V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, May 27, 1997, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

James T. Osborne, Chairman
Bobby D. Ingle, Vice Chairman
Kenneth G. Mathews
Joe W. Derting
Maurice H. Parris
Jackson Barker (Arrived at 7:25 p.m.)
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. James T. Osborne, Chairman of the Board, who welcomed everyone in attendance.

2 **Invocation and Pledge of Allegiance - James T. Osborne**

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

3 **Approval of the Agenda**

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

7.a Resolution of Support for IDA Application for ARC and Rural Development Grant Funds for Shell Building

12.a Consideration of Increase in County Tax Levy for E-911 Emergency Telephone Service

14.a Correspondence, Wheat First Butcher Singer
14.b Agenda, Joint Board of Supervisors/Abingdon Town Council Meeting, Thursday, May 29, 1997, 7:30 p.m., Conference Room #1, County Administration Building

19 Executive Session Pursuant to '2.1-343(A)(1) of the 1950 Code of Virginia as Amended, to discuss and/or consider prospective candidates for the position of County Attorney

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

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

Mr. Osborne announced Supervisor Jackson Barker will be delayed in arriving to the Board Meeting.

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4 **Approval of Minutes**

The following action was taken on approval of the Minutes:

a. **Regular Meeting of May 13, 1997**;

On motion of Mr. Mathews, second by Mrs. Mumpower, it was resolved to approve the minutes of the regular meeting of May 13, 1997 with the following correction:

Page 8452, Agenda Item 16.c, Treasurers Association of VA Annual Conf., June 17-20, 1997, Martha Washington Inn:

Add the following vote to the motion authorizing a contribution of $750.00 from Reserves for Contingency for the Treasurer's Association of Virginia Annual Conference, June 17-20, 1997, Martha Washington Inn, Abingdon, VA:

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

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

The vote on the motion to approve the minutes of the regular meeting of May 13, 1997 was as follows: (6-0)

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

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b. **Recessed Meeting of May 14, 1997**;

On motion of Mr. Derting, second by Mr. Parris, it was resolved to approve the minutes of the recessed meeting of May 14, 1997, as presented:

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

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

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c. **Recessed Meeting of May 17, 1997.**

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to approve the minutes of the recessed meeting of May 17, 1997 with the following correction:

Page 8464, Paragraph 4, Motion to lower the real estate property tax rate:

Change the vote to reflect the following:

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

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

The vote on this motion to approve the minutes of the recessed meeting of May 17, 1997 was as follows: (6-0)

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

5 **Dog Damage Claims**:

The following action was taken on dog damage claims:

a. **C. T. Wilkinson, $200**;

Mr. C. T. Wilkinson was present to explain his dog damage claim.

On motion of Mr. Derting, second by Mrs. Mumpower, it was resolved to approve the dog damage claim filed by Mr. C. T. Wilkinson in the amount of $200.00 for Barbados sheep killed by dogs.

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

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

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b. **Nick May, $400**

Mrs. May appeared before the Board to respond to questions relative to the dog damage claim filed by Mr. May.

On motion of Mr. Parris, second by Mr. Ingle, it was resolved to approve the dog damage claim filed by Nick May in the amount of $400.00 for Barbados and Sulfolk sheep killed by dogs.

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

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

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c. **Deborah Prescott, $75-$100**

Mrs. Prescott did not appear at the meeting.

On motion of Mr. Ingle, second by Parris, it was resolved to table action on the dog damage claim filed by Deborah Prescott until June 10, 1997.

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

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

6 **Application for Permit to Possess and Display Fireworks, Glade Spring Volunteer Life Saving Crew & Fire Department, July 12, 1997**

On motion of Mr. Derting, second by Mrs. Mumpower, it was resolved to approve Application for Permit to Possess and Display Fireworks filed by Glade Spring Volunteer Life Saving Crew & Fire Department for July 12, 1997, at Glade Area Park & Pool.

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

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

7 **Annual CPI Increase for Solid Waste Disposal Effective FY 1997-98**

On motion of Mr. Derting, second by Mr. Mathews, it was resolved to approve an increase in the solid waste tipping fee for FY 1997-98 TO $38.49 effective July 1, 1997.

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

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

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a. **Resolution of Support for IDA Application for ARC and Rural Development Grant Funds for Shell Building**

Mr. Russell Owens, Chairman, Industrial Development Authority of Washington County, appeared before the Board reporting on the status of funding for the shell building project at the Glade Highlands Industrial Park. He stated the original CDBG loan application for $700,000 has been turned down by Virginia Department of Housing and Community Development

Mr. Owens stated the IDA is now making application to ARC for $500,000 and Rural Development for $500,000 in order to proceed with the shell building project. He stated the IDA has agreed to pay for the grading of the site, the water, sewer and road, and the grant money will be used for the construction of the building.

Mr. Owens requested the Board of Supervisors= support by endorsing a resolution to be forwarded with the application for funds.

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

RESOLUTION NO. 97-11

WHEREAS, the Washington County, Virginia, Board of Supervisors remains committed to sustained and diversified economic development and recognizes the need for adequate physical infrastructure to attract new investment and job creation in Washington County; and

WHEREAS, the Board of Supervisors has been working in partnership with the Industrial Development Authority of Washington County toward the purchase and development of the Glade-Highlands Industrial Park not only through annual budget allocations but through the pursuit of state and federal grants for the Emory-Meadowview Sewage Treatment Plant and the Washington County-Glade Sewer Project; and

WHEREAS, the Industrial Development Authority of Washington County is submitting applications for grant funds to assist in the financing rough-grade road construction, public utility extension, site preparation and shell building construction at Glade-Highlands Industrial Park from Appalachian Regional Commission in the amount of $500,000 and Rural Development (U.S.D.A.) in the amount of $500,000; and

WHEREAS, the Industrial Development Authority of Washington County has committed to provide the local matching funds of $1,094,343 and to create a minimum of 125 jobs.

NOW, THEREFORE, BE IT RESOLVED, that the Washington County, Virginia, Board of Supervisors hereby endorses application by the Industrial Development Authority to ARC and Rural Development and authorizes Mr. Russell U. Owens, Chairman, to execute all necessary grant documents.

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

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

(Mr. Barker arrived at 7:25 p.m.)

Mr. Owens provided the Supervisors with information on the current status of IDA activities at the Washington County Industrial Park, stating three parcels of property have been sold to three new industries.

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8 **Request for Allocation of Wastewater Treatment Capacity for Proposed New Residential Subdivision Along State Route 647**

Mr. Richard Buchanan appeared before the Board of Supervisors proposing to develop a subdivision consisting of 80 lots east of The Virginian on Jonesboro Road, and requested permission to tie into the existing WC Service Authority sewerlines at the southeast corner of The Virginian development.

Discussion of the project and the anticipated usage ensued. The technical points of the 1993 sewer capacity agreement with the City of Bristol, VA were reviewed, and the consensus of the Board was that Washington County purchased capacity to be used by the Service Authority at the Service Authority=s discretion. Mr. Derting explained that the County is not in the business of providing sewer service and that the Service Authority is the regulatory agency that oversees water/sewer lines for the County.

On motion of Mr. Derting, second by Mr. Mathews, it was resolved to refer Mr. Buchanan to the Washington County Service Authority to request permission to tap into the water/sewer line on Jonesboro Road, at the southeast corner of The Virginian development.

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

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

At the conclusion of discussions, the Board of Supervisors established their position that the County prefers the management of the sewer treatnment capacity through the City of Bristol, VA to be left with the Washington County Service Authority.

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9 **Request for Supplemental Appropriation, Electoral Board of Washington County, $4,000**

Received communication from Billy R. Munsey, Secretary, Washington County Electoral Board, requesting a supplemental appropriation for the June 10, 1997 Republican Primary election.

On motion of Mr. Derting, second by Mr. Mathews, it was resolved to authorize a supplemental appropriation to the Electoral Board of Washington County in the amount of $4,000 from reserves for contingency for the June 10, 1997 Republican Primary Election.

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

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

Mr. Mathews expressed his concern over the County expending funds for summer primary elections and requested Delegate Johnson to patron a bill that will provide local governments with relief from funding the cost of holding a party primary election. Delegate Johnson requested the Board of Supervisors to prepare a resolution for presentation to the General Assembly.

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10 **Consideration of Appointments to Boards and Commissions (Appts. Expire June 30, 1997)**

The following action was taken on appointments to Boards and Commissions:

a. **Board of Social Services**
:: **Suzanne Lay, Madison District**

On motion of Mr. Derting, second by Mr. Mathews, it was resolved to reappoint Suzanne Lay to the Board of Social Services representing the Madison Magisterial District for a four year term effective July 1, 1997 to June 30, 2001.

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

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

Mr. Barker Aye

:: **J. S. Clendenen Monroe District**

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to reappoint J. S. Clendenen to the Board of Social Services representing the Monroe Magisterial District for a four year term effective July 1, 1997 to June 30, 2001.

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

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

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b. **Recreation Advisory Committee**
:: **Rebecca Selfe, Monroe District**
:: **Laura Bailey, Tyler District**

Supervisors Osborne and Barker requested appointments to the Recreation Advisory Committee be placed on the June 10, 1997 meeting agenda.

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c. **Washington County Service Authority**
:: **Ernest Leo Hockett, Monroe District**

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to reappoint Ernest Leo Hockett to the Washington County Service Authority representing the Monroe Magisterial District for a four year term effective July 1, 1997 to June 30, 2001.

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

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

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11 **Consideration of Jefferson District Appointment to Highlands Community Services Board to Fill Unexpired Term of Jeffery A. Webb (Term Expires June 30, 1999)**

Mr. Ingle presented a letter from Jeffery A. Webb resigning as a member of the Highlands Community Services Board.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to accept the resignation of Jeffery A. Webb, and further it was resolved to appoint Norma Faye Hite to fill the unexpired term of Jeffery A. Webb on the Highlands Community Services Board representing the Jefferson Magisterial District effective immediately to June 30, 1999.

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

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

Mr. Barker Aye

12 **Recess**

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

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

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

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a. **Consideration of Increase in County Tax Levy for E-911 Emergency Telephone Service**

Received communication from Mark Reeter concerning the possibility of increasing the County=s present $0.65 levy for E-911 telephone service to offset recurring maintenance, repair, and system upgrade costs, and salaries of E-911 dispatchers or call takers.

Discussion ensued with the Supervisors commenting on the amount of General Fund monies required to fund the E-911 Emergency Telephone Service expenses not covered by County tax levy revenues.

On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to table consideration of increase in County tax levy for E-911 emergency telephone service to June 10, 1997.

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

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

13 **Citizen Comments**

At this time, Mr. Osborne asked Mr. Ingle to read the rules for citizen comments, and invited comments from citizens on items that do not appear on the Agenda.

Jim Mosier, speaking as a private citizen, addressed the Board of Supervisors requesting they support the County Administrator=s recommended FY 1997-98 Budget for the Sheriff=s Office;

Deborah Lowe, Regional Program Planner for Mount Rogers Adult Education Program, addressed the Board of Supervisors requesting they support the County Administrator=s recommended FY 1997-98 Budget and Jail Operations.

Patrick Mannix, spoke to the Supervisors of his unsuccessful attempt to receive the democratic nomination as a candidate to run for Board of Supervisors from the Wilson District; Sheriff=s budget.

Joe Johnson, responded further to Mr. Mathews= request that legislation be authorized providing Counties with funding relief from the costs incurred by holding summer party primary elections. Delegate Johnson spoke in

support of the FY 1997-98 budget for the Sheriff's Office.

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14 **County Administrator Comments**

The following action was taken on County Administrator comments:

a. **Correspondence, Wheat First Butcher Singer**

Received communication from Wheat First Butcher Singer relative to the development of a financing alternative to reduce the interest costs related to the School District's existing debt obligation to the Virginia Retirement System for their participation in the early
retirement program.

There was consensus agreement for Mark Reeter to form an administrative review committee and that this committee will discuss and study the matter in detail.

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b. **Agenda, Joint Board of Supervisors/Abingdon Town Council Meeting, Thursday, May 29, 1997, 7:30 p.m., Conference Room #1, County Administration Building**

Noted draft agenda. Mr. Mathews requested that Abingdon Town Council identify the scope of their engineering study for annexation feasibility.

Mrs. Mumpower stated she will be late in arriving to the meeting.

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c. Received memorandum from Rachael Folkes of the Southwest Virginia Higher Education Center inviting the Supervisors to tour the facility June 2 or June 5, 1997, after 4:30 p.m.

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15 **County Attorney Reports**

Mr. Lyle reported the ordinance regulating tax exemption for the elderly is scheduled for public hearing on June 10, 1997. He stated he will be advertising a public hearing of the ordinance recodification of the County Code for the June 24, 1997 meeting.

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16 **Consent Agenda**

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

a. **Supplemental Appropriation, Bristol Life Saving Crew, $375.00**

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

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

17 **Board Member Reports**

The following Board Member Report was given:

Mr. Ingle announced the TechnoExpo Show to be held on the campus of Virginia Highlands Community College. He stated he will be requesting the Board to sponsor a meal for the vendors that are attending the Expo.

19 **Executive Session Pursuant to '2.1-343(A)(1) of the 1950 Code of Virginia as Amended, to discuss and/or consider prospective candidates for the position of County Attorney**

On motion of Mr. Ingle, second by Mr. Barker, it was resolved to go into executive session pursuant to '2.1-343(A)(1) of the 1950 Code of Virginia as Amended, to discuss and/or consider prospective candidates for the position of County Attorney.

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

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

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

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

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

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

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

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

***NOW, THEREFORE, BE IT RESOLVED* that the Washington County, Virginia Board of Supervisors hereby certifies that, to the best of each member=s knowledge**

(I) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies; and

(ii) only such public business matters as were identified in the motion of convening the executive meeting were heard, discussed or considered by the Washington County, Virginia Board of Supervisors.

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

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

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to extend an offer of employment to John A. Martin as County Attorney to be effective July 1, 1997 at an annual salary of $46,000.

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

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

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to extend the employment contract to Mr. Joseph B. Lyle of the firm Greene & Hale for the month of June 1997.

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

20 **Recess to Thursday, May 29, 1997, 7:00 p.m. to Hold Joint Meeting With Abingdon Town Council, Conference Room #1, Washington County Administration Office**

On motion of Mr. Parris, second by Mr. Barker, it was resolved to recess to Thursday, May 29, 1997, 7:30 p.m. to hold a joint meeting with the Abingdon Town Council in Conference Room #1 of the Washington County Administration Office.

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

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

James T. Osborne, Chairman