.
- k. The Chairman is authorized to speak in discussions, and can vote on all motions and/or all questions but may not call for the question or make a primary motion, substitute motion or second. The Chairman may temporarily relinquish the position and conduct him/herself as a member of the Board for the purpose of making a primary motion on an Item of Business. The Chairman may do so by passing the gavel to the Vice-Chairman or (in the absence of the Vice-Chairman) most senior member of the Board prior to the start of discussion of an Item of Business. Upon completion of the Item of Business, the gavel shall be returned to the Chairman.
- l. A primary motion may be amended prior to vote with the concurrence of the originating Supervisor of the primary motion, and with second. The amended primary motion is then treated as the primary motion, and not a substitute motion. A primary motion may not be amended if a substitute motion is pending until conclusion of vote on the substitute motion. An amendment to a primary motion opposed by the originating Supervisor shall not be voted on until action is taken on the original primary motion.
- m. If a primary or substitute motion is made at a Board meeting where at least six(6) members are present and the motion is voted on and fails, the same or a substantively similar motion cannot be reconsidered by the Board during that fiscal year except by a primary or substitute motion made by a member of the Board who voted on the prevailing side and provided that no less than six (6) Board members and only if two-thirds of the Board members present vote to reconsider the motion again.
- n. A primary or substitute motion may be made to tentatively act upon an Item of Business where a final Action of Record is anticipated at a later date. All Items of Business tentatively acted upon by the Board shall be considered bound by the tentative action if not otherwise reconsidered by the Board within three (3) calendar months of the date of the tentative action.
- o. A motion to Table an Item of Business may be made either as a primary or substitute motion but not by consensus agreement. If passed, the Item of Business may be scheduled for reconsideration by a majority vote of the Board at future meeting, or remain Tabled indefinitely.
- p. A motion to Continue an Item of Business may be made either as a primary or substitute motion or be passed by consensus agreement. If passed, a future meeting must be designated by the Board at which time the Item of Business shall be reconsidered. An Item of Business shall only be subject to Continuation one time before an Action of Record or Tabling is required.
- q. A motion to Suspend an Item of Business may be made either as a primary or substitute motion or be passed by consensus agreement. A Suspended Item of Business may be reconsidered only during a later time during the same meeting. If a Suspended

Item of Business is not reconsidered during the same meeting, Action of Record must be taken to Table or Continue. If no such action is taken, the Item of Business is considered Continued to the next Regular Meeting.

- 8.5. The following protocols will be followed at meetings of the Board:
- a. Official meetings of the Board are open to public observation and, as set out herein, public participation. When not addressing the Board and/or attending public as herein described, those present at an official meeting shall be respectful of the rights of others.
 - b. Board members are to be polite and courteous in addressing other members of the Board and all those present at Board meetings, and all Board members are to maintain proper decorum in their conduct at meetings of the Board (i.e., refrain from "name calling", derogatory remarks and other forms of personal affronts).
 - c. Those persons and organizations with Items of Business before the Board should be represented at an official meeting if so requested by the Board of Supervisors, individual members of the Board, the County Administrator, County Attorney, or any person acting on behalf of these.
 - d. Those persons and organizations with Items of Business before the Board may address the Board upon recognition and invitation of the Chairman to approach the Podium, whereupon they shall identify themselves, any title and organization they represent, and provide a mailing address to facilitate any correspondence needed subsequent to the Item of Business.
 - e. The discourse of those presenting at the Podium shall be made part of the Minutes of the Meeting subject to Article 9 of these By-laws.
 - f. Those individuals of the public attending any official meeting of the Board of Supervisors without an approved Item of Business on the Meeting Agenda or modification thereof shall not be permitted at the Podium at any time other than during the Open portion of a public hearing or Citizen Comments. No person shall address the Board during an official meeting from the audience unless recognized by the Chairman.
 - g. At any official meeting of the Board where a public hearing is set on the Meeting Agenda, or a Public Hearing of the Board pursuant to Article 6.4., the Chairman shall first permit general presentation and discussion of the matter of the public hearing from the Podium and/or from the Board Table. At the conclusion of such presentation/ discussion, the Chairman shall Open the public hearing and invite those of the public attending the meeting to the Podium to comment.
 - h. At the discretion of the Chairman, or with the consensus agreement of the majority of the Board, those speaking during the Open portion of a public hearing may be limited to a specified length of time for comments at the Podium. The Chairman at his discretion may provide a verbal advisory to a speaker at the Podium when thirty seconds remain of the specified time to conclude comments. During public hearings, speakers may address the Board only on matters pertaining or germane to the issue for which the public hearing is being held. No speaker is to engage in political statements, personal attacks upon members of the Board of Supervisors, County employees or officials, or any other person, nor are speakers entitled to use abusive language or discuss matters outside the purview of the public hearing or Board of Supervisors. Violation of this rule shall enable the Chairman by directive to take appropriate measures to rule the speaker out of order and to have the speaker removed from the meeting, if necessary and take such other steps the Chairman

- deems appropriate, including bringing appropriate charges against the person and bringing the charges in the name of the Board of Supervisors.
- i. No discourse at a public hearing, whether during general presentation and discussion or during the Open portion of the hearing is required to be entered into the Minutes unless conducted at the Podium.
 - j. The Chairman may limit the number of those wishing to speak at a public hearing when in the Chairman's judgement a fairly representative exchange of views and comments on the matter has been achieved.
 - k. Questions asked by speakers during the course of the Open portion of a public hearing may be addressed at the conclusion of the speaker's comments by the appropriate party, and before the next speaker approaches the Podium. Deviation from this rule may be permitted by the Chairman.
 - l. Upon conclusion of speakers at the Podium, the Chairman shall Close the public hearing. A motion with second and majority vote of a quorum of Board members present at a public hearing may overrule the Chairman's decision to Close the public hearing or to limit speakers, in which event speakers may continue until the Board by majority vote ends the public hearing. A motion with second and majority vote of a quorum of Board members present shall also Close the public hearing in this event. An Action of Record may be taken at the Close of a public hearing at the discretion of the Board.
 - m. Citizen Comments are restricted to five (5) minutes per speaker and are limited to residents of Washington County or owners of property located within Washington County. The matters on which speakers may address the Board are limited to legitimate matters of County business. No speaker is to engage in political statements, personal attacks upon members of the Board of Supervisors, County employees or officials, or any other person, nor are speakers entitled to use abusive language or discuss matters outside the purview of the authority of the Board of Supervisors. Violation of this rule shall enable the Chairman by directive to take appropriate measures to rule the speaker out of order and to have the speaker removed from the meeting, if necessary, and take such other steps the Chairman deems appropriate, including bringing appropriate charges against the person and bringing the charges in the name of the Board of Supervisors.
 - n. All persons wishing to speak during Citizens Comments must do so from the Podium, whereupon they shall identify themselves, any title and organization they represent, and provide a mailing address. The Chairman at his discretion may provide a verbal advisory to a speaker at the Podium after four (4) minutes and thirty (30) seconds have elapsed to conclude comments.
 - o. Questions asked by speakers during the course of the Citizens Comments may be addressed at the conclusion of the speaker's comments by the appropriate party, and before the next speaker approaches the Podium. Deviation from this rule may be permitted by the Chairman.
 - p. Board Member Reports shall facilitate the presentation of comments and proposed Items of Business not otherwise part of the Meeting Agenda by individual Board members in round table fashion. Matters may be presented for discussion, action or scheduled for further consideration as an Item of Business at a future meeting of the Board. If making an individual presentation, comments or report, a Board member shall be limited to five (5) minutes, at which time the Chairman shall suspend further presentation from the Board member and request action by consensus agreement of the Board to permit additional time to conclude the presentation. No Board member may yield time or place under Board

Member Reports to any other Board member or other person. No member of the Board shall have any other position reserved for them on the Meeting Agenda other than under Board Member Reports.

Article 9. Minutes of the Meetings of the Board of Supervisors

- 9.1. Pursuant to 15.1-543 of the Virginia Code, all official meetings of the Board at which a quorum is present shall be taken as Minutes which shall be approved by the Board and recorded in the Clerk's Office of the Washington County Circuit Court.
- 9.2. Public Information Meetings and Workshop Meetings as defined in these By-laws may be recorded as Minutes at the direction of the Board. At any such meeting where an Action of Record is taken, Minutes shall be taken and approved by the Board and recorded.
- 9.3. The County Administrator as Clerk of the Board may take and prepare the Minutes or may designate a Recording Clerk who shall take and prepare the Minutes of the Board. Minutes may be prepared on the basis of both written notes and audio recordings. Where technically possible, audio recordings shall be made of all official meetings of the Board, subject to the provisions of Paragraph 9.2 of this Article. The specific language of the Minutes of any given meeting shall be at the discretion of the County Administrator, who shall endeavor to render the Minutes in the most accurate and neutral way possible. The County Administrator shall review and correct all Minutes prior to dissemination to the Board for adoption.
- 9.4. The Board shall generally prescribe the form and content of the Minutes of its meetings in keeping with professionally accepted standards for same. At minimum, the Minutes shall contain the styling of the Item of Business stated on the Meeting Agenda or modification thereof, the Action of Record, the vote by individual member or consensus expression of the Board, or directive of the Chairman. Where practical, a brief synopsis of any discussion of the Item of Business shall also be included.
- 9.5. Minutes of any meeting shall generally be presented at the next or following Regular Meeting of the Board where at least five (5) working days exist between the successive meetings.
- 9.6. Minutes shall not be considered official until approved by the Board and recorded. After approval of the Board but prior to recordation, the County Administrator may make additions or corrections to the Minutes which do not materially affect the substance or content of the Minutes. These include, but are not limited to: correction of mis-spellings, typographical errors and incorrect grammar; page renumbering; clarification of content and errors of omission. Should evidence of an error in a recorded vote be discovered after approval but prior to recordation, the County Administrator shall attempt to verify same and correct by the best available means, including corroboration by individual Board members and other reliable witnesses to the meeting.
- 9.7. Should an error or evidence of an error in the Minutes of any Meeting of the Board be discovered after recordation, the County Administrator shall bring the error before the Board at the next official meeting as is practical. The Board by vote of a majority of those members present at the meeting at which the error was made may correct the Minutes by amendment. Members of the Board not present at said meeting shall abstain from voting on the correction. Should no majority of Board members present at the meeting in which an error was made in the Minutes be or remain seated as members of the Board, a majority vote of the presently seated Board members may then correct the Minutes by amendment.
- 9.8. Amendment to the recorded Minutes of any Meeting shall be entered as an Action of Record in the Minutes of the Meeting at which the amendment was made. In addition, the recorded Minutes shall be altered to include the amendment, either by insertion of a new, corrected page in sequence or

by separate Amendment Addendum at the beginning or first page of the recorded Minutes of the Meeting to be corrected. Whether by insertion of a new, corrected page or by Amendment Addendum, the correction shall be clearly documented as a correction of previously recorded Minutes, indicating the first date of recordation, the date of Board action to amend the Minutes, and the date of recordation of the amended Minutes.

- 9.9. Where audio recordings of Board meetings are made, the County Administrator may at his discretion direct their preservation for a period of time not to exceed two (2) calendar years from the date of the meeting, at which time they may be discarded. Any preservation policy established by the County Administrator shall be approved by the Board, and shall not be altered or modified without subsequent approval by the Board. Where preserved, audio recordings shall be considered publicly accessible without charge upon prior appointment for review through the Office of County Administrator.
- 9.10. Verbatim transcription of the proceedings of any meeting in its entirety shall not be undertaken except by majority vote of the Board and only in instances where excerpted verbatim transcriptions of a portion or portions of the proceedings are insufficient to address the need. Any verbatim transcription generated, whether of an entire meeting or portion(s) thereof, shall not be adopted or made part of the official Minutes of any meeting.
- 9.11. Individual members of the Board and the County Attorney may request excerpted verbatim transcription of a portion or portions of any meeting through the County Administrator. If requested by a member of the Board, the County Administrator and/or the Recording Clerk will make a reasonable effort to generate a requested transcription prior to any subsequent meeting of the Board; the generation of such transcription is subordinate to the preparation and review of the Minutes and other duties and responsibilities of the involved personnel. A request by the County Attorney shall be made only if such transcription is needed to support legal proceedings, pending or anticipated. The County Administrator at his discretion may make any verbatim transcription requested generally available to all members of the Board.
- 9.12. Unapproved Minutes shall be released publicly upon incorporation into and completion of the Meeting Agenda Book. At the discretion of the County Administrator, unapproved Minutes may be released publicly at an earlier time; availability of completed unapproved Minutes shall not compel release at such earlier time.
- 9.13. No recording device may be used during any Executive Session of the Board unless the majority of the members of the Board present at the meeting vote to allow recording of the Executive Session. Any such recording shall remain in the sole custody of the County Administrator, County Attorney, Chairman or other member of the Board designated by the Board.

Article 10. Appointments of the Board of Supervisors

- 10.1. The Board at its pleasure may, and where required and in accordance with the Virginia Code or other law, shall from time to time establish and make appointments of its members and other persons to various groups, organizations, committees, and other bodies, both formal and informal, for such purposes as are in the interest of the Board and County.
- 10.2. Except as otherwise provided in these By-laws or other law, appointments of the Board may be made at any official meeting upon motion with second and majority vote of a quorum of the Board and recorded as an Action of Record.
- 10.3. Except as otherwise provided by Action of Record or by law, all appointees of the Board shall be authorized and expected to represent the interests of the Board and County in all matters to which their appointment is charged.

- 10.4. Except as otherwise provided by law, all appointments of the Board shall discharge their duties with diligence, and may be removed prior to the end of the term of said appointment by motion with second and majority vote of a quorum of the Board and recorded as an Action of Record. Any vacancy in an appointment may be filled in the manner as the original and for the remainder of the original term of the appointment.
- 10.5. The Board shall officially recognize no prerogative of any of its members to make or nominate appointments to any group, organization, committee or other body except in accordance with the provisions of these By-laws or other law.

Article 11. Committees of the Board of Supervisors

- 11.1. The Board may at its pleasure establish Standing and Select Committees of the Board by Resolution and vote of a majority of the Board members at any official meeting. Committees may be solely composed of members of the Board or may be jointly composed of Board members and other individuals appointed or otherwise authorized to participate in Committee activities. Board approval of such other individuals is not required unless specified by Resolution.
- 11.2. A Resolution establishing any Standing and Select Committees shall state the purpose and scope of activities of the Committee, including any specific responsibilities for and grant of authority to pursue the matter for which it has been established. The Resolution shall state the composition of the members of the Committee, either by name or title, and may designate who shall chair the Committee, by name or title. No member of the Board may be appointed to a Standing or Select Committee if not present at the meeting at which appointments are made. A majority vote of a quorum of the Board is needed to appoint Committee members.
- 11.3. Unless otherwise specified within the establishing Resolution, Select Committees shall be re-established and Committee appointments made at each Annual Meeting of the Board. Failure to re-establish dissolves the Select Committee as of adjournment of the Annual Meeting. Standing Committees shall remain until dissolved by motion and vote of a majority of Board members at any official meeting and recorded as an Action of Record. Board members appointed to Standing Committees shall remain Committee members for their present term of office on the Board, or until resignation from the Committee or replaced by a subsequent appointment by motion and vote of the Board. Other persons appointed by the Board to Standing Committees shall remain until resignation or replaced by a subsequent appointment. Appointments to Standing and Select Committees may be for successive terms.
- 11.4. Unless otherwise specified within the establishing Resolution, Standing and Select Committees may organize and direct their own affairs in the manner which their members deem appropriate to the matter which they are charged. These include, but are not limited to, adoption of Committee by-laws or procedures, designation of Committee officers, the taking of Minutes of Committee meetings, the appointment of sub-committees or working groups, solicitation of assistance in pursuit of Committee matters, and such other things as deemed appropriate by Committee members.
- 11.5. Meetings and activities of Standing and Select Committees shall be open to the public, subject to the limitations of Article 11.6. Any Standing or Select Committee, when conducting business matters which are exempt from public disclosure pursuant to the Virginia Code may sequester itself for all or a portion of the Committee meeting at which such matters are being discussed.

Article 12. Adoption and Amendment of By-laws of the Board of Supervisors

- 12.1. These By-laws of the Board shall be adopted annually immediately after Election of Officers of the

Board. Upon adoption, the provisions of these By-laws shall take effect immediately and shall continue until amended or re-adopted.

- 12.2. Amendment to these By-laws may be made as an Item of Business on the Meeting Agenda or modification thereof at any Regular Meeting, Adjourned Meeting, Special Meeting, Called Special Meeting, and/or Rescheduled Meeting of the Board. Amendment to these By-laws shall be by vote of a majority of Board members and recorded as an Action of Record. Unless otherwise specified, any amendment is effective upon adoption; no amendment may be made retroactively effective.
- 12.3. Within five (5) working days of adoption or amendment of these By-laws, the County Administrator shall produce a consolidated copy of these By-laws or cause incorporation of any amendment thereto and shall forward by mail or hand-delivery a copy to each member of the Board, the County Attorney, and Clerk's Office of the Washington County Circuit Court. The County Administrator may distribute other copies as deemed necessary and appropriate. A consolidated copy shall be made available for public inspection and purchase in the Office of the County Administrator.

Article 13. Limitations of By-laws of the Board of Supervisors

- 13.1. If any provision or requirement of these By-laws be found inconsistent with the provisions of the Virginia Code, the County Code, or any other law or statute, it shall be deemed void. In this event, all remaining provisions of these By-laws shall remain in full force and effect.

Article 14. Adoption and Amendment of General Policies and Operational Procedures of the board of Supervisors

- 14.1 The Board may from time to time adopt such other General Policies and Operational Procedures as it deems necessary and appropriate to its conduct and to matters under its charge, such policies and procedures being consistent with these By-laws and other law.
- 14.2. Matters which the Board may address by General Policies and Operational Procedures generally shall be those not otherwise addressed by law but which are material to the conduct, operation and interests of the Board or County.
- 14.3. Adoption and amendment of General Policies and Operational Procedures shall be made in a manner similar to that prescribed for the By-laws of the Board as set out in Article 12 and subject to the limitations set out in Article 13 herein.

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

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

f. Adopt General Policies of the Board of Supervisors

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to approve the following General Policies of the Board of Supervisors for Calendar Year 1996:

GENERAL POLICIES OF THE BOARD OF SUPERVISORS

Article 1. Political Activities of County Administrative Officials and Employees and Use of

County-owned and County-controlled Property and Facilities for Political Activities.

- 1.1. The Washington County Board of Supervisors (hereinafter the Board) recognizes and respects affiliation and participation in the political processes of the United States, the Commonwealth of Virginia, the County of Washington and other localities by administrative officials and employees of the Board. In establishing the policy set forth in this Article, the Board endorses the following principles:
 - a. Board administrative officials=and employees=political rights shall be protected.
 - b. No politically-motivated interference, pressure or coercion shall be permitted in the execution of the lawful duties, services and responsibilities of Board administrative officials and employees.
 - c. The execution of lawful duties, services and responsibilities by the Board of Supervisors and its administrative officials and employees shall be rendered without political bias or the perception of political bias.
- 1.2. The Board shall take no action, directly or indirectly, in prohibition of or punishment for the exercise and expression of political affiliation and participation in political processes of the federal, state and local governments by its administrative officials and employees which are not part of or performed during the exercise of the officials=or employee=s job-related activities.
- 1.3. While in performance of lawful duties, services and responsibilities, administrative officials and employees shall in discourse and manner abstain from any form of political expression or exercise, including, but not limited to, the following:
 - a. The circulation of political petitions and campaign materials of any form.
 - b. The wearing of items endorsing a particular candidate for public office.
 - c. The production of any item, material or other work-product for use in political initiatives or campaigns.
 - d. To portray, suggest or imply in any manner that the Board or any administrative official, employee, department or agency thereof endorses or opposes any candidate for public office, or endorses or opposes any political issues or ideas.
 - e. To knowingly solicit or endorse contribution of monies to any political candidate or party.
 - f. To knowingly permit or acquiesce in the conduct of the above by any administrative official, employee or candidate for public office, whether incumbent or seeking, during the exercise of duties, services and responsibilities by administrative officials and employees.

The provisions herein and of this Article generally are not intended to limit the constitutional rights of Board administrative officials and employees in their capacity as private citizens. They are intended to reasonably limit expression and exercise of political affiliation and participation while acting in the capacity of a public employee, during the exercise of job-related duties, services and responsibilities. Such restrictions are designed to further the principle of political neutrality in the conduct of public employees on the job.

- 1.4. The Board shall not permit the following political activities to be conducted within or on the grounds of any property or facility owned and/or under the direct control of the Board:
 - a. The conduct of campaign activities by any federal, state or local candidate, whether

incumbent or seeking, whether by the candidate for office in person or by his representative.

- b. The posting or distribution of campaign signs, printed materials or other items for any federal, state or local candidate for office, whether incumbent or seeking.
- c. The use of any equipment or motor vehicle as part of any federal, state or local political campaign or initiative.

This provision shall be interpreted to include those properties and facilities used by the Constitutional Officers of Washington County which are owned in the name of the Board or which are directly controlled through leasehold or other arrangement by the Board.

- 1.5. The Board recognizes that properties and facilities under its ownership and control have utility and convenience to the conduct of certain types of political activities. Accordingly, the Board shall permit the following types of activities under the following conditions:
 - a. The holding of organized political party meetings of the federal, state and local governments, through prior arrangement .
 - b. The holding of organized political debates, discussions and other public forums providing the opportunity for free and open political discourse between candidates for public office, through prior arrangement with the Office of County Administrator.
 - c. The conduct of interviews with the electronic media and press by candidate for public office, whether incumbent or seeking.

In a. and b. herein, the Office of County Administrator may set the time, place and manner of use of the property or facility consistent with good order and the uninterrupted operations of the County government. Once use is arranged and approved, the conduct of discourse shall not be further regulated by the Board or any administrative official or employee. Upon conclusion of the use, the property or facility shall be restored to its original state and order at the expense of the participating parties or sponsor of the event.

- 1.6 Nothing herein this Article shall be construed so as to prohibit or limit activities or discourse on political matters properly authorized as part of a County administrative official-s or employee-s job-related functions.
- 1.7 Any violation or breach of this policy shall be investigated by the County Attorney or other such other person as may be designated by the Board. If the violation or breach is proven, the investigating party shall report his findings and recommendations to the County Administrator (in the event of the involvement of a Board administrative employee), and/or to the Board. The County Administrator shall take such measures as required under County personnel or other policies or deemed appropriate in disciplinary action against any administrative employee, including termination of employment. The Board may also take such lawful action as it deems appropriate.
- 1.8. All previous policies and procedures adopted by the Board related to political activities of County administrative officials and employees and use of County-owned or County-controlled property and facilities for political activities, except those policies not in conflict with the above as set forth in the Washington County Personnel Policies and Procedures Manual, are hereby repealed.

Article 2. Custody and Control of County Properties and Facilities

- 2.1. The Washington County Board (hereinafter the Board) hereby vests the day-to-day authority over

and control of the County office buildings properties, facilities and equipment and County employees using same, and the responsibilities of various officials and employees for maintaining control over areas assigned to them and maintaining a proper working environment as follows:

- a. The building and associated grounds of the County Administration Building, 205 Academy Drive, Abingdon, Virginia shall be under the control of the Board and the County Administrator.
 - b. When the Board is engaged in an official meeting, the County Administration Building and associated grounds are under the control of the Chairman of the Board or Acting Chairman or his designee for the orderly conduct of the meeting. Upon prior to and upon adjournment of an official meeting, authority and control are returned to the County Administrator or Acting County Administrator or his designee.
 - c. When the Board is not engaged in an official meeting, subject to the further provisions herein, the building and associated grounds are under the control of the County Administrator or Acting County Administrator or his designee for the orderly conduct of the County's business.
 - d. Because of the unique relationship which exists between the Board and the County Attorney, the County Attorney shall be responsible for controlling the office area which is specifically assigned to him/her and support staff and is authorized and directed to take appropriate steps to maintain the security of the office area and to maintain an appropriate working environment.
 - e. When the County Administration Building is open to conduct County business, the County Administrator is in control of the building and associated grounds (subject to the provisions contained in the previous paragraph); however, in the absence of an express statement to the contrary, County administrative department heads are delegated the authority and responsibility to control and manage their employees, equipment and office areas occupied by or assigned to the department and to the department's employees.
 - f. When more than one department shares an office area or space, in the absence of an express written statement of policy by the Board or by the County Administrator to the contrary, each department head is delegated responsibility and authority to control and manage the area or space assigned to the department and the department's employees.
 - g. When more than one department shares employees, in the absence of a statement or policy (by the Board or by the County Administrator) to the contrary, each department head is delegated responsibility and authority to control and manage the support staff and equipment assigned to the department.
 - h. When more than one department shares an office area, equipment or employees in the County Administration Building and the department heads do not agree on the proper action, management, or use of the shared space, items or personnel, the disagreement shall be submitted to the County Administrator or Acting County Administrator (person designated by the County Administrator or the Board to make decisions in the County Administrator's absence) who shall resolve the disagreement in the manner; if neither the County Administrator nor the Acting County Administrator is present and the dispute requires an immediate resolution, the County Attorney may resolve the dispute if he/she is present; if the County Administrator is not present and a decision may reasonably be delayed until the County Administrator returns, the dispute will be reduced to writing and the decision will be made by the County Administrator on his return.
- 2.2. Any County administrative employee so empowered by this Article may take lawful action to cause the removal of any person disrupting the conduct of County business in his/her assigned office area. Consent or direction of the County Administrator, Acting County Administrator, or County

- Attorney is not required for such lawful action to be taken. If such action is taken, the administrative employee taking the action shall immediately document same in writing and advise the County Administrator, Acting County Administrator and/or County Attorney as soon as practical.
- 2.3. County buildings, facilities and properties owned or held in leasehold or other arrangement in the name of the Board of Supervisor but which are used principally by the judiciary, Constitutional Officers of Washington County and other organizations, agencies and individuals shall be for the purposes of the Article considered under the authority and control of those officers, organizations, agencies and individuals. Nothing herein shall prohibit the development of similar policies by those individuals in charge of same. The County Administrator, Acting County Administrator or County Attorney shall not exercise day-to-day authority and control over same, but may act in an emergency or other circumstance to protect the orderly conduct of County business if no other responsible official or employee is in charge.
 - 2.4. All previous policies and procedures related to custody and control of County properties and facilities are hereby repealed.

Article 3. Freedom of Information

- 3.1. It is the policy of the Washington County Board of Supervisors (hereinafter the Board) that all public records of the County shall be open and accessible to citizens of the Commonwealth of Virginia and the news media for public inspection and review in accordance with the guidelines and requirements of the Virginia Freedom of Information Act, Section 2.1-340 et seq. of the 1950 Code of Virginia, as amended (hereinafter the Act).
- 3.2. In furtherance of the policy, the Board authorizes the County Administrator, in consultation with the County Attorney, to develop and implement such administrative practices, and/or written administrative policies and procedures as deemed necessary and appropriate for the handling of requests for information made pursuant to the Act.
- 3.3. All previous policies and procedures adopted by the Board related to freedom of information are hereby repealed.

Article 4. Conduct of the Office of the County Administrator

- 4.1. The Washington County Board of Supervisors adopts the following ethical code regarding the Office of County Administrator of Washington County (adapted for use from the International City/County Management Association (ICMA) Code of Ethics and Guidelines, first adopted by the ICMA Executive Board in 1924 and Revised in January, 1994):
 - a. The County Administrator shall be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.
 - b. The County Administrator shall affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant.
 - c. The County Administrator shall be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the respect and confidence of the elected and appointed officials, employees and the public may be merited.
 - d. The County Administrator shall recognize that the chief function of the local government is at all times to serve the best interests of all the people.
 - e. The County Administrator shall submit policy proposals to elected and appointed officials,

- provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals, and uphold and implement local government policies adopted by those officials.
- f. The County Administrator shall recognize that the credit for the establishment local government policies lies with the elected and appointed officials; responsibility for policy execution rests with the administrative officials and employees of the local government.
 - g. The County Administrator shall refrain, in word and conduct, from politically partisan participation in the election of local government officials, and from all partisan political activities which would impair performance as a professional administrator.
 - h. The County Administrator shall make is his/her duty to continually improve upon professional abilities and to develop the competence of employees in his/her charge in the execution and delivery of their assigned responsibilities.
 - I. The County Administrator shall keep the public informed on local government affairs, encourage communication between the citizenry and all elected and appointed officials, emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.
 - j. The County Administrator shall resist any encroachment on professional responsibilities,maintaining aposition that he/she should be free to carry out official policies, duties and responsibilities without interference and to proceed without discrimination on the basis of principle and justice.
 - k. The County Administrator shall handle all matters relating to local government personnel on the basis of merit, fairness and impartiality, especially those pertaining to appointments, compensation, promotions and discipline.
 - l. The County Administrator shall not seek nor accept any pecuniary or substantial material favors from his/her position, nor shall he/she maintain or establish private business relationships or investments which conflict or have the potential of conflicting with official duties.
- 4.2. The County Administrator shall treat all elected and appointed officials of Washington County with the respect and courtesy due such offices, and shall treat the interests and positions of all such officials with equal respect and deference.
 - 4.3. In making policy proposals, the County Administrator shall attempt to provide genuinely viable policy options to the degree which professional standards will permit, and to treat all such options provided in such a way as to depict real choice among the options provided.
 - 4.4. Where the County Administrator knows that a decision or policy of the local government is legally wrong, or where uniform application of such decision or policy would thwart or circumvent the true intent of same, the County Administrator shall not cause implementation of said decision or policy if such is within his/her authority and responsibility; but instead shall bring the matter to the attention of the appropriate officials at the earliest possible time.
 - 4.5. Where circumstances will permit, the County Administrator shall not request or by surprise or immediate necessity require a decision by elected and appointed officials where sufficient time and supporting information has not been previously provided.

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

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

g. Adopt Operating Procedures of Board of Supervisors

On motion of Mrs. Mumpower, second by Mr. Osborne, it was resolved to approve the following Operational Procedures for the Board of Supervisors for Calendar Year 1996:

OPERATIONAL PROCEDURES OF THE BOARD OF SUPERVISORS**Section 1. Designated Legal Holidays**

The legal holidays for Calendar Year 1996 as supplied by the Virginia Department of Personnel and Training are as follows:

New Year's Day.....January 1
 Lee-Jackson-King Day.....January 15
 Washington's Birthday.....February 19
 Memorial Day.....May 27(observed)
 Independence Day.....July 4
 Labor Day.....September 2
 Columbus Day.....October 14 (observed)
 Veterans Day.....November 11
 Thanksgiving.....November 28 and 29
 Christmas.....December 25

The County also recognizes Good Friday, April 5 as a County holiday (substituted for Election Day). Additional days may be added by action of the Board of Supervisors.

Section 2. Designated Adjourned and Special Meetings of the Board of Supervisors

The following Select Committee and Board Adjourned and Special Meetings have been designated and scheduled for Calendar Year 1996:

FY 1996-1997 County Operating Budget Meetings:

January 29.....Joint School Board/Board of Supervisors Budget Study Committee Meeting
 February 26.....Joint School Board/Board of Supervisors Budget Study Committee Meeting
 March 4.....Joint Board of Supervisors/School Board Workshop Meeting (Greendale Elementary School)
 March 28.....Board of Supervisors Workshop Meeting to Review County FY 1996-1997 Operating Revenue Estimates
 April 11.....Joint Board of Supervisors/School Board Workshop Meeting on Proposed FY 1996-1997 School Budget
 April 25.....Board of Supervisors Workshop Meeting to Receive County Administrator's Recommended FY 1996-1997 County Operating Budget
 April 30.....Board of Supervisors Workshop Meeting to Receive Departmental and Agency Reports Concerning FY 1996-1997 County Operating Budget Requests
 May 2.....Board of Supervisors Workshop Meeting to Receive Departmental and Agency

Reports Concerning FY 1996-1997 County Operating Budget Requests

- May 15.....Board of Supervisors Public Hearing on County Administrator's Recommended FY 1996-1997 County Operating Budget
- May 21.....Board of Supervisors Workshop Meeting for Adjustments to County Administrator's Recommended FY 1996-1997 County Operating Budget
- May 23.....Board of Supervisors Workshop Meeting for Adjustments to County Administrator's Recommended FY 1996-1997 County Operating Budget
- May 30.....Board of Supervisors Workshop Meeting for Adjustments to County Administrator's Recommended FY 1996-1997 County Operating Budget
- June 4.....Board of Supervisors Workshop Meeting for Adjustments to County Administrator's Recommended FY 1996-1997 County Operating Budget
- June 6.....Board of Supervisors Workshop Meeting for Adjustments to County Administrator's Recommended FY 1996-1997 County Operating Budget
- June 11.....Board of Supervisors Regular Meeting - Adoption of FY 1996-1997 County Operating Budget and Establishment of County Tax Rates for FY 1996-1997
- June 25.....Board of Supervisors Regular Meeting - Approval of the FY 1996-1997 County Appropriations Resolution

The above schedule is tentative and subject to change. All Select Committee and Board Adjourned and Special Meeting times are tentatively set for 7:00 PM and meeting locations shall be announced and appropriately publicized where required.

Annual Legislative Meeting:

November 19

The above meeting is tentative and subject to change. This may be either an Adjourned or Special Meeting of the Board tentatively set for 7:00 PM and meeting location shall be announced and appropriately publicized if required.

Section 3. Designated Public Hearings of the Board of Supervisors

The Board of Supervisors shall conduct all required Public Hearings on matters relating to zoning and subdivision within twenty-one (21) calendar days of the date of such matters=first public hearing or reading before the Washington County Planning Commission, or as soon as may be practical and lawful. Should any zoning or subdivision matter be deemed to require expedient disposition, either due to circumstances of necessity or where a Joint Public Hearing and Meeting would appear to be in the interests of both the Planning Commission and Board of Supervisors, the County Administrator, in consultation with the County Planner, County Attorney and Chairmen of the Board of Supervisors and Planning Commission, may at his discretion schedule a Joint Public Hearing and Meeting where action on the matter may be taken concurrently.

Section 4. Schedule of Invocations at Meetings of the Board of Supervisors

Month of January:.....Bobby D. Ingle
 Month of February:.....Maurice H. Parris
 Month of March:.....Kenneth G. Mathews
 Month of April:.....Joe W. Derting

Month of May:.....J. T. Osborne
 Month of June:.....Jackson Barker
 Month of July:.....Dulcie M. Mumpower
 Month of August:.....Bobby D. Ingle
 Month of September:.....Maurice H. Parris
 Month of October:.....Kenneth G. Mathews
 Month of November:.....Joe W. Derting
 Month of December:.....J. T. Osborne

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

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

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5 Consideration of Board Appointments by the Washington County Board of Supervisors, Calendar Year 1996

The following action was taken on Board appointments by the Washington County Board of Supervisors:

a. Appointment of Director of Emergency Services

On motion of Mr. Barker, second by Mr. Mathews, it was resolved to reappoint Maurice H. Parris as Director of Emergency Services for Calendar Year 1996.

The vote on this motion was as follows (6-0-1):

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

b. Appointment of Board Representative to Abingdon Senior Services, Inc.

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to reappoint Mr. L. B. Atkins to represent Washington County on the Abingdon Senior Services, Inc. Board of Directors for the Calendar Year 1996.

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

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

In making this appointment, it was noted that because there is a meeting date conflict, the Board of Supervisors is unable to appoint a Supervisor representative to the Abingdon Senior Services, Inc. Board of Directors. In order for Washington County to be represented, it is necessary to appoint a citizen from the community to this position.

c. Appointment of Board Representative to Abingdon Day Care Center Advisory Board

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to nominate Anna Robbins to represent Washington County on the Abingdon Day Care Center Advisory Board.

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

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

There was consensus agreement to request Abingdon Day Care Center to relieve Washington County of the requirement to appoint a representative to the Advisory Board for the reason that the appointee reports to People Incorporated and not the Board of Supervisors.

d. Appointment of Board Representative to People, Inc. Of Southwest Virginia

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to reappoint Jackson Barker to represent the Board of Supervisors on the People, Inc. Board of Directors for Calendar Year 1996.

The vote on this motion was as follows (6-0-1):

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

e. Appointment of Board Representative to District III Governmental Cooperative

On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to reappoint Jackson Barker to represent the Board of Supervisors on District III Governmental Cooperative Board of Directors for Calendar Year 1996.

The vote on this motion was as follows (6-0-1):

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

f. Appointment of Board Representative to Washington County Youth Services Board

It was noted Jackson Barker's term of office does not expire until February 27, 1998. Therefore, no action was taken on appointment of Board Representative to Washington County Youth Services Board. Mr. Barker agreed to continue to serve on this Board.

7 Consideration of Select Committees of the Board of Supervisors and Board Appointments to Select Committees, Calendar Year 1996

The following action was taken on Committees of the Board of Supervisors and Board Appointments to Select Committees for Calendar Year 1996:

a. Emory/Meadowview/Town of Glade Spring Sewer Project Committee (2)

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to reappoint *James T. Osborne* and *Bobby D. Ingle* to the *Emory/Meadowview/Town of Glade Spring Sewer Project Committee* for the Calendar Year 1996.

The vote on this motion was as follows (5-0-2):

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

b. Washington County Solid Waste Committee (2)

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to reappoint *James T. Osborne* and *Joe W. Derting* to the *Washington County Solid Waste Committee*.

The vote on this motion was as follows (5-0-2):

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

c. Joint Board of Supervisors/School Board Budget Study Committee (3)

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to appoint *Jackson Barker*, *Bobby D. Ingle* and *Joe W. Derting* to the *Joint Board of Supervisors/School Board Budget Study Committee* for Calendar Year 1996.

Mr. Barker declined acceptance of the appointment for the reason that he has a conflict of interest in that he works for Washington County Public Schools and would be in a position to recommend salary and classroom appropriations while serving on this committee.

Mr. Ingle offered a substitute motion, second by Mr. Parris, to appoint *Kenneth G. Mathews* to serve on the *Joint Board of Supervisors/School Board Budget Study Committee* for Calendar Year 1996.

The vote on Mr. Ingle's substitute motion to appoint Kenneth G. Mathews was as follows (6-0-1):

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

The vote on Mr. Mathews original motion to appoint Bobby Ingle and Joe Derting was as follows (5-0-2):

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

d. Joint Washington County/City of Bristol, Virginia Intergovernmental Relations Committee (2 - BOS/ 1 At Large)

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to reappoint *Joe W. Derting* and *Bobby D. Ingle* to serve on the Joint Washington County/City of Bristol, Virginia Intergovernmental Relations Committee for the 1996 Calendar

Year.

The vote on this motion was as follows (5-0-2):

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

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to reappoint *Fred W. Parker*, Treasurer, to serve At Large on the Joint Washington County/City of Bristol, Virginia Intergovernmental Relations Committee for the 1996 Calendar Year.

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

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

e. Cable Television Franchise Review Committee (1)

On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to reappoint *Maurice H. Parris* to the Cable Television Franchise Review Committee for the 1996 Calendar Year.

The vote on this motion was as follows (6-0-1):

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

f. Regional Counties Intergovernmental Relations Committee (2)

On motion of Mrs. Mumpower, second by Mr. Mathews, it was resolved to reappoint *James T. Osborne, Maurice H. Parris, and the County Administrator* to the Regional Counties Intergovernmental Relations Committee for the 1996

Calendar Year.

The vote on this motion was as follows (5-0-2):

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

g. Capital Improvements Program (CIP) Development (2) and Capital Improvements Program Finance Committees (1)

Mrs. Mumpower made a motion to reappoint *James T. Osborne* and *Bobby D. Ingle* to the Development Committee and *Joe W. Derting* to the Finance Committee. The motion died for lack of a second.

On motion of Mr. Ingle, second by Mr. Mathews, it was resolved to appoint *Dulcie M. Mumpower* and reappoint *James T. Osborne* and *Bobby D. Ingle* to the Capital Improvements Program and Capital Improvements Program Finance Committees for the 1996 Calendar Year.

The vote on this motion was as follows (4-0-3):

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

h. County Personnel Policies Review Committee (2)

On motion of Mr. Ingle, second by Mr. Mathews, it was resolved to reappoint *James T. Osborne* and *Joe W. Derting* to the County Personnel Policies Review Committee for the 1996 Calendar Year.

The vote on this motion was as follows (5-0-2):

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

i. County Facilities Review Committee (Proposed)

On motion of Mr. Ingle, second by Mr. Parris, it was resolved to appoint *Dulcie M. Mumpower, James T. Osborne, Joe Derting, Mark K. Reeter and Frank Canter* to the County Facilities Review Committee.

The vote on this motion was as follows (4-0-3):

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

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

j. Washington County Transportation Planning Committee (Proposed)

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to establish the Washington County Transportation Planning Committee, and further it was resolved to appoint one representative from each of the election districts.

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

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

During discussion of committee membership, Mr. Mathews requested more detailed information on the purpose of the committee, and their duties.

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

RESOLUTION 96-1

**RESOLUTION ESTABLISHING
SELECT COMMITTEES OF THE BOARD OF SUPERVISORS
FOR CALENDAR YEAR 1996**

WHEREAS, pursuant to the By-Laws of the Washington County Board of Supervisors for Calendar Year 1996, Select Committees of the Board of Supervisors may be formed, the purpose of which shall be for in-depth review, investigation, oversight, research, development and/or reporting on or about a particular matter or matters of interest to the Board or County, and

WHEREAS, the Board of Supervisors has determined there presently exist such matters which warrant the establishment of Select Committees;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it hereby establishes and makes appointments to Select Committees, as follows:

Emory/Meadowview/Town of Glade Spring Sewer Projects Committee, for the purpose of review, oversight, research, development and reporting on matters pertaining to the Emory/Meadowview Regional and Town of Glade Spring Sewer Projects, in coordination with the Washington County Service Authority, Washington County Industrial Development Authority, Town of Glade Spring, and Emory & Henry College.

Appointments to this Committee are *James T. Osborne and Bobby D. Ingle* as representatives of the Board of Supervisors. The County Administrator and/or Assistant County Administrator shall assist in the work of this Committee. Other appointments to this Committee may be made by the above named organizations on the basis of equal representation. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters.

Washington County Solid Waste Committee, for the purpose of review, oversight, research,

development and reporting on matters pertaining to solid waste disposal planning in Washington County, including coordination with planning activities of other localities and jurisdictions within and adjoining Washington County.

Appointments to this Committee are *James T. Osborne and Joe W. Derting* as representatives of the Board of Supervisors. The County Administrator and/or Assistant County Administrator, County Solid Waste Department Manager and County Recycling Coordinator shall assist in the work of this Committee. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters.

Joint Board of Supervisor/School Board Budget Study Committee, for the purpose of review, development and reporting on matters pertaining to funding of the Washington County Public School System for Fiscal Year 1996-1997.

Appointments to this Committee are *Kenneth G. Mathews, Bobby D. Ingle, and Joe W. Derting* as representatives of the Board of Supervisors. The County Administrator and County Director of Accounting shall assist in the work of this Committee. An equal number of Committee appointments may be made by the Washington County School Board. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters.

Joint Washington County/City of Bristol, Virginia Intergovernmental Relations Committee, for the purpose of review, investigation, development and reporting on matters pertaining to the interests of Washington County and the City of Bristol, Virginia.

Appointments to this Committee are *Joe W. Derting and Bobby D. Ingle* as representatives of the Board of Supervisors and County Treasurer *Fred W. Parker* serving At Large. An equal number of Committee appointments may be made by the City of Bristol, Virginia. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters.

Cable Television Franchise Review Committee, for the purpose of review, investigation, development and reporting on matters pertaining to County cable television franchise agreements to be renewed by the Board of Supervisors in Calendar Year 1996.

Appointed to this Committee is *Maurice H. Parris* as representative of the Board of Supervisors. The County Attorney shall assist in the work of this Committee.

Regional Counties Intergovernmental Relations Committee, for the purpose of review, development and reporting on matters pertaining to the interests of Washington County and neighboring Virginia counties.

Appointments to this Committee are *James T. Osborne, Maurice H. Parris, and County Administrator* as representatives of the Board of Supervisors. Other appointments to this Committee may be made by neighboring Virginia counties on the basis of equal representation. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters.

Capital Improvements Program (CIP) Development and Capital Improvements Program Finance Committees, as originally established and for the purposes set out by Resolution of the Board of Supervisors dated December 27, 1994.

Appointments to the CIP Development Committee are *James T. Osborne and Bobby Ingle*; to the CIP Finance Committee, *Dulcie M. Mumpower*, as representatives of the Board of Supervisors.

County Personnel Policies Review Committee, for the purpose of review, investigation, development and reporting on matters pertaining to personnel policies and procedures for the County of Washington's administrative officials and employees.

Appointments to this Committee are *Bobby Ingle, James T. Osborne, and Joe W. Derting* as representatives of the Board of Supervisors. The County Administrator and/or Assistant County Administrator, County Attorney and County Director of Accounting shall assist in the work of this Committee. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters.

County Facilities Review Committee, for the purpose of review, investigation, development and reporting on matters relating to the use, renovation, equipping and disposition of County-owned and/or County-controlled buildings and real property.

Appointments to this Committee are *Dulcie M. Mumpower, James T. Osborne, Joe Derting* as representatives of the Board of Supervisors. The County Administrator and/or Assistant County Administrator, County Attorney and County Resource Manager shall assist in the work of this Committee. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters.

Washington County Transportation Planning Committee, for the purpose of review, investigation, research, development and reporting on matters pertaining to road improvements and transportation planning in Washington County, including coordination with planning activities of other localities and jurisdictions within and adjoining Washington County.

Appointments to this Committee are: one member from each Election District, the Mayors and/or Town Managers of Abingdon, Damascus and Glade Spring, and a representative of the City of Bristol, Virginia. The County Administrator and/or Assistant County Administrator, County Attorney and County Planner shall assist in the work of this Committee. These Committee members may seek additional Committee participants as deemed necessary and appropriate in pursuit of Committee matters.

BE IT FURTHER RESOLVED that these Committee organize and conduct themselves in the manner they deem appropriate in pursuit of matters in their charge and in accordance with all state and local law.

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

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

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8 Consideration of Board of Supervisor Appointments

The following action was taken on Board of Supervisor appointments:

- a. **Industrial Development Authority**
 :: Raymond Witherspoon III, Harrison Magisterial District

On motion of Mr. Mathews, second by Mrs. Mumpower, it was resolved to appoint Mr. Charles M. Hale to the Industrial Development Authority of Washington County for a four year term effective January 29, 1996 to January 29, 2000 representing the Harrison Magisterial District.

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

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

b. Board of Social Services

:: Marvin Slaughter, Tyler Magisterial District, Term Expires 1-24-96

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to appoint James C. Combs to the Board of Social Services for a four year term effective January 24, 1996 to January 24, 2000 representing the Tyler Magisterial District.

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

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

c. Board of Zoning Appeals (Appointment. Made by Judge)

:: Warren McCray (Appointment. Expired 1-1-96)

Mr. Reeter communicated to the Supervisors that Mr. Warren McCray has expressed his wishes that he does not wish to be considered for reappointment to the Board of Zoning Appeals.

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to defer action on recommending an appointment to the Circuit Court to fill the vacancy on the Board of Zoning Appeals.

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

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

d. Appointment to Mount Rogers Planning District Commission (Kenneth G. Mathews Term Expired December 31, 1995)

On motion of Mrs. Mumpower, second by Mr. Parris, it was resolved to reappoint Kenneth G. Mathews to the Mount Rogers Planning District Commission for a four year period to expire December 31, 1999.

The vote on this motion was as follows (6-0-1):

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

e. List of Expiring Appointments As Of June 30, 1996 (Information Only)

Noted list of appointments that are due to expire as of June 30, 1996. Concerning the expiring appointment of William Clay on the Washington County School Board, Mr. Lyle stated that he has researched the statute on the terms of appointed school board members, and it is determined that Mr. Clay will continue to serve on the school board representing Jefferson

Election District until the next election.



9 Request for Study of County Volunteer Fire Departments, W C Fireman's Association

Mr. Reeter presented correspondence from President H. Michael Stevens Washington County Fireman's Association, asking the Board of Supervisors to request Virginia Department of Fire Programs to conduct a second study and evaluation of all County volunteer fire departments. Mr. Reeter conveyed a specific concern of the Washington County Volunteer Fire Department to address their need for an aerial ladder apparatus. He reported the Firemen's Association states they have worked through a 1987 audit conducted by the Department of Fire Programs (Carl Cimino, Director) stating it has been the basis for all equipment purchases and personnel training efforts undertaken by the volunteer fire departments to date.

On motion of Mr. Parris, second by Mrs. Mumpower, it was resolved to accept the recommendation of the Washington County Fireman's Association and request the Virginia Department of Fire Programs to undertake a reexamination of County wide fire services.

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

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

Chief Howard Bateman, Washington County Fireman's Association, was present to respond to questions from the Board relative to their request for a building permit to expand their facility to house an ambulance and other equipment. Questions concerning proposed building plans, measurements, and property boundary lines resulted in the Mrs. Mumpower requesting the matter be placed on the Agenda for action on January 23, 1996.



11 Annual Report, Youth Services Citizen Board (Katie Gifford, Director, Office on Youth)

Mrs. Katie Gifford, Director, Office on Youth, presented the Annual Report for FY 1995, addressing activities and accomplishments in the areas of Child Abuse Prevention, Education, Parent Education, Teen Pregnancy Prevention, Juvenile Delinquency and Drug and Alcohol Prevention, and Community Services Act services and funds.

Mrs. Gifford responded to questions from the Board concerning anticipated funding for Office on Youth for FY 1997.



12 Recess

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

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

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

14 **Adoption of Virginia Department of Transportation Revised Secondary Road Six Year Improvement Plan (Steve Buston, Resident Engineer, VDOT)**

Steve Buston, Resident Engineer, Virginia Department of Transportation presented the Washington County Secondary System Construction Program Estimated Allocations, as well as Priority Projects for Paved Roads, Unpaved Roads and Future Road Projects contained in the Six Year Construction Plan.

Mr. Buston provided the Supervisors with current information relative to SR 616 funding deficit.

Mr. Barker made a motion to adopt the Virginia Department of Transportation Six Year Secondary Road Construction Projects, including the priority listings. Mr. Barker later withdrew his motion.

Discussion ensued with Supervisors expressing their displeasure at approving the Six Year Secondary Road Construction Budget that includes the deficit funding for SR 616.

On motion of Mrs. Mumpower, second by Mr. Osborne, it was resolved to table action on adopting the Virginia Department of Transportation Revised Secondary Road Six Year Improvement Plan until a later date, and further it was resolved to submit a letter to Governor Allen, local legislators, and the Transportation Board expressing Washington County's position that the slide on State Route 616 was due to an engineering error and an act of nature, and therefore should not be held responsible for the costs to repair the road.

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

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

15 **Community Resources Information Questionnaire Concerning Proposed Safety Improvements to State Route 647 (Old Jonesboro Road)**

Received request for information relative to proposed safety improvements to SR 647.

Mr. Steve Buston was asked to follow up on the request for information and provide the Board of Supervisors with additional information.

On motion of Mrs. Mumpower, second by Mr. Parris, it was resolved to respond to Virginia Department of Transportation's Bristol Environmental Manager, concerning Community Resources Information Questionnaire, Project 0647-095-258, M501, County of Washington.

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

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

16 National, State and Local Concerns of Southwest Virginia Agricultural Association, Inc.

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to adopt Resolution 96-2 endorsing the positions of the Southwest Virginia Agricultural Association, Inc. relative to National, State and Local Concerns that promote a higher standard of living for the people of Southwest Virginia.

The vote on this motion was as follows (6-0-1):

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

17 Project Discovery Day Proclamation, January 16, 1996 (People Incorporated)

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to adopt the following Resolution 96-3:

RESOLUTION 96-3

PROCLAMATION, PROJECT DISCOVERY DAY

WHEREAS, Project Discovery continues to be one of the most effective college option drop-out prevention program sin the nation;

WHEREAS, Project Discovery's efforts assist economically disadvantaged and first generation college students in their preparation for post secondary education;

WHEREAS, the program has shown hundreds of young people that college is not a dream, but a reality which can be achieved through hard work and perseverance;

WHEREAS, since 1986, the Virginia Assembly has consistently appropriated funds for the operation of Project Discovery programs;

WHEREAS, since 1986, the Virginia Assembly has consistently appropriated funds for the operation of Project Discovery programs;

WHEREAS, Project Discovery programs are being implemented in fifty-three jurisdictions, which includes the involvement of nineteen Virginia Community action agencies, and three national sites in the United States;

WHEREAS, student enrollment figures for the 1994-95 school year indicated that 75% of the seniors in Project Discovery enrolled in college;

WHEREAS, of the 4,000 students served each year, 99.5% remain in school through graduation;

WHEREAS, this community's future depends on how well it educates its children;

NOW, THEREFORE, BE IT RESOLVED that the Washington County, Virginia Board of

Supervisors does hereby observe January 16, 1996 as *Project Discovery Day* in Washington County, and to call this observance to the attention of all our citizens.

The vote on this motion was as follows (6-0-1):

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



18 Proposed Western Virginia Economic Development Incentive Fund (Thomas G. Taylor, Executive Director, Mount Rogers Planning District Commission)

Mr. Thomas G. Taylor was present to explain draft legislation for the Western Virginia Economic Development Incentive Fund Program available to the seven Planning Districts west of the Blue Ridge.

Mr. Barker left the meeting at 9:45 p.m.

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to endorse the Western Virginia Economic Development Incentive Fund.

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

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

Mr. Taylor gave a status report of state and federal grant programs proposed funding.

Mr. Reeter commended Mr. Taylor and his staff for their efforts to assist Washington County and the Towns within the County.



19 Resolution No. 96-4, Declaration of a Local Emergency

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to adopt the following Resolution 96-4:

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to adopt the following Resolution effective 9:00 a.m. Sunday, January 7, 1996, and to remain in effect until such time as the Honorable Governor George Allen declares the emergency throughout the Commonwealth of Virginia is terminated and the safety of its citizens and property are determined to be out of peril:

RESOLUTION NO. 96-4
DECLARATION OF A LOCAL EMERGENCY

WHEREAS, the Board of Supervisors of the County of Washington, Virginia, does hereby find as follows:

- 1. That due to the occurrence of an extreme winter storm, the County of Washington is facing a condition of extreme peril to the lives, safety and property of the residents**

of Washington County;

2. That as a result of this extreme peril, the proclamation of the existence of an emergency is necessary to permit the full powers of government to deal effectively with this condition of peril.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Supervisors of the County of Washington, Virginia, that a local emergency now exists throughout the County of Washington; and

BE IT FURTHER PROCLAIMED AND ORDERED that during the existence of this emergency the powers, functions, and duties of the Director of Emergency Services and the Emergency Services organization and functions of the County of Washington shall be those prescribed by the laws of the Commonwealth of Virginia and the ordinances, resolutions, and approved plans of the County of Washington in order to mitigate the effects of said emergency.

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

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

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20 Citizen Comments

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

There were no comments.

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21 County Administrator Comments

On motion of Mr. Osborne, second by Mrs. Mumpower, it was resolved to schedule an executive session on January 23, 1996 for the purpose of conducting a six month evaluation of the County Administrator.

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

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

Mr. Osborne requested an evaluation document be mailed to the Supervisors prior to the January 23, 1996 meeting.

Mr. Mathews called attention to communication from Virginia Association of Counties, Analysis of Governor's Recommended 1996-98 Budget, Page 7, paragraph concerning salary increases. He pointed out state and certain local employees will receive a 4.2% one-time bonus on December 16, 1996, stating it is above the 2.9% cost of living increase.

Mr. Reeter called attention the Ground Breaking Ceremony for Morrison Molding Manufacturing scheduled for Friday, January 19, 1995, 3:00 p.m., Virginia Highlands Community College, stating Governor Allen will be present.

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22 **County Attorney Reports**

a. **Resolution and Tax Compliance Agreement, Community Services Building**

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

Resolution 96-5:

**RESOLUTION OF THE BOARD OF SUPERVISORS
OF WASHINGTON COUNTY**

The Industrial Development Authority of Washington County (the Authority) has acquired certain land and improvements thereon (the Project) and leased the Project to the Board of Supervisors of Washington County (the Board of Supervisors) pursuant to a lease agreement providing for a lease term of 20 years.

The Authority proposes to refinance the acquisition of the Project through the issuance of its \$1,678,750 Lease Revenue Note, and, to assure that interest on the Note is excluded from gross income for federal income tax purposes, it is necessary for the Authority and the Board of Supervisors to execute a tax compliance agreement.

The form of the tax compliance agreement has been presented to the Board of Supervisors at the meeting at which this resolution is adopted.

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

1. The Chairman or Vice-Chairman of the Board of Supervisors of Washington County (the Board of Supervisors) is hereby authorized and directed to execute the tax compliance agreement with respect to the Project and the Note. The agreement shall be in substantially the form submitted to this meeting, which form is hereby approved, with such completions, omissions, insertions and changes as may be approved by the officer executing it, his execution to constitute conclusive evidence of his approval of any such omissions, insertions and changes.

2. The Note is not a Private activity bond as defined in Section 141 of the Internal Revenue Code of 1986, as amended (the Code) and has been designated by the Authority as a Qualified Tax-Exempt Obligation, as defined in Section 265(b)(3) of the Code. The Board of Supervisors hereby concurs in such designation. The Board of Supervisors hereby represents and covenants as follows:

(i) The Board of Supervisors will in no event designate more than \$10,000,000 of obligations as qualified tax-exempt obligations in the year in which the Note is issued, including the Note, for the purpose of such Section 265(b)(3) of the Code;

(ii) The Board of Supervisors, all its Subordinate entities, within the meaning of Section 265(b)(3) of the Code, and all entities which issue tax-exempt bonds on behalf of the Board of Supervisors and such subordinate entities have together not issued more than \$10,000,000 of tax-exempt obligations in 1996 (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 Note;

(iii) Barring circumstances unforeseen as of the date of delivery of the Note, the

Board of Supervisors will not issue tax-exempt obligations itself or approve the issuance of tax-exempt obligations of any of such other entities if the issuance of such tax-exempt obligations theretofore issued by the Board of Supervisors and other such entities in the year in which the Note is expected to be issued, result in the Board of Supervisors and such other entities having issued a total of more than \$10,000,000 of tax-exempt obligations in such year (not including private activity bonds, other than qualified 501(c)(3) bonds), including the Note: and

(iv) The Board of Supervisors has no reason to believe that the Board of Supervisors and such other entities will issue tax-exempt obligations in an aggregate amount that will exceed such \$10,000,000 limit;

provided however, that if the Board of Supervisors receives an opinion of nationally recognized bond counsel that compliance with any covenant set forth in (I) or (iii) above is not required for the Note to be a qualified tax-exempt obligation, the Board of Supervisors need not comply with such restriction.

3. Nothing contained in this resolution or in the agreement is or shall be deemed to be a lending of the credit of the County to the Authority or to any person, and nothing contained in this resolution or in the agreement is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County.

4. This resolution shall be in full force and effect on the date of its adoption.

bond counsel that compliance with any covenant set forth in (i) or (iii) above is not required for the Note to be a qualified tax-exempt obligation, the Board of Supervisors need not comply with such restriction.

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

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

A brief discussion relative to bond sales resulted in Mr. Reeter commenting that the School Board does not anticipate filing for school bonds in 1996.



23 Consent Agenda

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to approve the following consent agenda:

a. Payment of Bills, December 1995

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

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



24 Board Member Reports

Mr. Ingle suggested that the Supervisors consider scheduling visits to industries located in Washington County.

25 **Adjournment**

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

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

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

Joe W. Derting, Chairman