V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, February 10, 1998, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

Bobby D. Ingle, Chairman
Dulcie M. Mumpower, Vice Chairman
Kenneth G. Mathews
Joe W. Derting
James T. Osborne
John B. Roberts, Sr.
Jackson Barker

Mark K. Reeter, County Administrator
John A. Martin, 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. Bobby D. Ingle, Chairman of the Board, who welcomed everyone in attendance.

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

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

3 **Approval of the Agenda**

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

Delete:

6. Dog Damage Claim, Mike Johnson, $810.00

Add:

6. Permission to Sell Surplus Equipment

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

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

4 **Approval of Minutes**

On motion of Mr. Osborne, second by Mr. Derting, it was resolved to approve the Minutes of February 3, 1998 with the following amendment:

Page 8719, Item 22, Executive Session ..., correct the minutes to reflect the following action:

AOn 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. Ingle	***Aye***	***Mrs. Mumpower***	***Aye***	***Mr. Mathews***	***Aye***
Mr. Derting	***Aye***	***Mr. Osborne***	***Aye***	***Mr. Roberts***	***Aye***
Mr. Barker	***Aye***				

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

The vote on the motion to approve the Minutes of February 3, 1998 was as follows: (6-0-1)

Mr. Ingle	***Aye***	***Mrs. Mumpower***	***Aye***	***Mr. Mathews***	***Abstain***
Mr. Derting	***Aye***	***Mr. Osborne***	***Aye***	***Mr. Roberts***	***Aye***
Mr. Barker	***Aye***				

Mr. Mathews abstained for the reason he was absent from the meeting.

5 **Planning & Zoning Public Hearings**

The following action was taken on Planning & Zoning Public Hearings:

Intent to Rezone:

a. *James T. Fry*: Request to rezone approximately 8.4 acres of property located on the south side of State Route 647 near the intersection of Route 647/648 from A-2 (Agricultural, General) to A-1 (Agricultural, Limited), Wilson Magisterial District.

Mr. Ingle opened the public hearing to receive comments both in support and in opposition to the rezoning request of James T. Fry.

It is noted that Mr. James Fry was not in attendance.

The following individuals spoke in opposition to Mr. Fry=s rezoning request:

Tom Davenport, Attorney, representing Frank Leonard who is an adjoining property owner, explained rezoning to A-1 is not a reasonable use for Mr. Fry=s property, or is it in the best interests of the surrounding properties and the County. He stated the area is developing as residential, with properties bordering the City of Bristol, Virginia and the State of Tennessee. He commented permanent development would provide the County with growing and increased financial benefit, and a permanent source of revenue.

Herschel R. Stevens stated he owns land bordering Mr. Fry=s property, and is opposed to the rezoning and development of a mobile home park. He explained the parcel of land in question is approximately 80 acres, and could produce 70 permanent homes generating more tax revenue for the County than the proposed mobile home development would. He expressed concern over potentially hazardous conditions, stating unless streets in the proposed development are built to state

specifications, postal and school bus services would be delivered only on the major highway, King Mill Pike.

Rudy Brown, speaking for Marjorie Brown, his mother and adjoining property owner, registered opposition to rezoning Mr. Fry=s property and the development of a mobile home park. Mr. Brown raised his concern over a safety issue and distributed photographs of specific vehicular accidents that occurred in the front of Mrs. Brown=s property. Additionally, Mr. Brown distributed a diagram showing the location of Mr. Fry=s home, farm and neighboring properties, marking specific accident locations. He pointed out that on one occasion a vehicle crashed into a section of Mrs. Brown=s house.

Patrick Mannix, expressed his view that rezoning is not the best use of the property, and questioned Mr. Fry=s need to appear before the Supervisors for a permit citing reasons not related to the public hearing.

Mr. Ingle advised Mr. Mannix that he was out of order and asked him to be seated. Mr. Mannix refused to take a seat and Mr. Ingle requested the Deputy to remove him from the meeting. Mr. Mannix left the meeting with the Deputy.

Peggy Toole, whose property is located in front of Mr. Fry=s, requested rezoning be denied.

Connie Barnett, speaking for Geneva Owens, her mother and adjoining property owner, expressed her view that the value of permanent homes is greater than that of mobile homes, and stated she opposed Mr. Fry=s rezoning request.

Christy Smith, speaking for Doug Worley, her father and adjoining property owner, stated the Worley property is located in front of Mr. Fry=s, and asked that the Supervisors deny Mr. Fry=s request for rezoning.

There being no further speakers, Mr. Ingle declared the public hearing closed.

On motion of Mrs. Mumpower, second by Mr. Roberts, it was resolved to follow the recommendation of the Planning Commission and deny request of James T. Fry to rezone approximately 8.4 acres of property located on the south side of State Route 647 near the intersection of Route 647/648 from A-2 (Agricultural, General) to A-1 (Agricultural, Limited), Wilson Magisterial District

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

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

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Request for Special Use Permit:

b. *James T. Fry:* Request for a Special Use Permit to construct and operate a mobile home park consisting of 60 additional units on property located on the south side of State Route 647 near the intersection of Route 647/648 in an A-1 (Agricultural, Limited) zone, Wilson Magisterial District. * if rezoning is approved.

By consensus agreement, there was no public hearing on James T. Fry=s request for a special use permit for the reason the Special Use Permit is contingent upon approval of the rezoning request.

On motion of Mrs. Mumpower, second by Mr. Barker, it was resolved to deny request for a Special

Use Permit to construct and operate a mobile home park consisting of 60 additional units on property located on the south side of State Route 647 near the intersection of Route 647/648 in an A-1 (Agricultural, Limited) zone, Wilson Magisterial District.

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

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

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c. *Par Ventures, Inc.*: Request for a Special Use Permit to construct and operate a car wash and mini-warehouse facilities on property located on the south side of State Route 75 and running to the west side of State Route 701 in an SR (Shoreland Recreation) zone, Madison Magisterial District.

Mr. Ingle opened the public hearing to receive comments both in support of and in opposition to Par Ventures, Inc. request for a Special Use Permit.

Chip Barker, President, Par Ventures, Inc. explained it is his intent to have a car wash and mini-warehouse facility constructed next to a convenience market near the South Holston Lake.

Ottoline Browning, owner of property next to the Par Venture property, expressed her opposition to the request for a Special Use Permit. She raised several questions about the proposed project stating she would like Mr. Barker to provide the project plans. She raised concern about the water source and discharge, requirements for state and/or federal permitting, and questioned the specific location for the exit onto the main road. She advised there is currently no public water or sewer at this location.

Mrs. Browning expressed her preference that the project is relocated to Tennessee away from the homes at South Holston Lake stating the project is an industrial endeavor, the zoning area is designated as Shoreland, and the proposed project will devalue the surrounding properties.

Mr. Chip Barker commented that the Washington County Service Authority cannot run a water line to the site, however, he stated Intermont Utility District from Sullivan County has agreed to run a water line from Observation Knob at Intermont Park to the project site at his own expense. He affirmed he is required to obtain EPA and TVA permits, however, preparatory to applying for these, he must first obtain a Special Use Permit from Washington County. Mr. Barker assured the Supervisors that water will be treated before it is discharged into the Lake. He described the mini-storage warehouse facility as up-scale, explaining there will be 24 hour supervision of the warehouses, a security fence will surround it, and the property will be landscaped.

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

Discussion ensued with Supervisors and Mr. Reeter concerning the exit point from the property onto the highway, and the additional requirement for Par Ventures to obtain approval from the Board of Supervisors and the Washington County Service Authority to allow Intermont Utility District to construct a water line from Tennessee to the project site in Virginia.

In the audience was Dr. David Dawson of the WC Service Authority who responded to questions from the Board relative to the cost to provide water service to the Par Venture property.

On motion of Mr. Derting, second by Mr. Osborne, it was resolved to table Par Ventures, Inc. request for a Special Use Permit to construct and operate a car wash and mini-warehouse facilities on property located on the south side of State Route 75 and running to the west side of State Route 701 in a SR (Shoreland Recreation) zone, Madison Magisterial District, until March 10, 1998 when

the developer will provide complete plans of the project, and will have obtained cost information from the Washington County Service Authority concerning a water line to the project.

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

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

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d. Douglas and Shirley Cline: Request for a Special Use Permit to construct a multi-family dwelling unit on property located on the east side of State Route 91 near the intersection of Route 11/91 in a B-2 (Business, General) zone, Monroe Magisterial District.

Mr. Ingle opened the public hearing to receive comments both in support of and in opposition to the request for a Special Use Permit for Douglas and Shirley Cline.

Douglas Cline addressed the Supervisors requesting a special use permit in order to construct a multi-family dwelling in a B-2 zone.

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

On motion of Mr. Osborne, second by Mr. Roberts, it was resolved to follow the Planning Commission's recommendation and approve a Special Use Permit for Douglas and Shirley Cline to construct a multi-family dwelling unit on property located on the east side of State Route 91 near the intersection of Route 11/91 in a B-2 (Business, General) zone, Monroe Magisterial District.

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

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

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e. Carolyn Brickey: Request for a Special Use Permit to construct and operate a small business in general, more specifically, an independent used car dealership on property located on the south side of State Route 613 near the intersection of Route 613/619 in a CR (Conservation Recreation) zone, Jefferson Magisterial District.

Mr. Ingle opened the public hearing to receive comments both in support of and in opposition to request of Carolyn Brickey for a special use permit.

Ron Brickey addressed the Supervisors requesting permission to construct a small building for use as an office for a used car dealership.

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

On motion of Mr. Derting, second by Mr. Osborne, it was resolved to follow the recommendation of the Planning Commission and approve request of Carolyn Brickey for a Special Use Permit to construct and operate a small business in general, more specifically, an independent used car dealership on property located on the south side of State Route 613 near the intersection of Route 613/619 in a CR (Conservation Recreation) zone, Jefferson Magisterial District.
The vote on this motion was as follows: (7-0)

Mr. Ingle	***Aye***	***Mrs. Mumpower***	***Aye***	***Mr. Mathews***	***Aye***

Mr. Derting	***Aye***	***Mr. Osborne***	***Aye***	***Mr. Roberts***	***Aye***
Mr. Barker	***Aye***				

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f. *Harold Hubbard and Bobby Barrett*: Request for a Special Use Permit to construct a garage for storage of tractor trailers with provisions for service and maintenance on property located on the north side of I-81 on Route F835 in an A-2 (Agricultural, General) zone, Harrison Magisterial District.

Mr. Ingle opened the public hearing to receive comments both in support of and in opposition to request of Harold Hubbard and Bobby Barrett for a special use permit.

Bobby Barrett explained he is a co-owner of a trucking company, having five trucks, and would like to construct a 3,200 sq. ft. steel building to store tractor trailers. He assured the Supervisors there would be no night or Sunday activity at the site.

On motion of Mr. Mathews, second by Mrs. Mumpower, it was resolved to approve request of Harold Hubbard and Bobby Barrett for a Special Use Permit to construct a garage for storage of tractor trailers with provisions for service and maintenance on property located on the north side of I-81 on Route F835 in an A-2 (Agricultural, General) zone, Harrison Magisterial District.

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

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

6 **Permission to Sell Surplus Equipment**

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to authorize the sale of the following surplus equipment with the monies obtained reappropriated to the Data Processing Equipment Line Item:

1 each, IBM 5225-002 Twinax printer
1 each, Perle 494E Twinax/Ethernet with 8 MB remote controller
4 each, ADTRAN 56kbs DSW/3 modems

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

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

7 **Consideration of Resolution No. 98-3 Supporting Adolescent Intermediate Rehabilitation Services (AIRS) Program (Ernie Braganza, Director, Office on Youth)**

Mr. Ernie Braganza, Director, Office on Youth, addressed the Supervisors requesting support of Adolescent Intermediate Rehabilitation Services (AIRS) Project and their efforts to establish a local residential treatment facility for adolescents in Marion. He explained there are no residential facilities below Roanoke, and commented on the cost to provide residential care and the savings

that localities would realize by having a facility located in this region. Mr. Braganza presented a Resolution requesting the Supervisors endorsement of it.

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

RESOLUTION NO. 98-4

W*HEREAS*, the Washington County, Virginia Board of Supervisors is committed to serving children under the Community Services Act of 1992;

***WHEREAS*, there is an increasing population of adolescents in need of residential treatment programs in Southwest Virginia and**

***WHEREAS*, there is a lack of adolescent residential treatment programs in Southwest Virginia;**

***WHEREAS*, this causes an increasing financial burden upon local and state government;**

***WHEREAS*, it is apparent that AIRS will provide a reduction of overall cost and enable us to serve adolescents in this region;**

***NOW, THEREFORE, BE IT RESOLVED* that the Washington County Virginia Board of Supervisors does hereby give support to the proposed Adolescent Intermediate Rehabilitation Services AAIRS@ Program.**

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

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

11 **Recess**

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

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

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

8 a. **Consideration of Appropriating $500,000 Capitol Trigon Stock Funds for Partial Interim Funding for Watauga School Addition Project, Washington County School Board (Ron Walls, Director of Administration)**

and

b. **Phase III, Capitol Improvement Projects for the Washington County School System (Ron Walls, Director of Administration)**

Dr. George Stainback, Division Superintendent, and Mr. Ron Walls, Director of Administration, addressed the Board of Supervisors relative to issues of concern to the Washington County Public Schools.

Dr. Stainback informed the Supervisors that the School Board, at a future meeting, will be requesting approval to use approximately $500,000 Trigon stock funds for partial interim funding for the Watauga School addition from the FY 1998-99 school budget. He explained the cost for the project is $960,100.

Dr. Stainback gave a historical account of Phase I and II capital projects stating they have been completed. He presented Phase III of the capital improvement projects stating it includes upgrading heating systems at the four high schools. Dr. Stainback reported the school district has recently completed a five-year projection of their capital needs.

Dr. Stainback commented on various options being considered by the School Board for using the Trigon money.

Mr. Walls addressed the Supervisors concerning interim funding for the Watauga School project. He stated the School Board will submit a request for permission to borrow funds from the Trigon account and reimbursement resolution resolving to pay back the Trigon account with literary funds when they are received.

(Mrs. Mumpower left the meeting at 8:30 p.m.)

Discussion ensued with Mr. Ingle expressing concern over the use of Trigon funds.

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9 **Washington County Service Authority Update (Dr. David Dawson, General Manager)**

Dr. David Dawson, General Manager, Washington County Service Authority, spoke to the Supervisors giving a report on water service during the recent storm, and the Aboil@ notice that was issued for a specific area in the County.

Dr. Dawson commented on the status of the water treatment joint venture project with the Town of Chilhowie stating the expectation for service is December.

Dr. Dawson reported the hook-up fee has been increased to $750.00. With regard to various construction projects, he stated the existing sedimentation basins at the Route 58 Filtration Plant are being replaced; the Glade Sewer Project is progressing well and an invitation to connect will be issued soon.

Dr. Dawson advised that the Service Authority is working at providing better customer service. Additionally, he commented on the Commissioners= efforts to develop a business plan and long range capital improvements program.

Discussion of the status of the 604B Sewer Study ensued. County Administrator Mark Reeter provided proposed sewer project preliminary cost estimates and a map showing Phase IA, Lee Highway (main line to Community Services Building), Phase 1B, Lee Highway (main line to Community Services Building and additional areas along Lee Highway), Phase 2, Lee Highway (main lines to Exit 10 area), and Phase 3, Lee Highway (main lines from Exit 10 area to Industrial Park Road.

Dr. Dawson inquired about the status of the Trigon funds requesting that the Service Authority be included in communications. Mr. Reeter responded that the Board of Supervisors has made no plans for these funds, they are currently being held.

Dr. Dawson reported that Highlands Union Bank will hence forth be the financial advisor for the Service Authority.Individual Supervisors commended Dr. Dawson for the excellent job that he and the Board of Commissioners are doing, expressing appreciation for his service.

(Mr. Osborne left the room briefly)

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10 a. **Acceptance of VSTOP Grant, and Appropriation of $31,600 for Personnel and Travel, Washington County Sheriff's Office (Lt. Chuck Bishop)**

On motion of Mr. Mathews, second by Mr. Barker, it was resolved to accept the VSTOP grant effective January 1, 1998 to December 31, 1998, and appropriate the funds in the amount of $31,600 for personnel and travel to the Washington County Sheriff's budget.

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

Mr. Ingle Aye Mr. Mathews Aye Mr. Derting Aye Mr. Roberts Aye Mr. Barker Aye

(Mr. Osborne returned to the Board table.)

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b. **Update Concerning Grants for Washington County Sheriff's Department (Lt. Chuck Bishop)**

On motion of Mr. Barker, second by Mr. Mathews, it was resolved by a vote of to authorize the Sheriff's Office to apply for the following grant funds:

Local Law Enforcement Block Grant No. 97LBVX5197
$12,835.90, 90/10 match
(Increased patrol hours for existing part time patrol officers)

Local Law Enforcement Block Grant No. 98-ALL80LO-96
$2,103.00, 90/10
(Purchase of equipment)

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

Mr. Ingle Aye Mr. Mathews Aye Mr. Derting Aye Mr. Osborne Aye Mr. Roberts Aye Mr. Barker Aye

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12 **Request by Jones Brothers Construction, Inc. For Temporary Use of Lee Highway Property for Manufacture of Concrete Road Barriers for Use During I-81 Widening Project**

Mr. Jeff Davis, Project Engineer, Jones Brothers Construction, Inc. addressed the Supervisors requesting permission to use property adjacent on Lee Highway that is zoned as commercial for a period of four to six months on which to manufcture concrete road barriers to be used during the widening of I-81 between Exits 1 and 7.

Discussion ensued. There was consensus agreement among the Supervisors to allow this use, however, the County Attorney was asked to draw up an agreement covering the period of time and useage of the property. Mr. Jones was asked to meet with the County Attorney.

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13 **Citizen Comments**

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

Kathy Lowe, Executive Director, Faith in Action, appeared before the Board of Supervisors to introduce her non-profit agency to the County stating they have been in operation since 1995. She presented information pertaining to the volunteer services they provide to the community.

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14 **County Administrator Comments**

There were no reports.

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15 **County Attorney Reports**

There were no reports.

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16 **Consent Agenda**

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

a. ***Payment of Bills, January 1998***
b. ***Request for Reimbursement, Building Permit No. 11596, Daniel K. Thomas, Jr., $80.00***

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

Mr. Ingle Aye Mr. Mathews Aye Mr. Derting Aye Mr. Osborne Aye Mr. Roberts Aye Mr. Barker Aye

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17 **Board Member Reports**

Mr. Roberts reported he and Toby Boian of Mount Rogers Planning District will be touring Mock Hollow on Saturday, February 14, 1998, at 9:30 a.m. for the purpose of assessing their water/sewer needs. He invited the Supervisors to join them.

Mr. Osborne requested the Board of Supervisors send their best wishes to Morgan McClure Motor Sports, Inc. as they begin the 1998 race season at the Daytona 500 and celebrate the 50th anniversary of NASCAR racing.

Mr. Ingle commented on the list of Leadership Washington County graduates that was included as information in the January 26, 1998 board packet. He stated the list is being provided as a resource when considering appointments to Boards and Commissions.

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18 **Adjournment**

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

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

Mr. Ingle Aye Mr. Mathews Aye Mr. Derting Aye Mr. Osborne Aye Mr. Roberts Aye Mr. Barker Aye

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Bobby D. Ingle, Chairman