V I R G I N I A:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, February 26, 2002, 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
Jack H. Barker
Bobby D. Ingle
Phillip B. McCall
Anthony S. Rector
Dulcie M. Mumpower

Mark K. Reeter, County Administrator
Lucy E. Phillips Bright, County Attorney
Naoma A. Cook, Administrative Supervisor
Mark W. Seamon, Accounting & Purchasing Manager

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1 Call to Order

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

2 Invocation and Pledge of Allegiance – Supervisor Jack H. Barker

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

3 Approval of Agenda

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

Additions:

Item 7 Consideration of Request for Additional Funding from Damascus Volunteer Fire Department

Item 11a Appeal of Planning Commission Decision for Withholding from Dedication for Public Use, Edwards Wood Products, Inc.

Deletions:

Item 9a Consideration of Expiring Appointments:

a. Washington County Recreation Advisory Committee

Kathy Fleenor representing the F-01 "Tyler" Election District with current term ending June 30, 2005

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

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

4 Approval of Minutes - February 12, 2002 Meeting

On motion of Mr. Rector, second by Mr. Roberts, it was resolved to approve the minutes of the February 12, 2002, Board of Supervisors meeting with the following corrections:

Page 12410, Agenda Item 5: Correct spelling of "Barry" to "Berry".

Page 12412, Agenda Item 6: Correct spelling of Mr. Ingle's name in motion to read "On motion of Mr. Ingle, second by Mr. Roberts, It was resolved to adopt the following ordinance:"

Page 12422, Agenda Item 15c: Correct name of "Mr. Alan Lee" to "Dr. Alan Lee"

Page 12423, Agenda Item 17: Correct vote count to read:

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

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

Page 12424, Agenda Item 19: Correct vote count to read:

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

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

Scribner's Note: The above corrections have been made to the recorded Minutes of the referenced meetings.

5 Public Hearing for Consideration of Transferring Residential Dwelling and Real Property at 4214 Potter Road in Bristol (Washington County) to People, Inc. in the Context of the "One Dollar Home Sales to Local Governments" Program

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to Transferring Residential Dwelling and Real Property at 4214 Potter Road in Bristol (Washington County) to People, Inc. in the Context of the "One Dollar Home Sales to Local Governments" Program.

Mr. Rob Goldsmith, President and CEO for People Incorporated addressed the Board providing a brief overview of the U. S. Department of Housing and Urban Development's program whereby local governments may purchase HUD foreclosed housing and associated real estate for $1.00.

Mr. Goldsmith further explained that People, Inc. is requesting that Washington County transfer the deed of the house located at 4214 Potters Road, Bristol, VA, which was purchased under HUD's program to People, Inc. Mr. Goldsmith stated that People, Inc. plans to renovate the property and offer it for sale to a first time buyer or make the property available under other housing programs to those in need of housing.

Mr. Patrick Mannix addressed the Board in opposition of this transfer.

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

On motion of M. Barker, second by Mr. Ingle, it was resolved to transfer the deed to the property located on 4214 Potters Road, Bristol, VA to People, Inc. to be used for their first time home buyers program or to make property available under other housing programs to those in need.

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

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

6 Consideration of Letter of Support for Farm Park Proposal

Mr. Joe Alexander, President of Farm Park of Washington County addressed the Board explaining the proposed Farm Park project. He stated that the goal of the farm park was to create a recreational and educational facility that would reconnect citizens back to agriculture.

Mr. Alexander told the Board that a project outline was in draft form and once completed would be shared with them. In the near future the organization will apply for a planning grant. At this point in the project, Mr. Alexander stated he is seeking suggestions from government leaders and the community. Also, Mr. Alexander requested a letter of support for the project.

Mr. McCall commented that Mr. Alexander had done a great job with the McDonald's Farm at the Burley Festival. This is always a major attraction.

Upon motion of Mr. Ingle, second by Mr. McCall, it was resolved to submit a letter of support to Mr. Joe Alexander for the Farm Park Project.

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

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

7 Consideration of Request for Additional Funding from Damascus Volunteer Fire Department

Mr. Roberts provided an introduction to this request explaining that the Damascus Volunteer Fire Department had recently completed a renovation of their fire station. He further explained that the fire department's total cost for renovation was $23,700 and the department is requesting financial assistance from the Washington County in the amount of $11,850.00.

Mr. Will Fritz, Assistant Fire Chief with the Damascus Volunteer Fire Department, addressed the Board explaining in detail the renovations that had occurred to the fire station. He stated that with the renovations, the facility could be used as an emergency shelter. He further stated that with the assistance of a generator, the station could be operational during a power outage. Mr. Smith expressed his appreciation for the County's consideration of the fire department's request for financial assistance.

On motion of Mr. Roberts, second by Mrs. Mumpower, it was resolved to transfer $11,850.00 from reserves for contingencies to the Damascus Volunteer Fire Department for the purposes of assisting the Fire Department with expenses related to renovation of the fire station.

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

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

8 Consideration of Tobacco Commission E-58 Grant Fund Application from Washington County Industrial Development Authority for Telecommunication Infrastructure at Oak Park

Ms. Christianne E. Parker, Assistant County Administrator, addressed the Board explaining that the Virginia Tobacco Commission has created new money to support the development of telecommunication infrastructure in Southside and Southwest Virginia counties.

Ms. Parker further explained that the Washington County Industrial Development Authority has retained the services of Gary McConnell of Burk Consulting who has assisted Washington County's Information Technology Department on several network projects to assist them with the design of telecommunication infrastructure at Oak Park. In addition, Mr. McConnell has assisted the Industrial Development Authority with negotiating with several telecommunication providers including Bristol Virginia Utilities Board, Sprint, Adelphia and PeerCom.

Ms. Parker stated that grant funds would be used to lay fiber optic conduit within Oak Park so that fiber optic cables can be pulled through in the future. The ability to access fiber optics will make Oak Park more attractive to telecommunication providers. In addition, the conduit would be designed large enough to carry all future fiber and there wouldn't have to be duplicate fiber conduit installed by competing providers.

Mr. Barker left the Board table at 7:45 PM and returned at 7:47 PM.

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to endorse the Industrial Development Authority of Washington County's application for the E-58 Tobacco Commission Grant for Oak Park Telecommunication Infrastructure.

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

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

9 <u>Consideration of Expiring Appointments</u>:

a. Washington County Recreation Advisory Board *(appointment/reappointment with all terms ending December 31, 2006)*

- <u>J.C. Scott representing the B-01 "Jefferson" Election District with current term ending June 30, 2004</u>

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to reappoint J. C. Scott to represent the B-01 "Jefferson" Election District for a term to be effective immediately and expire on December 31, 2006.

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

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

- <u>Kathy Fleenor representing the F-01 "Tyler" Election District with current term ending June 30, 2005</u>

Scribner's Note: This Item tabled until a later date.

10 Consideration of Appointments to Highlands Community Services Board

- Vacant position formerly held by Marianne Grzywacz (resigned July 10, 2001)

On motion of Mr. Barker, second by Mr. Roberts, it was resolved to appoint Marianne Grzywacz to the Highlands Community Services Board, At Large, for a three year term effective immediately and expiring on June 30, 2004.

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

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

11 County Administrator Reports

The following action was taken on County Administrator comments:

a. Appeal of Planning Commission Decision for Withholding from Dedication for Public Use, Edwards Wood Products, Inc.

Mr. Reeter reported to the Board that the Washington County Planning Commission at their February 25, 2002, meeting acted to deny a request by Edwards Wood Products, Inc. to withhold from dedication for public use approximately 2.75 miles of road proposed to serve approximately 4,500 acres of mountain land in the Jefferson Magisterial District. Mr. Reeter stated that Randall Eads, Legal Counsel for Edwards Wood Products, Inc., had notified him today via fax that they are officially appealing the Planning Commission's decision to the Board of Supervisors.

After much discussion regarding this issue the following action was taken:

On motion of Mr. Ingle, second by Mr. McCall, it was resolved to hold a public hearing on March 26, 2002 for the review of the Planning Commission's decision to deny application of Edwards Wood Productions for the Withholding of Roads from Dedication for Public Use.

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

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

12 Recess

It was consensus of the Board not to take a recess.

13 <u>County Attorney Reports</u>

a. <u>Extension of Contract for APCO Electric Utility Service at Washington County Facilities</u>

Ms. Bright reported that in the agenda packets the Board was provided with information regarding the contract between Washington County and Appalachian Electric Power Company for utility rates of County owned facilities. Ms. Bright stated that between 1999 and 2000 Washington County provided funds along with other counties throughout Virginia to negotiate electric utility power rates for county-owned facilities. As a result, the participating counties signed a contract. After this occurrence, the Electric Utility Restructuring Act was passed and resulted in the unbundling of electric utility services. Ms. Bright explained that in light of these changes the contract that Washington County currently has for electric utility rates would end on June 30, 2002. Ms. Bright further explained that Washington County has three options to decide how utility rates will be determined for its facilities after June 30, 2002. The Board must chose one of the three options and notifies Appalachian Electric Power Company of its decision no later than March 20, 2002. Ms. Bright stated that she would be mailing additional information for their review and subsequent action on March 12, 2002. Ms. Bright briefly reviewed the following three options.

#1 Allow contract to terminate on June 30, 2002
#2 Extend contract through June 30, 2003
#3 Extend current contract through June 30, 2007

Ms. Bright said that VACo/VML recommended option #3.

Discussion ensued regarding this issue. It was consensus of the Board to go with the recommendation from VACo and VML and chose option #3.

Formal action on this matter will be taken on March 12, 2002.

14 <u>Consent Agenda</u>

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

a. Approval to Use Competitive Negotiation for the Procurement of County Health Care Insurance Coverage

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

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

15 Board Member Reports

Mr. Roberts commented that his motion made at the February 12 Board of Supervisors meeting was to reimburse Mr. David Henry for the fair market value of seven lambs that were killed by dogs. Subsequent to that meeting, the VPI extension office revised its fair market valuation for those lambs from $55.00 to $73.00 per lamb.

On motion of Mr. Roberts, second by Mr. Barker, it was resolved to reimburse Mr. David Henry an additional $18.00 per lamb for seven lambs killed by dogs for a total of $126.00

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

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

16 Adjourn

On motion of Mr. Barker, second by Mr. Rector, it was resolved to adjourn.

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

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

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Prepared by:

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Naoma A. Cook, Recording Clerk

Approved by the Washington County Board of Supervisors:

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Joe W. Derting, Chairman