V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, September 14, 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
Lucy E. Phillips Bright, County Attorney
Mark W. Seamon, Accounting/Purchasing Manager
Sandra M. Hatfield, CPS, Administrative Supervisor

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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 – Jack Barker**

Mr. Jack Barker gave the Invocation and led in the Pledge of Allegiance.

3 **Approval of Agenda**

On motion of Mrs. Mumpower, second by Mr. Roberts, it was resolved to approve the Agenda as presented.

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

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

4 **Approval of Minutes –**

The following action was taken on approval of the Minutes:

a. **Recessed Meeting of August 24, 1999**
b. **Regular Meeting of August 24, 1999**

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to approve the minutes of the recessed meeting of August 24, 1999, as presented, and further, it was resolved to approve the minutes of the regular meeting of August 24, 1999 with the following corrections:

Page 9385, Agenda Item 10, Consideration of Request from Damascus Life Saving Crew to Release Funds for Purchase of Class A Ambulance

Change recorded vote on the motion to appear as "6-0-1" rather than 6-1.

Page 9387, Agenda Item 12, Consideration of Facility Needs for Children's Advocacy Center of Bristol

Correct misspelling of Rana Duncan-Daston

Page 9389, Agenda Item 16, Administration Building, Roof Replacement (Frank Canter, General Services Manager)

Correct vote to appropriate $30,000 from Reserves for Contingency to repair the middle section of the roof at the County Administration Building to be recorded as follows:

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

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

Page 9390, Agenda Item 20., Board Member Reports

Correct reporting Supervisor from Mr. Derting to Mr. Mathews who reported "… meeting with American Electric Power, Bluefield officials, stating efforts are being made to assure a quicker response to the service calls they receive …"

The vote on the motion to approve the minutes of the recessed meeting of August 24, 1999 and the regular meeting of August 24, 1999 was as follows: (7-0)

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

5 **Planning & Zoning Public Hearings**

The following action was taken on Planning and Zoning public hearings:

Intent to Rezone:

a. *Farmers Warehouse, Inc.*: Request to rezone approximately 10.79 acres of property located on the south side of State Route 11 near the intersection of State Route 808/11 from A-2 (Agricultural, General) to B-2 (Business, General), Wilson Magisterial District.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Farmers Warehouse, Inc. to rezone approximately 10.79 acres of property located on the south side of State Route 11 near the intersection of State Route 808/11 from A-2 (Agricultural, General) to B-2 (Business, General), Wilson Magisterial District.

Michael Cozart, Secretary/Treasurer, Cozart Warehouses addressed the Board of Supervisors explained the purchase of property from Pittston Coal for a commercial venture.

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

On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to follow the recommendation of the Planning Commission and rezone approximately 10.79 acres of property owned by Farmers Warehouse, Inc. located on the south side of State Route 11 near the intersection of State Route 808/11 from A-2 (Agricultural, General) to B-2 (Business, General), Wilson Magisterial District.

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

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

b. *Paramont Va. Realty, LLC*. Request to rezone approximately 4.836 acres of property located off of State Route 1718 bordering the Westinghouse property from M-1 (Industrial, Limited) to R-2 (Residential, General), Harrison Magisterial District.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to request by Paramont Va. Realty, LLC. to rezone approximately 4.836 acres of property located off of State Route 1718 bordering the Westinghouse property from M-1 (Industrial, Limited) to R-2 (Residential, General), Harrison Magisterial District.

Jeff Johnson, Paramont Va. Realty, LLC, and speaking for Jim Jones, addressed the Supervisors requesting the property be rezoned from M-1 to R-2 stating it joins property that is already zoned R-2. He explained his company intends to build executive type homes on the property.

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

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to follow the recommendation of the Planning Commission and rezone approximately 4.836 acres of property owned by Paramont Va. Realty, LLC located off of State Route 1718 bordering the Westinghouse property from M-1 (Industrial, Limited) to R-2 (Residential, General), Harrison Magisterial District.

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

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

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Request for Special Use Permit:

c. *Farmers Warehouses, Inc.:* Request for a Special Use Permit to construct a 18,500 square foot facility for the purpose of a bakery distribution center on property located on the South side of State Route 11 near the intersection State Route 808/11 in a B-2 (Business, General) zone, Wilson Magisterial District.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Farmers Warehouses, Inc. for a Special Use Permit to construct an 18,500 square foot facility for the purpose of a bakery distribution center on property located on the South side of State Route 11 near the intersection State Route 808/11 in a B-2 (Business, General) zone, Wilson Magisterial District.

Mr. Michael Cozart was in the audience to respond to questions from the Supervisors.

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

On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to follow the recommendation of the Planning Commission and approve special use permit for Farmers Warehouses, Inc. to construct a 18,500 square foot facility for the purpose of a bakery distribution center on property located on the South side of State Route 11 near the intersection State Route 808/11 in a B-2 (Business, General) zone, Wilson Magisterial District.

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

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

d. *Bryan C. Williams*: Request for a Special Use Permit to construct and operate a small business in general, more specifically, a lawn mower repair service on property located on the north side of State Route 735 near the intersection of Route 11/735 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application of Bryan C. Williams for a Special Use Permit to construct and operate a small business in general, more specifically, a lawn mower repair service on property located on the north side of State Route 735 near the intersection of Route 11/735 in an A-2 (Agricultural, General) zone.

Bryan Williams appeared before the Supervisors stating he works with farm machinery and would like to have place to operate a small engine repair service. Additionally, he explained he does a lot of farming.

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

On motion of Mr. Osborne, second by Mr. Roberts, it was resolved to follow the recommendation of the Planning Commission and approve Special Use Permit for Bryan C. Williams to construct and operate a small business in general, more specifically, a lawn mower repair service on property located on the north side of State Route 735 near the intersection of Route 11/735 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.

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

Mr. Derting	***Aye***	***Mr. Barker***	***Aye***	***Mr. Ingle***	***Aye***

Mr. Mathews	***Aye***	***Mr. Osborne***	***Aye***	***Mr. Roberts***	***Aye***
Mrs. Mumpower	***Aye***				

e. *Stella Marie Ryan on behalf of George Marshall*: Request for a Special Use Permit to construct a storage facility to house three tractor trailers on property located on the East side of State Route 80 near the intersection of Route 80/797 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application on behalf of George Marshall for a Special Use Permit to construct a storage facility to house three tractor trailers on property located on the East side of State Route 80 near the intersection of Route 80/797 in an A-2 (Agricultural, General) zone.

George Marshall appeared before the Board of Supervisors explaining he wants to construct a new building to store his tractors and have a place to work on them.

Mr. Mathews asked Mr. Marshall if he was aware the planning commission approved a special use permit with a stipulation that (1) there are to be no more than four tractor-trailers stored in the proposed facility, and (2) there is a maximum size placed on the garage. Mr. Marshall confirmed his knowledge of the two stipulations.

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

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to approve Special Use Permit to Stella Marie Ryan on behalf of George Marshall to construct a storage facility to house three tractor trailers on property located on the East side of State Route 80 near the intersection of Route 80/797 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.

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

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

f. Charlie Brewer*: Request for a Special Use Permit to maintain a family cemetery on property located on the North side of State Route 614 near the intersection of Route 614/873 in a CR (Conservation Recreation) zone, Tyler Magisterial District.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application of Charlie Brewer for a Special Use Permit to maintain a family cemetery on property located on the North side of State Route 614 near the intersection of Route 614/873 in a CR (Conservation Recreation) zone, Tyler Magisterial District

Charlie Brewer appeared before the Supervisors explaining his desire to have a family cemetery on his property.

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

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to grant a special use permit to Charlie Brewer for the purpose of maintaining a family cemetery on property located on the North side of State Route 614 near the intersection of Route 614/873 in a CR (Conservation Recreation) zone, Tyler Magisterial District.

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

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

10 **Consideration of Governor's Opportunity Fund Performance Agreement Between Morrill Motors, Washington County IDA and Board of Supervisors**

On motion of Mr. Ingle, second by Mr. Mathews, it was resolved to approve agreement between Washington County Board of Supervisors, the Industrial Development Authority of Washington County, and Morrill Motors, Inc. of Erwin, Tennessee for the purpose of the commitment of Morrill Motors, Inc. to create $3.5 million in private investment and 65 new jobs in Washington County, Virginia.

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

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

11 **Consideration of Request for Proposals for Consulting Services, County Comprehensive Plan**

On motion of Mr. Roberts, second by Mr. Mathews, it was resolved to authorize advertising Request for Proposals to solicit consultants to prepare a new County Comprehensive Plan.

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

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

13 **Consideration of Resolution Concerning Street Signs to Virginia Department of Transportation**

On motion of Mr. Roberts, second by Mr. Osborne, it was resolved to approve the following Resolution 99-23, Installation and Maintenance of Certain Street Signs:

RESOLUTION NO. 99-23

INSTALLATION AND MAINTENANCE OF CERTAIN STREET SIGNS PURSUANT TO §33.1-210.2 OF THE 1950 CODE OF VIRGINIA

WHEREAS, pursuant to § 33.1-210.2 of the 1950 Code of Virginia, as amended, the governing body of any county may by resolution request the Commissioner of the Virginia

Department of Transportation (VDOT) to install and maintain, at locations specified in such resolution, signs alerting motorists that children may be at play nearby, and

WHEREAS, the County has received a number of requests for the placement of such cautionary street signs;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it respectfully requests VDOT to erect the following cautionary street signs at various locations within Washington County:

"Slow – Children At Play" signs, as follows:

1. ***State Route 1818 (Macedonia Road) intersecting with State Route 877 (Watauga Road) winding around to State Route 1810 (Eden Lane) to intersection of State Route 877 within the Blue Springs Subdivision.***
2. ***U.S. Highway 58 intersecting with State Route 712 (Bluff Hollow Road) to State Route 711 (Alvarado Road).***
3. ***Along State Route 795 (Hawke Road).***
4. ***Along State Route 748 (Buchanan Road/Clinchburg Road).***
5. ***Along State Route 617 (Livingston Creek Road) in the vicinity of 4493 Livingston Creek Road.***
6. ***Along Rambo Street within the Town of Damascus.***
7. ***Along Heather Drive in the High Meadows Subdivision.***
8. ***Along State Route 633 (Reedy Creek Road) in the Washington Heights and Woodsdale Subdivisions.***
9. ***Along Wagner Road (State Route 680) in the Larwood Acres Subdivision***
10. ***Along Orleans Road.***

"Watch for Bicycles & Pedestrians" sign as follows:

1. ***State Route 862 (Green Cove Road) in the vicinity of the Virginia Creeper Trail crossing.***

BE IT FURTHER RESOLVED that the cost of installation and maintenance of such signs comes out of the secondary roads system construction allocation to Washington County.

BE IT FURTHER RESOLVED that this Resolution be forwarded to the VDOT Abingdon Area Resident Engineer.

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

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

14 **Consideration of Resolution Concerning Preservation of Virginia's Burley Tobacco Markets (Chairman Joe Derting)**

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

RESOLUTION NO. 99-22
RESOLUTION PRESERVATION OF VIRGINIA'S BURLEY TOBACCO MARKETS

WHEREAS, for over sixty years the production and marketing of Burley Tobacco has had a very positive impact on the livelihood of thousands of farmers in Washington County, and

WHEREAS, during this past year Washington County farmers received over $9,000,000 from the sale of Burley Tobacco, and Southwest Virginia farmers received over $37,000,000 from the sale of Burley Tobacco during this period, and

WHEREAS, Burley Tobacco warehouse commissions were established by the Commonwealth of Virginia in 1947 and remain unchanged since that time, and

WHEREAS, in most other Burley Tobacco producing states, warehouse sales commissions are higher than those in Virginia and, in some states, warehouse sales commissions are unregulated. The sales charges in adjacent states have averaged about 6% of gross value during recent years, and

WHEREAS, during the past six marketing seasons the Virginia Burley Tobacco warehouses have operated under a special United States Department of Agriculture license that resulted in Virginia warehouse sales charges of approximately 3.75%. This compares to charges of over 6% in a nearby state, and

WHEREAS, Virginia Burley Tobacco warehouse marketing charges could be changed by the Virginia General Assembly during the next session. These changes could affect tobacco producing in the year 2000 and beyond. The issuance of the USDA license for 1999 marketing season would help ensure that the Abingdon tobacco market will operate again this year. Virginia producers would not be required to transport their burley tobacco long distances to other states, and

WHEREAS, the production and marketing of burley tobacco is of extreme importance to Washington County farmers and to the overall economy of the area, and

WHEREAS, the Washington County, Virginia Board of Supervisors would like to encourage the continued operation of the Abingdon tobacco market;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the Board shall contact their representatives to the United States Congress relative to possible reinstatement of the USDA burley marketing license for the 1999 Virginia burley crop.

BE IT FURTHER RESOLVED that the Board of Supervisors encourages their representatives to Virginia General Assembly to find a solution to this matter in the next session of the Virginia General Assembly.

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

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

7 **Animal Control Spay & Neuter Program (Dulcie M. Mumpower)**

Maria Bralley, Animal Control Assistant, appeared before the Board of Supervisors on the topic of animal control spay and neuter program.

In preliminary comments, Supervisor Dulcie Mumpower commended the committee members and the veterinarians in the community for their efforts to resolve concerns of animal overpopulation in Washington County. She explained the Committee discussed establishing a clinic, however, the veterinarians do not have adequate time to devote toward it. Ms. Mumpower stated the committee is considering setting up a voucher system to be used by low income families following certain eligibility guidelines.

Ms. Bralley encouraged the Supervisors to give future consideration to establishing an animal clinic, and expounded on the merits of a voucher system for the spay and neuter program. She reported the committee discussed the feasibility of increasing the cost of dog tags for male and females, and to maintain the same fee for unsexed dogs.

Discussion ensued. County Attorney Lucy Bright expressed concern about the following legal issues that need to be researched: (1) Not for profit status; (2) setting up a voucher system using the Department of Social Service low-income eligibility guidelines. She stated she would present a report to the Board at their October 12, 1999 meeting.

Mr. Mark Seamon commented that the voucher system would create a paper trail for audit purposes.

Mr. Reeter reported that the Animal Control Department has increased their enforcement of dog licensing requirements.

Further discussion ensued. There was consensus agreement to allow the committee to formulate and propose a three month pilot spay and neuter program that would be evaluated at the end of the three month period.

8 **Recess**

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

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

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

9 **Tri-Cities TN/VA All-America City Award (Liesa Jenkins, All America Steering Committee Member)**

Ms. Liesa Jenkins, All America Steering Committee, appeared before the Board of Supervisors to present a plaque in recognition and appreciation for Washington County's regional participation for the 1999 Tri-Cities TN/VA All-America City Award .

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

Resolution No. 99-28

WHEREAS, Northeast Tennessee and Southwest Virginia enjoy a heritage rich in history and tradition that demonstrates the strength of the region – its people, and

WHEREAS the growth of regional cooperation continues, building on minor successes through collaboration between businesses, governments and non-profit agencies, and

WHEREAS, for 50 years the National Civic League has served as a catalyst for communities to work to improve the quality of life and standard of living for all through the All America City process, and

WHEREAS, in recent years three communities – Abingdon, Johnson City and Kingsport – have competed in the All America City program, with Abingdon and Kingsport reaching the finals, and

WHEREAS, the Tri-Cities of Tennessee and Virginia share many commonalities – economics, pride in our culture and heritage, family ties, etc., enabling us to work together on many types of local and regional issues and projects, and

WHEREAS, a committee representing 43 communities, 13 counties, and 4 regional planning districts in two states joined forces to combine resources, energy, expertise and commitment to develop an application to become the first All America City region in the history of the National Civic League's program, and

WHEREAS, on June 6, 1999 in Philadelphia, at the 50th gathering of the National Civic League's All America City meeting, Tri-Cities Tennessee/Virginia became part of an exclusive group – ALL AMERICA CITY 1999, and

WHEREAS, in the 50 year history of this award, only 400 communities have received this prestigious recognition;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the month of September, 1999 be declared "ALL AMERICA CITY MONTH" in Washington County.

BE IT FURTHER RESOLVED that the Board of Supervisors supports and endorses the implementation of All America City activities in Washington County and throughout the region.

BE IT FURTHER RESOLVED that the Board of Supervisors expresses its appreciation to and commends the All America City 1999 Steering Committee for its efforts to achieve and affirm All America City status.

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

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

6 **Dog Damage Claim, Dorothy T. Prater, $225.00**

Mrs. Dorothy T. Prater was not present. Consideration of Dog Damage Claim for Dorothy T. Prater was postponed to a future Board of Supervisor's meeting.

12 **Consideration of Resolution Concerning Regional Industrial Facilities Act (Thomas G. Taylor, Christianne E. Parker)**

Mr. Thomas Taylor, Executive Director, Mount Rogers Planning District Commission, addressed the Board of Supervisors requesting support of resolution concerning Regional Industrial Facilities Act.

Discussion ensued relative to Paragraph Six with Supervisors expressing their concern.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to delay action on Resolution Concerning Regional Industrial Facilities Act until the October 12, 1999 meeting.

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

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

15 **County Administrator Comments**

The following action was taken on the Personnel Committee Report:

a. Personnel Committee Report

1. **Recommendation to Adjust Salary Range and Readvertise Personnel Services Manager/Legal Assistant Position**

Received proposal to consider revising position description for Personnel Services Manager/Legal Assistant Position. Supervisors expressed their preferences that the salary range for the position of Personnel Services Manager/Legal Assistant should be discussed during the budget work sessions rather than mid year. Mrs. Mumpower explained that she has taken the position there are employees who have worked for Washington County many years to achieve their salary placement and that she has been reluctant to consider increasing new employee beginning salaries.

Both Mrs. Mumpower and Mr. Roberts, as members of the Personnel Committee, explained the Committee met and reviewed the revised position description proposals for Accounting/Purchasing Supervisor, and Purchasing Assistant. Ms. Mumpower and Mr. Roberts reported after discussion and review of the responsibilities required for the positions of Personnel Services Manager/Legal Assistant, Accounting/Purchasing Supervisor, and Accounting/Purchasing Assistant, it was the recommendation of the Personnel Committee to increase the starting salary ranges for these positions, and advertise them.

On motion of Mr. Roberts, second by Mrs. Mumpower, it was resolved to approve the revised position description for the position of Personnel Services Manager/Legal Assistant, and further, it was resolved to readvertise the position at the adjusted annual salary range of $23,000 - $26,500.

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

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

2. **Recommendation to Adjust Salary Range, Approve Revised Position Description and Advertise Accounting & Purchasing Supervisor and Accounting & Purchasing Assistant Positions**

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to approve the revised position descriptions and adjust the salary ranges for the positions of Accounting & Purchasing Supervisor and Accounting /Purchasing Assistant, and further, it was resolved to advertise the positions of Accounting & Purchasing Supervisor with the annual salary range of $23,000 - $26,500 and of Accounting/Purchasing Assistant with the annual salary of $18,000 to $21,500.

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

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

Mrs. Mumpower expressed her wishes that during budget work sessions when the Board discusses salaries for the next fiscal year that it will reevaluate all County employee positions and salary structure.

16 **County Attorney Comments**

Mrs. Bright expressed her appreciation to the Board of Supervisors for the fine reception given in her honor on Monday, September 13, 1999.

17 **Consent Agenda**

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

a. Payment of Bills, September 1999
b. Requests for Refund of Building Permits:
- ***1. Jay & Lisa Justice, Bldg. Permit #13191, $55.00***
- ***2. Wilbur A. Trunnell, Bldg. Permit #13119, $224.00***

c. Cancelled Checks:

1. Ansafone of Tri-Cities	***No. 0073709***	***$187.00***
2. Interstate Chevron	***No. 0086418***	***$234.31***
3. US Postmaster-Victim/Witness	***No. 0087078***	***$ 87.00***

f. Supplemental Appropriation
- ***1. General Services-Repairs & Maintenance, $1,758.49***
- ***2. Office on Youth, $35.00***

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

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

18 **Board Member Reports**

Mrs. Mumpower inquired about the status of early retirement policy discussions for County Employees and asked for a status report at the September 28, 1999 meeting.

Mrs. Mumpower reported the School Board has 4 acres of property located across from Wallace Middle School that would be a good location for the Children's Advocacy Center. She stated she would be asking for the Board's direction in approaching the School Board asking if the property could be secured for the Center.

On motion of Mrs. Mumpower, second by Mr. Osborne, it was resolved to appropriate $1,500 from reserves for contingency to John S. Battle High School FFA to help defray expenses of students who will be participating in the National FFA Floraculture Contest in Louisville, Kentucky on October 16, 1999.

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

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

Mr. Ingle expressed his appreciation to the County staff for the reception welcoming Morrill Motors, Inc. to Washington County and to Sandra Hatfield for her work in organizing the reception for the County Attorney, Ms. Bright.

Mr. Roberts requested clarification of who staffs the Director position for Emergency Services when the County Administrator is on vacation. Mr. Reeter responded Ms. Fraysier, Ms. Parker, and Mr. Derting in that order.

Mr. Osborne reported that his appointment to the Transportation Advisory Committee has resigned.

On motion of Mr. Osborne, second by Mr. Ingle, it was resolved to appoint Mr. Otis Lynn Price to represent the Monroe Magisterial District on the Transportation Advisory Board effective immediately.

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

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

Mr. Mathews reported five Supervisors attended the Chamber of Commerce/Industrial Development Authority breakfast. He stated there is a campaign underway by the Chamber of Commerce and the Industrial Development Authority to visit industries located in Washington County for the purpose of touring facilities, determining where assistance may be helpful, and expressing appreciation to them.

Mr. Mathews reported attending a Y2K program put on by emergency services agencies stating it was outstanding, quick to the point, and very informative.

Mr. Derting stated he attended both meetings reported by Mr. Mathews echoing comments made.

19 **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.

There were no comments.

20 **Request for Closed Meeting Pursuant to Section 2.1-344(A)(7) of the 1950 Code of Virginia, as amended, for consultation with legal counsel pertaining to actual litigation, where such consultation would adversely affect the negotiating or litigating posture of the public body and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel**.

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to enter a closed meeting to discuss with employed and retained legal counsel matters relating to actual litigation involving Washington County. The closed meeting will address all currently pending lawsuits in state and federal courts in which Washington County is a party. The purpose of this closed meeting was to discuss status and legal strategy. This closed meeting is allowed by Section 2.1-344(A)(7) of the 1950 Code of Virginia, as amended, for consultation with legal counsel pertaining to actual litigation, where such consultation would adversely affect the negotiating or litigating posture of the public body, and for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

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

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

Mr. Derting requested Mrs. Bright, Mr. John Martin and Mr. Mark Reeter attend the closed meeting.

On motion of Mr. Ingle, second by Mr. Barker, it was resolved to come out of the closed meeting and continue with business at hand in public as required by law.

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

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

Chairman Joe Derting made the following statement:

> The Washington County, Virginia, Board of Supervisors now reconvenes in open meeting. At this time, any member of the Washington County, Virginia, Board of Supervisors who believes that there was a departure from the requirements of the Virginia Freedom of Information Act for the conduct of a closed meeting, please state your belief, indicating the substance of the departure that, in your judgment, has taken place.

On motion of Mr. Barker, second by Mr. Ingle, as there is no statement of departure, it was resolved to adopt the following certificatiton:

WHEREAS, the Washington County, Virginia, Board of Supervisors has convened a closed 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, section 2.1-344.1(D) of the Code of Virginia requires a certification by the Washington County, Virginia, Board of Supervisors that such closed 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 only

(i) public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and

(ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the public body.

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

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

21 **Adjournment**

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

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

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

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Joe W. Derting, Chairman