

**VIRGINIA:**

At a meeting of the Washington County Board of Supervisors held Tuesday, April 27, 1999, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

**PRESENT:**

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

Mark K. Reeter, County Administrator  
John A. Martin, County Attorney  
Mark W. Seamon, Accounting/Purchasing Manager  
Sandra M. Hatfield, CPS, Administrative Supervisor

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Call to Order

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

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1 Call to Order

2 **Invocation and Pledge of Allegiance – Joe W. Derting**

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

3 **Approval of Agenda**

*On motion of Mr. Ingle, second by Mr. Barker, it was resolved to approve the Agenda as presented.*

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

4 **Approval of Minutes:**

a. **Regular Meeting of April 13, 1999**

*On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to approve the minutes of the regular meeting of April 13, 1999 as written.*

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

5 **Planning & Zoning Public Hearing**

a. **Request for Special use Permit**

- i. **Lambert Oil Company: Request for a Special Use Permit to construct and operate a truck stop known as the “Cardinal Travel Center” consisting of a restaurant, retail shops, video arcade, petroleum sales and associated parking on property located northeast of the intersection of U. S. Route 11 and U. S. Route 91 in a B-2 (Business, General) Zone, Monroe Magisterial District**

Mr. Derting opened the public hearing explaining the format to be followed in making public comments both in support of and in opposition to the Lambert Oil Company request: Presentation by official spokesperson(s) for those in opposition to the request, followed by the public hearing for comments before the Board of Supervisors both for and against the request from those in attendance.

James Elliott, Attorney representing Cardinal Travel Center, in his opening comments described the travel center as a new business concept which provides a rest stop for the traveling public stating the plan provides for a truck/recreational vehicle/disposal servicing market, a convenience market, and franchise restaurant, and will not be a place where trucks come to get serviced or obtain parts.

Mr. Elliott reviewed the history and special use application process explaining that his clients, Nick Lambert, Jerry Lewis, and D. C. Walker, are now ready to proceed with the application for a special use permit.

Mr. Elliott introduced Mark Peace of Corporate Image. Mr. Peace addressed his comments to the major economic impact on Glade Spring and Washington County with the development of the Cardinal Travel Center, the creation of employment opportunities, and the potential increase in tax revenue to the County. Mr. Peace presented artist's renderings of the proposed facility and an aerial photograph showing the site.

Mr. Elliott commented on development of infrastructure in the Glade Spring community, specifically the vicinity of Exit 29, again showing aerial photographs to depict locations of specific business establishments, and illustrating the area has been developed as a B-2 zone and offers the same services that Cardinal Travel Center is proposing.

Mr. Elliott advised the Supervisors that the owners of Cardinal Travel Center are prepared to build a new lane on Route 91, install a lighting system on the property, and catchment pavement.

Mr. Elliott concluded his presentation by submitting a petition to the Supervisors that contained signatures of 570 people who are “... residents, business people and/or property owners of Washington County, Virginia who approve and support the construction of a travel center and restaurant by D C. Walker, Jerry Lewis and Nick Lambert at Exit 29 on Interstate 81, Glade Spring.”

Mr. David Scyphers, representing citizens in opposition to the special use permit by Lambert Oil Company, challenged the signed petition on the basis the signatures are not those of people who live in the area. In his comments, Mr. Scyphers requested the Supervisors "to consider and listen to the voice of people and voice of reason."

Mr. Scyphers asserted the travel center will allow for trucks to be parked and running their motors all night. Mr. Scyphers commented on a recent press release that appeared in the newspaper that reported prior to the public hearing that the special use permit for Cardinal Travel Center would be approved. He challenged the B-2 zoning approval and read the specific section he was citing directly from the County Code. He questioned the types of jobs that will be created; costs to the County associated with the truck stop; adequate roads to handle the number of trucks and the proposed location of the Center. Mr. Scyphers explained that the people he represents are not opposed to a truck stop, they are opposed to where it will be located.

Mr. Scyphers explained speakers in the audience are prepared to address the Supervisors commenting on transportation, safety of schools, crime, pollution problems, loss of historical area, and depreciation of property values requesting the Board to weigh their comments against that of possible profit. He cited the Planning Commission voted 7-0 in opposition to the Lambert Oil Company special use permit, and asked the Supervisors to uphold the Planning Commission's action. Mr. Scyphers concluded his presentation by stating Emory & Henry has gone on record as being opposed to the proposed truck stop.

The following speakers addressed the Board of Supervisors in support of the proposed Travel Center:

Robert Blevins, Sr., resident of Glade Spring, presented petition containing 130 signatures. Distributed photographs of the Exit 29 area taken on Saturday afternoon to illustrate the point there is no activity going on in the area, and suggesting it should be active with retail stores and businesses. He supports economic development that will occur with the development of the travel center.

Other speakers were Mary Ann Scarborough and John Gilmore, a professional truck driver. Both spoke in favor of the proposed travel center. Ms. Scarborough referred to the condition of the buildings at Exit 29 expressing her view they are an eyesore and that the Travel Center building is attractive and will be a welcome addition. She emphasized the point that jobs are needed in the area. Mr. Gilmore pointed out when he goes to work in the morning he sees trucks parked on over-ramps because there is no other place to stop.

The following is a summary of comments made by speakers who addressed the Board of Supervisors in opposition to the proposed Travel Center.

Bill Naylor commenting on his reasons for returning to Washington County to live because of the quality of life is good. He related that the citizens bring a significant tax and spending base to the County. He questioned the economic benefit that will result from the proposed Travel Center stating there will be a loss in property values and assets.

Theresa Burkholder, realtor, Bristol, Virginia, spoke on depreciating residential property values and the loss of tax revenue from the Glade community as a result of the Travel Center. Additionally, she stated truck stops attract criminal activity.

Paul Risseau, Indoor Farms, Meadowview, spoke of his reasons for locating and establishing his business in the Meadowview community, stating it is unique. He expressed his view that by putting in a truck stop at Exit 29, it will look like every other interchange off the I-81 corridor.

Mike Murphy, Glade Spring, addressed his comments on traffic congestion from I-81 south on Route 91 as a result of trucks exiting the Travel Center. He presented information relative to truck measurements and required distances for trucks turning on to and off of I-81 and Route 91.

Charles Goulsby, Glade Spring, addressed his comments on community planning relative to personal safety and crime, expressing his concern about sufficient law enforcement protection. He expressed his concern over pollution and exhaust from truck motors running. He read excerpts from news and magazine articles related to security, traffic congestion and increasing crime.

Nancy Cook, Glade Spring, commented on the safety of school busses, stating traffic from the proposed truck stop will be create a hazard for school busses.

Amanda Stewart, Glade Spring, opposed the location of the truck stop because of its proximity to Glade Spring, expressing concern about safety of school busses.

Tony Rector, asked the Supervisors to look at retail growth stating Glade Spring wants positive growth. He stated the truck stop is not a good business center.

Whitney Copenhaver, Glade Spring, commented on her concern about pollution and noise from the proposed truck stop.

Tully Sales, Glade Spring, spoke of his concern about pollution, traffic, safety, economic growth, stating it will be affected. He expressed his opposition.

Sara Hutton, Glade Spring, commented the truck stop will be noise intrusive, and opposes it. She expressed her concern for safety, and stated a truck stop will not serve Washington County.

Henrietta Umbarger , opposing the travel center, commented on the economic impact of the historical area of Washington County, illustrating her point with an overhead slide presentation of many historic buildings and sites in the Glade Spring and surrounding communities.

Don Wright, Glade Spring, commented on planned growth and development compatible with community needs. He stated the proposed truck stop would be located in the midst of historical sites and residences. Mr. Wright referenced specific zoning ordinances and urged the Board of Supervisors to put commercial ventures in places that are compatible with their intent. He asked the Board to uphold the Planning Commission's vote to deny the special use permit to Lambert Oil Company.

Tal Stanley, co-President, Meadowview PTA, referenced the truck stop located in Wytheville, near where he once lived, stating when it was built, residents moved away and revenue was lost. He stated he is co-President of the Meadowview PTA and is speaking for all parents at Meadowview Elementary School who are concerned about the well being of their children.

Donna Clay, Monroe District, stated she is disappointed and feels the information given to the Planning Commission relative to the B-2 zoning ordinance change in which "truck stops" was inserted in violation to the intent of the zoning ordinance. She stated she was not aware that she, as Commissioner, was changing a law. She requested a review of the evidence that was presented to the Commissioners. She stated the information was deceptive and is unhappy about it. She recounted unsuccessful efforts to locate the design group to obtain information and get answers to her questions. She stated she has available a 49 page study of disease of people who live around truck stops and how they die.

Terry Brown, former resident of Glade Spring, spoke on water quality issues associated with truck stops.

Mrs. Karen Gardner spoke from the audience stating there were 36 people standing outside the Board Meeting room who have signed a petition opposed to the truck stop.

John Morefield addressed the Board requesting that Glade Spring is not sacrificed for tax dollars, and reminded the Supervisors that the Planning Commission defeated the issue.

Shirley "Sis" Bailey, resident of Clinchburg, addressed her comments on the crime that occurs at truck stops and the tax dollars that will be required to enforce the law and deter criminal activity.

David St. Clair, Minister living in Emory, posed several questions for the Board to consider relative to safety, and the benefit of the travel center to the community. He requested the special use permit be denied.

Linn Railey, asked that the truck stop be located some other place expressing concern about sewage, and odor from exhaust and fuel.

There being no other speakers, Mr. Derting called upon David Scyphers and Jim Elliott to respond to comments made, asking they summarize their positions before the public hearing is closed. Both attorneys defended their position. Mr. Scyphers proposed that the truck stop be located at Exit 22 stating it would be more compatible to that area.

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

Mr. Mathews responded to Mr. Scyphers stating that Exit 22 does not have any vacant land available, therefore, it would not be possible for the owners to consider such a location.

Mr. Osborne opened the comment period by reporting on the amount of tax dollars that have been directed to the developing infrastructure and an industrial park eastern Washington County to support the community stating it totals \$31M.

Mrs. Mumpower expressed reservations about a travel center being constructed at Exit 29 stating she has visited the site several times and observed the traffic patterns. Further, she stated the Board of Supervisors makes appointments to the Planning Commission and she trusts and relies upon the decisions her appointee makes.

Bobby Ingle disputed the beliefs expressed about the amount of crime that will occur at the proposed travel center, stating he doesn't believe it will be allowed to occur. He cited an example of when the truck shop on Lee Highway near John Battle High School was built. Mr. Ingle defended the development of eastern Washington County for industry, pointing out that truck traffic plays a major role in commercial development, that regardless of the type of development at Exit 29 there will be truck traffic going to the Glade Highlands Industrial Park.

Mr. Roberts commended the speakers for their presentation and for the packets of information that have been assembled for the Board of Supervisors. He stated he has visited the site several times and has received many telephone calls. He stated he has asked the callers for their ideas of possible uses for the site, commenting he received similar responses Mr. Osborne received. Mr. Roberts stated he has studied the issues of safety and transportation, speaking to VDOT officials who report they have new road designs under consideration that will alleviate much of the concern about traffic. Mr. Roberts spoke in support of the County's investment in developing eastern Washington County, stating there is now an opportunity to realize the benefit of this investment and move forward with development. He emphasized there have been no other development proposals for this site brought before the Board of Supervisors to consider.

Mr. Barker stated in his comments to the audience that since Mr. Osborne has served on the Board of Supervisors many improvements have been accomplished in the Monroe District and that he is to

be applauded for his efforts and work for the citizens. He encouraged Mr. Jim Elliott to market the travel center concept to the citizens in the community adding that if it gets to the point where the community can't control what comes into it and out of it, then the process has not worked.

Mr. Derting commented that growth and development will occur along interstates pointing out that trucks are the major transporters. He related water and sewer systems were developed to serve the people of Emory, Glade Spring and Meadowview communities as well as serve future businesses in the industrial park. He emphasized that building the infrastructure will provide future opportunities for citizens to have a place to work who will not have to leave the area to find employment. He stated the travel center would provide an opportunity for future development at the interchange.

Mr. Osborne stated that the decision on the travel center has been a difficult one to consider and has been controversial. He pointed out that there are 20 businesses at the interchange already, and the travel center will be located no closer to churches and schools than these businesses, the present zoning is designated as Business, General, it will provide for future job opportunities to become available.

Mr. Osborne questioned Mr. Martin concerning the County's position should action be taken to deny the special use permit in view of the businesses already operating in the surrounding properties. Mr. Martin responded that the Supreme Court of Virginia considers these questions as largely legislative and in reviewing these cases with regard to the legislative decision, it is based largely upon reasonableness, and whether or not the decision is reasonable is a question for facts. He stated he felt the court would look very strongly at the other businesses around in determining whether or not this is a reasonable location. Further, he stated that evidence will play a major part in whichever venue initiates a lawsuit. He stated he felt it was a very significant fact and the courts will weigh it very heavily.

***On motion of Mr. Osborne, second by Mr. Ingle, it was resolved to approve the special use permit for Lambert Oil Company Special Use Permit to construct and operate a truck stop known as the "Cardinal Travel Center" consisting of a restaurant, retail shops, video arcade, petroleum sales and associated parking on property located northeast of the intersection of U. S. Route 11 and U. S. Route 91 in a B-2 (Business, General) Zone, Monroe Magisterial District with certain stipulations as originally outlined by the County Administrator and negotiated between the County Attorney and the attorney for Cardinal Travel Center, with final approval of same by the Board of Supervisors at its May 11, 1999 meeting.***

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

<b><i>Mr. Derting</i></b>	<b><i>Aye</i></b>	<b><i>Mr. Barker</i></b>	<b><i>Nay</i></b>	<b><i>Mr. Ingle</i></b>	<b><i>Aye</i></b>
<b><i>Mr. Mathews</i></b>	<b><i>Aye</i></b>	<b><i>Mr. Osborne</i></b>	<b><i>Aye</i></b>	<b><i>Mr. Roberts</i></b>	<b><i>Aye</i></b>
<b><i>Mrs. Mumpower</i></b>	<b><i>Nay</i></b>				

At the conclusion of the vote, Mr. Kenneth Cook, Glade Spring resident, addressed Mr. Osborne expressing his dissatisfaction with the Board's action, asked that Mr. Osborne resign from the Board of Supervisors.

6                    **Recess**

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

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>		
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>		
<i>Mrs. Mumpower</i>	<i>Aye</i>		

7 **Presentation of County Administrator's Proposed and Recommended County Operating Budget for FY 1999-2000**

Received County Administrator's proposed and recommended County Operating Budget for FY 1999-2000. It is noted departments and agencies will have an opportunity to appear before the Board of Supervisors on May 4<sup>th</sup> and 6<sup>th</sup>, 1999 to present additional information on their budget requests. Additionally, it is noted that the public hearing on the County operating budget is scheduled for Thursday, May 13, 1999, 7:00 p.m., in the County Administration Building.

8 **Consideration of Employee Health Insurance Benefits for FY 1999-2000 (Mark Seamon, Accounting & Purchasing Manager)**

Mr. Seamon reported that on April 19, 1999, the Washington County School Board voted to accept the health insurance coverage for FY 1999-2000 offering a two tier plan consisting of the Cost Alliance with Dental Plan and Key Advantage Plan. He stated the County will pay \$169 per month toward the individual Cost Alliance with Dental Plan and the employee will be required to pay the remaining \$8.00 toward that plan. Mr. Seamon explained each employee will have the option to buy up to the Key Advantage Plan for an additional \$35.00 per month for individual coverage.

Mr. Seamon advised the Board there are 222 health insurance contracts in effect for employees of Central Government, Social Services and the Library that the County will be required to pay \$89,900.00 out of the Washington County Trigon Reserve Fund for its share of the buy-down.

*On motion of Mrs. Mumpower, second by Mr. Roberts, it was resolved to adopt the following health insurance plans for FY 1999-2000 for Central Government, Social Services and Library employees effective July 1, 1999:*

**Cost Alliance Plan**

*Single Monthly Premium: \$177.00 Paid by Employer: \$169.00 Paid by Employee: \$ 8.00*  
*Dual Monthly Premium: \$354.00 Paid by Employer: \$169.00 Paid by Employee: \$185.00*  
*Family Monthly Premium: \$458.00 Paid by Employer: \$169.00 Paid by Employee: \$289.00*

**Key Advantage Plan**

*Single Monthly Premium: \$212.00 Paid by Employer: \$169.00 Paid by Employee: \$ 43.00*  
*Dual Monthly Premium: \$424.00 Paid by Employer: \$169.00 Paid by Employee: \$255.00*  
*Family Monthly Premium: \$593.00 Paid by Employer: \$169.00 Paid by Employee: \$424.00*

*Further, it was resolved to appropriate \$89,900.00 to Local Choice from the Washington County Trigon Reserve Fund on June 30, 1999 for Washington County's share of the buy-down.*

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>		
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>		
<i>Mrs. Mumpower</i>	<i>Aye</i>		

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.

9 **Consideration of Joint Meeting with Glade Spring Town Council**

Discussion ensued relative to scheduling a meeting with the Town of Glade Spring to discuss sewer problems in Glade Spring. There was consensus agreement to refer the matter to the Washington County Service Authority, and encourage them to take such action as is in their best interests.

10 **Quarterly County Budget Status Report – March 31, 1999 (Mark Seamon, Accounting/Purchasing Manager)**

Received quarterly budget status report as of March 31, 1999. It was noted that the Special Magistrates Budget and Jail Operations Budget balances are low and there are three months remaining in the fiscal year.

11. **County Administrator Comments**

The following action was taken on County Administrator Comments:

a. **Presentation Concerning Regional Jail**

Discussion ensued relative to interest in scheduling a meeting to discuss a regional jail facility. There was consensus agreement to schedule a meeting which will be arranged by the County Administrator.

b. **Board Consideration of School Board Early Retirement Program at May 4 Agenda/Department Budget Hearing**

Received communication from Dr. George H. Stainback, Division Superintendent, Washington County Public Schools requesting that the Board of Supervisors consider the revised Washington County Early Retirement Plan. He stated the request is due to the need for the School System to begin filling vacant positions of retiring employees.

Discussion ensued relative to the revised formulas, which resulted in reducing back the percentages of compensation each retiree will be paid when they retire. There was consensus agreement to place the request on the May 4, 1999 agenda.

12. **Assistant County Administrator Comments**

a. **Status Report on Courthouse Parking Needs Assessment**

Ms. Christianne E. Parker, Assistant County Administrator, reported the Courthouse Parking Committee met and after review of bids received, the full committee endorsed Thompson & Litton recommending they be awarded a contract to do feasibility study at a price of \$20,000. Ms. Parker reported further that the recommendation is going before the Town Council for approval May 3, 1999 and will be presented to the Board of Supervisors on May 11, 1999. Ms. Parker stated Washington County would be the fiscal agent.

Ms. Parker announced Mr. Osborne would be replacing his appointee on the Courthouse Parking Committee. Ms. Parker explained that due to scheduling conflicts, the appointee has been unable to attend the meetings.

13. **County Attorney Comments**

Mr. Martin stated he would be bringing matters dealing with potential litigation to the Board. There was agreement to discuss these matters in executive session.

14. **Consent Agenda**

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

- a. Supplemental Appropriations:
  - i. Sheriff's Office:
 

:: Miscellaneous	31200/5890	\$ 500.00
:: Restit. Drug Enforcement	31200/5880	\$ 917.50
:: Vehicle Maintenance	31200/6009	\$1,208.11
:: Transport of Prisoners	31200/5510	\$ 538.44
:: Motor Vehicles	31200/8205	\$2,500.00
:: Inmate Recreation	33100/6022	\$ 118.20
:: Food Supplies	33100/1200	\$ 28.00
:: Jail Part-time Compensation	33100/1200	\$ 24.99
:: Med. Pres.	33100/6004	\$ 30.05
  - ii. Law Library Fund, \$1,665.60
  - iii. Office on Youth Budget, \$439.00, Department of Juvenile Justice, Miscellaneous, Line Item 5890
- b. Revenue Refund, Reimbursement Com. Crime Prevention Grant, \$1,625.87
- c. Cancelled Check No. 088812, Green Spring Sport Center, \$45.00

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

<b><i>Mr. Derting</i></b>	<b><i>Aye</i></b>	<b><i>Mr. Barker</i></b>	<b><i>Aye</i></b>	<b><i>Mr. Ingle</i></b>	<b><i>Aye</i></b>
<b><i>Mr. Mathews</i></b>	<b><i>Aye</i></b>	<b><i>Mr. Osborne</i></b>	<b><i>Aye</i></b>	<b><i>Mr. Roberts</i></b>	<b><i>Aye</i></b>
<b><i>Mrs. Mumpower</i></b>	<b><i>Aye</i></b>				

15. **Board Member Reports**

Mr. Roberts gave a brief report on the White Top Station Groundbreaking event that he attended with Christianne Parker, stating there was a good turnout.

Mr. Barker requested Mr. Martin be included on the interview panel for the County Attorney position.

- a. **Cinenergy Funds from City of Bristol, Virginia (Kenneth G. Mathews)**

At the request of Mr. Mathews, Mr. Derting provided status and clarification of cinergy funds from City of Bristol, Virginia.

16. **Citizen Comments**

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

The following persons addressed the Board of Supervisors:

Patrick Mannix; Tom Whittaker

17. **Executive Session Pursuant to §2.1-344(A)(3) of the 1950 Code of Virginia, as amended, for discussion or consideration of the condition, acquisition or use of real property for public purpose; and §2.1-344(A)(5) of the 1950 Code of Virginia, as amended concerning a prospective business or industry where no previous announcement has been made of the business or industry’s interest in locating or expanding its facilities in the community**

*On motion of Mr. Barker, second by Mr. Ingle, it was resolved to go into executive session pursuant to §2.1-344(A)(3) of the 1950 Code of Virginia, as amended, for discussion or consideration of the condition, acquisition or use of real property for public purpose; and §2.1-344(A)(5) of the 1950 Code of Virginia, as amended concerning a prospective business or industry where no previous announcement has been made of the business or industry’s interest in locating or expanding its facilities in the community.*

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

There was consensus agreement to invite Mr. Owens, Ms. Parker, and Messrs. Reeter and Martin into executive session.

*On motion of Mrs. Mumpower, second by Mr. Roberts, 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)*

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

*On motion of Mr. Barker, second by Mr. Osborne, 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)**

<b>Mr. Derting</b>	<b>Aye</b>	<b>Mr. Barker</b>	<b>Aye</b>	<b>Mr. Ingle</b>	<b>Aye</b>
<b>Mr. Mathews</b>	<b>Aye</b>	<b>Mr. Osborne</b>	<b>Aye</b>	<b>Mr. Roberts</b>	<b>Aye</b>
<b>Mrs. Mumpower</b>	<b>Aye</b>				

**On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to approve a supplemental appropriation in the amount of \$200,000.00 from 1998-1999 unbudgeted carry over money to the Industrial Development Authority of Washington County.**

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

<b>Mr. Derting</b>	<b>Aye</b>	<b>Mr. Barker</b>	<b>Aye</b>	<b>Mr. Ingle</b>	<b>Aye</b>
<b>Mr. Mathews</b>	<b>Aye</b>	<b>Mr. Osborne</b>	<b>Aye</b>	<b>Mr. Roberts</b>	<b>Aye</b>
<b>Mrs. Mumpower</b>	<b>Aye</b>				

**On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to disburse \$300,000.00 from the FY 1998-1999 County Budget, Line Item 94590-5649, to the Industrial Development Authority of Washington County along with the \$200,000 of carry over funds from FY 1997-1998, making the total appropriation \$500,000. Disbursement of these funds shall be made upon request of the Industrial Development Authority.**

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

<b>Mr. Derting</b>	<b>Aye</b>	<b>Mr. Barker</b>	<b>Nay</b>	<b>Mr. Ingle</b>	<b>Aye</b>
<b>Mr. Mathews</b>	<b>Nay</b>	<b>Mr. Osborne</b>	<b>Aye</b>	<b>Mr. Roberts</b>	<b>Aye</b>
<b>Mrs. Mumpower</b>	<b>Aye</b>				

18 **Recess to May 4, 1999 for the Purpose of Meeting with Departments and Agencies Relative to FY 1999-2000 Budget Requests**

**On motion of Mr. Barker, second by Mr. Osborne, it was resolved to recess to Tuesday, May 4, 1999, 7:00 p.m.**

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

<b>Mr. Derting</b>	<b>Aye</b>	<b>Mr. Barker</b>	<b>Aye</b>	<b>Mr. Ingle</b>	<b>Aye</b>
<b>Mr. Mathews</b>	<b>Aye</b>	<b>Mr. Osborne</b>	<b>Aye</b>	<b>Mr. Roberts</b>	<b>Aye</b>
<b>Mrs. Mumpower</b>	<b>Aye</b>				

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Joe W. Derting, Chairman