V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, September 24, 1996, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

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

Mark K. Reeter, County Administrator
Joseph B. Lyle, County Attorney
Mark W. Seamon, Accounting/Purchasing Manager
Sandra M. Hatfield, CPS, Administrative Assistant

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1 **Call to Order**

The meeting was called to order by Mr. Joe W. Derting, Chairman of the Board, who welcomed everyone in attendance.

2 **Invocation and Pledge of Allegiance - Maurice H. Parris**

Mr. Parris called on *Rev. Don Lasley*, Pastor, Damascus Baptist Church, to lead in the Pledge to the Flag and give the Invocation.

3 **Approval of the Agenda**

On motion of Mr. Osborne, second by Mr. Barker to approve the Agenda with the following additions:

13. County Administrator Comments
- **e. Recommendation for Professional Design Services, Washington County Jail Renovation Project**
- **f. Washington County Fire/Rescue Communication Concerning 1990 Chevrolet Caprice Vehicle**
- **g. Request for Permit to Hold *Charity AJAM@ Festival*, September 27 & 28, 1996**
- **h. Request Participation in Washington County Leadership Development Program, Thursday, October 17, 1996, 7:00 p.m.**

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

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

4 **Approval of Minutes of September 10, 1996**

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to approve the minutes of September 10, 1996.

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

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

5 **Public Hearing to receive comment on an ordinance to amend Section 5-3 of the Washington County Code Relative to exempting churches from building permit fees**

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to proposed amendment to Section 5.3 of the Washington County Code relative to exempting churches from building permit fees.

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

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to adopt the following amendment to Section 5.3 of the Washington County Code relative to exempting churches from building permit fees:

AN ORDINANCE TO AMEND ' 5-3 OF THE WASHINGTON COUNTY CODE RELATIVE TO EXEMPTING CHURCHES FROM BUILDING PERMIT FEES

ORDINANCE 96-4

Be it ENACTED by the Board of Supervisors of Washington County, Virginia:

1. That ' 5-3 of the Washington County Code be amended and reenacted as follows:

' 5-3. Building Permit Fees.

A. No permit to begin work for construction or other building operation including renovation shall be issued until the fees prescribed in this section have been paid to Washington County through the Washington County Department of Building Inspection. The following classes of fees for building permits in Washington County shall be charged:

1. Class I fee: 13.50 cents per square foot
2. Class II fee: 6.75 cents per square foot
3. Class III fee: 4.50 cents per square foot
4. Class IV fee: 6.75 cents per square foot

B. The fees set forth in subsection A for building permits in Washington County shall be charged for the construction, renovation and other type of construction of the following structures as follows:

1.Class I fees shall apply to the construction of or addition to primary residential structures and to Virginia Industrialized Buildings intended for residential use.

2.Class II fees shall apply to the construction or renovation of or addition to accessory structures to a primary residential structure and to the renovation of primary residential structures.

3.Class III fees shall apply to the construction or renovation of or addition to recreational accessory structures to a primary residential structure.

4.Class IV fees shall apply to the construction or renovation of or addition to commercial and industrial structures, to Virginia Industrialized Buildings intended for commercial or industrial use and to the construction or renovation of or addition to any other type of structure not covered by paragraphs 1, 2 and 3 of this subsection.

C. Notwithstanding the provisions of subsections A and B, the minimum building permit fee shall be $25.00.

D. Notwithstanding the provisions of subsections A and B, the maximum Class I, Class II or Class III building period fee shall be $2,500.00.

E. Notwithstanding the provisions of subsections A and B, the maximum Class IV building permit fee shall be $10,000.00.

F. Notwithstanding the provisions of this section, no fee shall be charged for a building permit for the construction or renovation of or addition to the following types of structures:

1.Agricultural structures exempt under the Uniform Statewide Building Code.

2.Structures owned by Washington County or its independent boards, authorities and commissions.

3.Structures owned by volunteer fire departments or rescue squads.

4.Structures owned and exclusively occupied or used by churches or religious bodies for religious worship or for the residences of their ministers.

2. That any building permit fee paid on or after July 1, 1996 for a structure owned and exclusively occupied or used by a church or religious body for religious worship or for the residence of their minister shall be refunded to said church or religious body.

3. That this ordinance shall become effective immediately upon adoption.

4. That should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Washington County Code.

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

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

6 **Approval of Waste Hauling Permit, Waste Management of Tri-Cities, Inc. (Beverly Purdue, Division President)**

James Woodard, representing management at Waste Management of Tri-Cities, Inc., appeared before the Board to respond to questions relative to Waste Management=s increase in waste hauling rates.

Supervisors questioned the 25% and 30% increase in waste hauling rates and asked if Waste Management is prepared to present the customers with a program of restitution for the months they were being overcharged rates that were not approved by the Board of Supervisors.

During discussions, individual Supervisors expressed their views that the recently enacted rate increase was inflated and unfair for the customers. They asked Mr. Woodard if the company is willing to negotiate a reasonable rate increase. Chairman Derting clarified that the Board of Supervisors does not have the authority to tell Waste Management what rate to charge their customers, however, they do have the authority to revoke the permit to operate in Washington County.

On motion of Mr. Ingle, second by Mr. Mathews, it was resolved to table Waste Management of Tri-Cities, Inc. waste hauling permit until October 8, 1996 at which time the company has been asked to present the Supervisors with justificaion for the increase and a plan to compensate their Washington County customers for the period of time when they were paid the increased rate prior to permit renewal.

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

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

7 **Request for Matching Funds for COPS Universal Hiring Grant and COPS More Program (Sheriff Kenneth Hayter)**

Deputy Spencer Wilcox and *Lt. Charles Bishop* appeared before the Supervisors making a formal presentation and requesting local matching funds for the COPS More and the COPS Universal Hiring grant programs.

Deputy Wilcox and Lt. Bishop reported under the COPS More Grant Program an automated fingerprinting system and laptop computers would be available to the Sheriff=s Department thus allowing the deputies increased time to work out of the office. Through the use of visual aids, they illustrated how the automated fingerprinting system works, and explained the grant funding which is for one year and is a one-time match.

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to authorize the Sheriff=s Department to proceed with the application to the United States Department of Justice Office of Community Oriented Policing Services for receive grant funds for the COPS More Program, further it was resolved to approve a supplemental appropriation to the Sheriff=s Department in the amount of $6,590.00 and transfer from reserves for contingencies in the amount of $7,781.00 as local matching funds for the grant.

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

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

Lt. Bishop used visual aids to explain the COPS Universal Hiring Program and its funding that is for a three year period. He stated the grant funding would allow Washington County Sheriff=s Office to employ two full-time salaried officers for three years, with benefits. He provided statistical data

substantiating the value of employing two additional deputies.

Discussion ensued wherein Supervisors questioned patrol activities and response times in remote sections of the County. In addition, concern was expressed that the Sheriff's Department will look to the Board of Supervisors for funding the employment of these officers after the grant expires in three years. Lt. Bishop assured the Board that the officers would be employed on a conditional basis for the life of the grant only.

On motion of Mrs. Mumpower, second by Mr. Barker, it was resolved to appropriate $10,085 from reserves for contingency to the Washington County Sheriff's Department for use as local matching funds for the Community Oriented Policing Services Universal Hiring Grant on the condition that the Sheriff's Department is awarded the grant.

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

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

Mr. Mathews expressed his view that he could only support this expenditure if the Sheriff is willing to reduce his car purchase request by one vehicle.

At this time Mr. Mathews left the Board table.

On behalf of the Board, Mr. Ingle expressed appreciation to Deputy Wilcox and wished him well as he relocates outside of the region.

11. **Recess**

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

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

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

8 **Possible Dates for Commission on Local Government Proceedings --City / County Inter-Local Agreement**

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to select Monday, November 25, 1996 to meet with the Commission on Local Government for proceedings on the City/County Inter-Local Agreement.

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

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

9 **Proposed Format for VDOT State Secondary Road Six-year Plan Public Hearing**

Mr. Reeter presented a proposed format for the Virginia Department of Transportation State

Secondary Road Six Year Plan Public Hearing to be held October 8, 1996. Discussion ensued.

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to hold the Virginia Department of Transportation public hearing on the State Secondary Road Six Year Plan on Tuesday, October 8, 1996 beginning at 5:00 p.m.

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

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

(***NOTE***: This public hearing has been rescheduled and will be advertised for November 12, 1996.)

10 **Request for Financial Support, Town of Damascus, ADAM Electronic Village Project**

Received request from the Town of Damascus advising of their efforts to obtain a communications grant from the Appalachian Regional Commission, and requesting financial assistance from the County.

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to appropriate $2,500 to the Town of Damascus in support of their grant request to Appalachian Regional Commission for a regional initiative on telecommunications.

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

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

12 **Citizen Comments**

At this time, Mr. Derting invited comments from citizens on items that do not appear on the Agenda. There were no citizens requesting to address the Board of Supervisors.

13 **County Administrator Comments**

The following action was taken on County Administrator comments:

g. **Request for Permit to Hold *Charity AJAM@ Festival*, September 27 & 28, 1996**

Received communication from Bob Hawkins requesting permission to hold a Charity AJAM@ Festival on September 27 and 28, 1996 in an effort to raise funds to help a friend who needs kidney transplant surgery.

On motion of Mr. Parris, second by Mr. Osborne, it was resolved to authorize a Charity AJAM@ Festival, September 27 and 28, 1996, organized by Bob Hawkins, on property located at the left of the entrance to American Limestone Quarry, with proceeds going to assist in the medical costs for a kidney transplant operation.

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

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

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a. **Virginia Department of Corrections, Potential Site, Interest Survey**

Received communication from Department of Corrections concerning locality interest in being considered as a potential site for the construction of a correctional facility.

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to respond to the Department of Corrections indicating no interest.

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

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

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b. **Washington County Public Schools Request to Increase Limit for Obtaining Bids**

Received communication from Ronald Walls, Director of Administration, Washington County Public Schools, requesting an amendment to the County procurement ordinance relative to increasing the dollar limit required for obtaining bids.

On motion of Mr. Parris, second by Mr. Osborne, it was resolved to prepare a revision to the County=s procurement ordinance for agencies that the County supports, increasing the dollar limit allowed for obtaining bids not to exceed $30,000.

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

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

The County Attorney was asked to prepare draft of the procurement ordinance revision for presentation to the Board of Supervisors for their review. The proposed amendment will then be advertised for a public hearing.

Mr. Barker filed a disclaimer disclosing he has a personal interest in certain aspects of the Washington County Budget related to appropriations to the Washington County School Board; that he is an employee of the Washington County School Board and appropriations to the Board could indirectly affect his position, salary, employment benefits, etc.; that he is a member of a group of employees which is affected by the amount of the appropriation to the Washington County School Board; and, that he can participate in this transaction fairly, objectively and in the public interest.

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c. **Rocky Mount Museum Request for Funding**

Received communication from Rocky Mount Museum requesting Washington County to become a member and donor to the Rocky Mount Historical Association. Discussion

ensued. The County Administrator was asked to check with the Washington County School Board to determine how often students make field trips to the Rocky Mount Museum before taking action on the request.

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d. **Johnston Memorial Hospital Application for Certificate of Public Need: Open Fixed Magnetic Resonance Imaging Unit**

Received communication from Mary Ellen Rider, Executive Director of Clinical Services, requesting Washington County to support Johnston Memorial Hospital=s application for a Certificate of Public Need.

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to endorse application of Johnston Memorial Hospital for a Certificate of Public Need to obtain an Open Fixed Magnetic Resonance Imaging Unit which will allow patients the opportunity to receive a service that is not available to them now at this Hospital.

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

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

Mrs. Mumpower and Mr. Parris each filed disclaimers disclosing they have a personal interest in certain aspects of this action related to Johnston Memorial Hospital; that they are employees of the Johnston Memorial Hospital; and, they can participate in this action fairly, objectively and in the public interest.

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e. **Recommendation for Professional Design Services, Washington County Jail Renovation Project**

Mr. Reeter presented a recommendation that the County begin negotiations with Dewberry & Davis entering into a contract for professional design services relative to the renovation of the Washington County Jail. There was consensus agreement.

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f. **Washington County Fire/Rescue Communication Concerning 1990 Chevrolet Caprice Vehicle**

Received communication from Chief Howard G. Bateman, Sr., Washington County Fire/Rescue, reporting the surplus vehicle given to the department is in need of extensive repair work to make it operable, and asked if the vehicle could be returned to the County.

There was consensus agreement that Washington County Fire/Rescue should return the surplus vehicle to the County and that when another surplus vehicle becomes available, they will be the first agency to receive it.

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h. **Request Participation in Washington County Leadership Development Program, Thursday, October 17, 1996, 7:00 p.m.**

Received invitation to present *A Profile of Washington County and Towns* to members of the Washington County Leadership Development Program on Thursday, October 17, 1996, 7:00 p.m., Washington County Public Library.

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Mr. Reeter reported that the Environmental Protection Agency may have regional grant funds available through Mount Rogers Planning District to undertake a study of sewer needs in Washington County. He indicated that he would pursue same if feasible.

Mr. Reeter reported receiving a request from a citizen asking permission to set up a fall display of large pumpkins on the stairs of the Washington County Courthouse. There was no action taken.

14 **County Attorney Reports** No report.

15 **Consent Agenda**

On motion of Mr. Barker, second by Mr. Parris, it was resolved to approve the following consent agenda items:

a. Payment of Bills, September 1996
b. Supplemental Appropriations:
- **:: Department of Social Services, $15,397.00, Family Preservation; $20,000.00 -- Child Abuse Neglect Treatment Plan**
- **:: Washington County Service Authority, $120,218.79 to the Capital Improvement Fund**
- **:: Sheriff=s Department, $218.87, Line Item 31200/6009, Insurance Check for Vehicle Involved in Accident**

c. Request for Refunds:
- **:: Solid Waste Fee Approval for Payment**
- **:: Rezoning Permit, $50.00, and Special Use Permit, $50.00, Stella M. Schuler**
- :: **Advance of Quarterly Appropriation to Virginia Highlands Airport Commission, $37,962.50.**

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

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

16 **Board Member Reports**

Mr. Barker inquired about the date and final plans for holding the annual Legislative Dinner; he reported on District III Governmental Cooperative=s efforts to purchase a Van with grant funds; he raised a question of providing health insurance coverage for part-time employees and the process for funding this benefit.

Mr. Osborne reported the Virginia Department of Transportation will not pay for the construction costs and installation of Grace Street Railroad Crossing Gates as the street is not currently in the state secondary road system.

On motion of Mr. Osborne, second by Mr. Ingle, it was resolved to appropriate $6,960 from reserves for

contingency to the Town of Glade Spring for the installation of Grace Street Railroad Crossing Gates, and that the funds will be released upon completion of the project.

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

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

Mr. Ingle gave a brief report of the Information Technology Committee meeting.

Mr. Derting reported the Route 58 Committee will meet on October 28, 1996 in Marion.

Mr. Derting presented a letter from Michelle Grantham resigning from the Highlands Community Services Board and requested the matter be placed on the October 8, 1996 Board of Supervisors meeting agenda.

17 **Adjournment**

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to adjourn the meeting to October 8, 1996 beginning at 5:00 p.m.

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

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

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Joe W. Derting, Chairman