V I R G I N I A:

At a joint recessed meeting of the Washington County Board of Supervisors and the Washington County Planning Commission held Tuesday, October 23, 2001, at 6:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

Washington County, Virginia Board of Supervisors:

PRESENT:

Joe W. Derting, Chairman
John B. Roberts, Sr., Vice Chairman
Bobby D. Ingle
Phillip B. McCall
Anthony S. Rector
Jack H. Barker
Dulcie M. Mumpower

Mark K. Reeter, County Administrator
Lucy E. Phillips Bright, County Attorney
Sandra M. Hatfield, CPS, Administrative Supervisor

ABSENT:

Mark W. Seamon, Accounting/Purchasing Manager

Washington County Planning Commission:

PRESENT:

Bill Canter, Vice Chairman
Walter F. "Jr." Doss
J. Ruddy Duty
Dr. Stephen L. Fisher
Joe Hutton

ABSENT:

Mickey Tyler, Chairman
W. D. Young, Jr.

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1 **Call Recessed Meeting to Order**

a. Washington County, Virginia Board of Supervisors

Chairman Derting called the recessed meeting of the Board of Supervisors to order.

b. Washington County Planning Commission

Mr. Bill Canter, Acting Chairman, called the recessed meeting of the Planning Commission to order.

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to approve the Agenda, as amended.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

On motion of Mr. Hutton, second by Dr. Fisher, it was resolved to approve the agenda as amended.

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

Mr. Canter	***Aye***	***Mr. Hutton***	***Aye***	***Mr. Duty***	***Aye***
Dr. Fisher	***Aye***	***Mr. Doss***	***Aye***		

2 **Rick Boardwine**: Request for a Special Use Permit to Operate a Tractor-Truck and Trailer Sales, Repair and Services on Property Located on the South side of State Route 11 near the intersection of State Route 11/Route 91 in a B-2 (Business, General) zone, Monroe Magisterial District

Washington County Planning Commission Public Hearing:

Acting Chairman Bill Canter opened the public hearing and invited comments both in support of and in opposition to application by Rick Boardwine for a Special Use Permit to Operate a Tractor-Truck and Trailer Sales, Repair and Services on Property Located on the South side of State Route 11 near the intersection of State Route 11/Route 91 in a B-2 (Business, General) zone, Monroe Magisterial District.

Mr. Rick Boardwine, addressed the Planning Commission, explaining he proposes to construct and operate a truck dealership and repair service for Peterbilt Trucks. He stated he is expanding the current facility at Exit 7 from a parts only store with truck sales and relocating to a new facility at SR 11/91, across from the Cardinal Travel Center in Glade Spring, Virginia. He stated there will be two buildings constructed, 30' x 40' and 50' x 60', and will be the new area operations center for Peterbilt tractor-trailer, truck sales, repair and services. The hours of operation, he explained, will be 7:00 am to 8:00 pm. Monday through Friday, and 7:00 a.m. to 12:00 noon on Saturday, stating these hours accommodate most truckers' schedules.

Mr. Carter Baker, President and co-owner of Peterbilt in Knoxville, addressed the Planning Commissioners, focusing his comments on employment opportunities for the area and economic/community development. He stated the facility would employ approximately 50 people.

Mr. Baker presented an artist rendering of the proposed building. He projected anticipated revenue for the company and sales tax revenue for the County. He explained the real estate will be owned by Rick Boardwine; however, he added, Peterbilt will construct the building and operate the business. Mr. Baker commented on Peterbilt's standards for construction distributing a manual of these standards. He gave an overview of the manual explaining signage requirements; specifications for building exteriors and interior offices; standards for new truck display; and noise standards.

Messrs. Baker and Boardwine announced the facility would be named "Peterbilt of Bristol" explaining the name was selected because of regional name recognition and the property was chosen because of its location and proximity to the interstate. He commented their customer base comes from all over the country.

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

On motion of Dr. Fisher, second by Mr. Hutton, it was resolved to recommend to the Board of Supervisors the granting of a Special Use Permit to Rick Boardwine to operate a Tractor-Truck and Trailer Sales, Repair and Services on Property Located on the South side of State Route 11 near the intersection of State Route 11/Route 91 in a B-2 (Business, General) zone, Monroe Magisterial District.

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

Mr. Canter	***Aye***	***Mr. Hutton***	***Aye***	***Mr. Duty***	***Aye***
Dr. Fisher	***Aye***	***Mr. Doss***	***Aye***		

In making the motion, Dr. Fisher explained his position that the special use permit is granted for expanding an already existing business in an area zoned for business. Further, he stated granting the special use permit would provide positive economic benefits to the County.

On motion of Mr. Hutton, second by Mr. Duty, it was resolved to close the public hearing.

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

Mr. Canter	***Aye***	***Mr. Hutton***	***Aye***	***Mr. Duty***	***Aye***
Dr. Fisher	***Aye***	***Mr. Doss***	***Aye***		

At this time, Mr. Canter turned the meeting over to the Board of Supervisors.

Washington County, Virginia Board of Supervisors:

Rick Boardwine: Request for a Special Use Permit to Operate a Tractor-Truck and Trailer Sales, Repair and Services on Property Located on the South side of State Route 11 near the intersection of State Route 11/Route 91 in a B-2 (Business, General) zone, Monroe Magisterial District.

Chairman Joe Derting opened the public hearing and invited comments both in support of and in opposition to application by Rick Boardwine for a Special Use Permit to Operate a Tractor-Truck and Trailer Sales, Repair and Services on Property Located on the South side of State Route 11 near the intersection of State Route 11/Route 91 in a B-2 (Business, General) zone, Monroe Magisterial District.

Chairman Derting waived rehearing the presentation by Messrs. Boardwine and Carter.

In response to a question from Supervisor Rector, Mr. Carter stated the Bristol facility would close and relocate to the new operations center when it is constructed. Mr. Rector again asked Mr. Carter to consider changing the name of the business to a name that references Glade Spring rather than Bristol. Mr. Carter responded that he will present the suggestion to the Peterbilt organization, however, he stated they have specific criteria for naming a facility, reiterating that regional name recognition is a priority consideration when selecting the business name.

There being no comments beyond those presented during the Planning Commission public hearing, Mr. Derting declared the public hearing closed.

On motion of Mr. Rector, second by Mr. Ingle, it was resolved to follow the recommendation of the Planning Commission and approve a Special Use Permit for Rick Boardwine to Operate a Tractor-Truck and Trailer Sales, Repair and Services on Property Located on the South side of State Route 11 near the intersection of State Route 11/Route 91 in a B-2 (Business, General) zone, Monroe Magisterial District.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

3 **Adjournment**

a. Board of Supervisors

On motion of Mr. Ingle, second by Mr. McCall, it was resolved to adjourn the meeting.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

b. Washington County Planning Commission

On motion of Mr. Hutton, second by Mr. Duty, it was resolved to adjourn the meeting.

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

Mr. Canter	***Aye***	***Mr. Hutton***	***Aye***	***Mr. Duty***	***Aye***
Dr. Fisher	***Aye***	***Mr. Doss***	***Aye***		

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Joe W. Derting, Chairman
Washington County Board of Supervisors

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Bill Canter, Acting Chairman
Washington County Planning Commission

V I R G I N I A:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, October 23, 2001, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

Joe W. Derting, Chairman
John B. Roberts, Sr., Vice Chairman
Bobby D. Ingle
Phillip B. McCall
Anthony S. Rector
Jack H. Barker
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

1 **Call to Order**

Chairman Derting called the meeting to order and welcomed everyone.

2 **Invocation and Pledge of Allegiance – Phillip B. McCall**

Supervisor Phillip McCall gave the Invocation and led the Pledge of Allegiance.

3 **Approval of Agenda**

On motion of Mr. Rector, second by Mr. McCall, it was resolved to approve the Agenda with the following addition:

9.a Relocation of Office of General Registrar to New DMV Office Building

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

4 **Approval of Minutes**:

a. Regular Meeting of October 9, 2001
b. Recessed Meeting of October 16, 2001

On motion of Mr. McCall, second by Mr. Barker, it was resolved to table action on the Minutes from October 9 and 16, 2001 until November 13, 2001.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

5 **Dog Damage Claim – David Henry**

Mr. David Henry appeared before the Board of Supervisors and responded to questions regarding the Dog Damage Claim he submitted.

On motion of Mr. Roberts, second by Mr. Rector, it was resolved to approve Dog Damage Claim for David Henry in the amount of $840.00 for lambs killed.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

6 **Consideration of Agreement for Cable Television Franchise Extension Between Washington County, Virginia and Comcast Cable, Inc**.

Received communication from Comcast Communications requesting an extension of their cable franchise agreement until January 2002 to allow time for negotiating a full term agreement.

A brief discussion resulted in consensus agreement to include up to two Supervisors in the franchise negotiations with Comcast Communications.

On motion of Mr. Rector, second by Mr. Roberts, it was resolved to adopt the following contract agreement with Comcast Communications:

WHEREAS, by franchise agreement dated October 24, 1995 (Franchise Agreement), County granted to Telescripps Cable Company the franchise, right and privilege to construct and operate a cable television system in the County (Franchise); and

WHEREAS, Telescripps exercised the right under paragraph 4.5 of said franchise agreement to transfer the Franchise to another entity under common control with Telescripps, said entity being Grantee; and

WHEREAS, by exercising said right, Grantee assumed all rights and responsibilities described in Franchise Agreement; and

WHEREAS, PURSUANT TO franchise Agreement, in the event of transfer of the Franchise, the term of the Franchise shall expire on October 24, 2001; and

WHEREAS, Grantee and the County, by no delay on the part of Grantee, have only recently entered into negotiations to renew said Franchise Agreement; and

WHEREAS, during negotiations relating to proposed renewal of the Franchise the parties desire to extend until no later than January 24, 2001, the term of the Franchise Agreement, without otherwise altering or modifying in any way the other provisions of the Franchise Agreement and without altering or waiving any of the parties' respective rights or responsibilities concerning the Franchise.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, including extension of the Franchise Agreement, the parties agree as follows:

1. ***Grantee accepts extension of the Franchise Agreement until January 24, 2002, and Grantee and the County agree that, for the duration of such extension or until such earlier date as the Franchise Agreement may be renewed or terminated, each party shall be and is hereby obligated to fulfill its respective duties and obligations as set forth in the Franchise Agreement.***

2. ***Grantee agrees that it shall participate and cooperate with the County and its representatives and agents in such franchise renewal procedures as may be required under Title VI of the Communications Act of 1934.***

This Agreement may be executed in counterparts, with each counterpart being deemed an original, and all such counterparts taken together being deemed as one and the same instrument. This Agreement may only be amended by writing signed by authorized representatives of each party to this Agreement.

WHEREFORE, the parties, by signatures of each of their authorized representatives appearing below, indicate their acceptance of the provisions of this Agreement, effective as of the date last set forth below.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

7 **Consideration of Proposal from People Incorporated for County Purchase of a HUD Foreclosed Home (Robert G. Goldsmith, Executive Director)**

Mr. Rob Goldsmith, Executive Director, People Incorporated, appeared before the Board concerning an opportunity to acquire property that is in U. S. Department of Housing and Urban Development (HUD). He explained that HUD has a program whereby they offer foreclosure property to non-profit organizations for $1.00 with the stipulation that it will be made available for purchase to first-time homebuyers. Mr. Goldsmith proposed the County consider purchase of vacated property located at 4214 Potter Road, Bristol, Virginia stating it will be used in their home ownership program and to further their goal of helping low income families become increasingly self-sufficient.

On motion of Mr. Barker, second by Mrs. Mumpower, it was resolved to authorize the purchase of foreclosed property located at 4214 Potter Road, Bristol, Virginia from the U. S. Department of

Housing and Urban Development; further, it was resolved to advertise a public hearing to receive comments on the proposed disposition and transfer of this property to People Incorporated as part of their homebuyers program; further still, it was resolved to authorize the County Administrator to execute the documents pertaining to the purchase and proposed disposition and transfer of property.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

8 **Consideration of Request to Reappoint Dave Johnson as Director of the Holston River Soil and Water Conservation District (Four Year Term)**

On motion of Mr. McCall, second by Mr. Roberts, it was resolved to Mr. Dave Johnson as Director of the Holston River Soil and Water Conservation District to represent Washington County, At Large, for a four year term to be effective January 1, 2002 to December 31, 2006.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

9 **County Administrator Comments**

a. Ground Breaking Ceremony, Hayter's Gap Waterline Project, Wednesday, October 24, 2001

Received announcement of the Brumley Gap Waterline Ground Breaking Ceremony scheduled Wednesday, October 24, 2001, 2:00 p.m., at the Brumley Gap Community Center.

b. Relocation of Office of General Registrar to New DMV Office Building

Received communication from Mary Ann Compton, General Registrar, informing the County that the Office of the General Registrar will move their operations to the building to be occupied by the Department of Motor Vehicles, Lee Highway, Abingdon. She stated the projected move is April 1, 2002.

10 **County Attorney Comments**

Ms. Bright requested time to follow up on the earlier discussion relative to contract negotiations with Comcast Communications. The discussion resulted in consensus agreement that Mr. Derting will represent the Board in the contract negotiations with Comcast and Mr. Ingle will serve as an alternate.

11 **Consent Agenda**

a. **Cancelled Check #11673, SW Law Enforcement Academy, $590**

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to approve Cancelled Check #11673 issued to Southwest Law Enforcement Academy in the amount of $590.00.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

12 **Board Member Reports**

The following Supervisor Reports were given:

Mr. Barker extended his apologies to the Board and GIS Department for not being present for the GIS presentation explaining he was assisting with the School Board Forum.

Mr. Roberts presented the Chairman of the Board of Supervisors with a plaque from the Damascus Life Saving Crew in recognition of the Board's continued support. Additionally, he presented individual awards to Sandra Hatfield, Mark W. Seamon, and Mark K. Reeter conveying their appreciation to the staff members for the support and assistance they provided the squad.

Mr. Roberts reported on attending the Damascus Citizens' Club where the Chamber of Commerce showcased their new publication *Images*.

Mr. McCall reported on attending an Extension Leadership Council meeting. He distributed information he received on the various water programs.

Mr. Derting reported receiving a letter of appreciation from Virginia Highlands Community College concerning the surplus vehicle they received from the County.

13 **Citizen Comments**

At this time, Chairman Derting invited comments from citizens on items that do not appear on the Agenda.

The following individuals spoke: Lacy Love; Patrick Mannix

14 **Adjournment**

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

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

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Joe W. Derting, Chairman