

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, September 9, 2003, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

Joe W. Derting, Chairman
Phillip B. McCall, Vice Chairman
Jack H. Barker (arrived at 8:00 PM)
Bobby D. Ingle
Dulcie M. Mumpower
Anthony S. Rector
John B. Roberts, Sr.

Mark K. Reeter, County Administrator
Lucy E. Phillips, County Attorney
Mark Seamon, Accounting Manager
Naoma A. Mullins, Recording Clerk

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 – Jackson H. Barker

Supervisor Tony Rector gave the Invocation and led the Pledge of Allegiance. Mr. Derting stated that Supervisor Jack Barker would be arriving late. Also, Mr. Derting welcomed back Supervisor Phillip McCall who has been recovering from surgery.

3 Approval of Agenda

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to approve the agenda with the following amendments:

Deletion of Item 5b(2) Dorce E. McReynolds on behalf of General Shale Brick, Property Tax Map # 143A4-A-6: Request for a Special Exception Permit to construct and operate a brick yard and building material sales and service on property located at the intersection of State Route 11 and State Route 807 in a B-2 (Business, General) zone, Wilson Magisterial District.

Addition of Item 11a Consideration of Request to Transfer \$20,000 to the Washington County

School Board for Student Achievement Related Expenses.

Addition of Item 13d Receipt of Star Solutions and Fluor Proposals for I-81 Improvements

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

4 Approval of Minutes

On motion of Mr. Rector, second by Mr. Roberts, it was resolved to approve the minutes of the August 26, 2003, regular meeting as presented.

The vote on this motion was as follows: (5-0-1)

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Abstained</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

5 Public Hearings

a. Requests for Rezoning of Property:

Request to Rezone

(1). Joseph Fletcher Odum, Property Tax Map # 067A2-3-2A- Request to rezone approximately 3.81 acres of property located off of State Route 797 at the end of Cameron Lane from R-2 (Residential, General) to V (Village), Monroe Magisterial District.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to the application of Joseph Fletcher Odum to rezone property.

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

On motion of Mr. Rector, second by Mr. Roberts, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the application of Joseph Fletcher Odum to rezone approximately 3.81 acres of property located off of State Route 797 at the end of Cameron Lane from R-2 (Residential, General) to V (Village), Monroe Magisterial District.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

(2). Dorce E. McReynolds on behalf of General Shale Brick, Property Tax Map # 143A4-A-6: Request to rezone approximately 5.45 acres of property located at the intersection of State Route 11 and State Route 807 from B-2 (Business, General) and R-2 (Residential, 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 the application of Dorce E. McReynolds to rezone property.

Mrs. Jean McReynolds addressed the Board requesting they follow the recommendation of the Washington County Planning Commission and approve the application to rezone property belonging to her and husband, Joe McReynolds, from split zoning of B-2 (Business, General) and R-2 (Residential, General) to a single B-2 (Business, General) zoning designation for the entire parcel. Mrs. McReynolds explained that this property is located near the Red Carpet Inn on the corner of Lee Highway (Route 11) and Cole Lane. Mrs. McReynolds explained that the property was formerly leased to Horton Homes. After the property was vacated, General Shale Brick requested to lease the site for display and sales of brick and block; however, General Shale has since decided it is no longer interested in the site due to zoning requirements applicable to its intended operations. Mrs. McReynolds stated that she only became aware of the split zoning when she contacted the Office of Planning and Zoning in response to General Shale’s interest in leasing the parcel from her. Mrs. McReynolds stated that the property does not border any residential property.

Mrs. McReynolds advised the Board that she and her husband withdrew the application on behalf of General Shale for a Special Exception Permit for the reason that General Shale did not wish to comply with the zoning ordinance requirement that the brick displays must be kept under cover.

Mr. Joe McReynolds addressed the Board asking that their request to rezone property be approved. Mr. McReynolds reiterated his wife’s remarks. He explained that due to drainage problems on the back portion of the property that is currently zoned for residential use, it could never actually be used for residential purposes.

Mr. George Mitchell addressed the Board in opposition to the application for rezoning. Mr. Mitchell explained that he owns land near the property in question, and the land he owns is used as a residential site for his daughter. He stated that the proposed business use was incompatible with the existing residential uses in the area. He explained that he was speaking on behalf of a group of concerned citizens that reside in the general area of the property. Those residents were in attendance at the meeting and stood in response to Mr. Mitchell’s request to show their opposition.

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

The Board devoted considerable discussion to the request. A principle concern discussed was the question of whether the application to rezone the property was made by Dorce E. McReynolds on behalf of General Shale Brick or whether the application was made by the owners independently of General Shale. General Shale has now informed the McReynolds that they will not lease the property. Several Board members expressed concerns with the increase of traffic on Cole Lane.

County Attorney Lucy Phillips addressed the Board explaining that the application to rezone property is general in nature rather than dependent on a specified use for the property. She stated that the result of rezoning would be to allow any of the uses specified in the county ordinance as possible within the zoning district to which the property is rezoned. Ms. Phillips stated further that the rezoning application was made by Dorce and Jean McReynolds independently of General Shale. In contrast, the special exception permit application was made by the McReynolds on behalf of General Shale. The special exception application, then, was withdrawn from Board consideration because General Shale has stated it is not interested in use of the property. The rezoning application, however, remained valid.

County Administrator Mark Reeter addressed the Board explaining that each zoning designation has permitted uses by right as well as those requiring Special Exception Permits. Once a rezoning is effected the property owner may then develop property consistent with any of the permitted uses by right at their discretion. The Board cannot condition a rezoning solely on the basis of allowing for or prohibiting specific permitted uses. If a Special Exception Permit is required, then the Board may place reasonable conditions and restrictions on such uses.

On motion of Mrs. Mumpower, second by Mr. Rector, it was resolved to deny the application of Dorce E. McReynolds on behalf of General Shale Brick to rezone approximately 5.45 acres of property located at the intersection of State Route 11 and State Route 807 from B-2 (Business, General) and R-2 (Residential, General) to B-2 (Business, General), Wilson Magisterial District.

The vote on this motion was as follows: (2-4)

<i>Mr. Derting</i>	<i>Nay</i>
<i>Mr. Ingle</i>	<i>Nay</i>
<i>Mr. McCall</i>	<i>Nay</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Nay</i>

The motion failed.

A motion was offered by Supervisor Bobby Ingle that the application to rezone property be approved with the stipulation that there be no ingress or egress onto the property from Cole Lane, but was informed by County Administrator Mark Reeter that conditions or restrictions could not be placed on requests for rezoning. Therefore, Mr. Ingle withdrew his motion.

On motion of Mr. McCall, second by Mr. Roberts, it was resolved to follow recommendation of the Washington County Planning Commission and approve the application of Dorce E. McReynolds on behalf of General Shale Brick to rezone approximately 5.45 acres of property located at the intersection of State Route 11 and State Route 807 from B-2 (Business, General) and R-2 (Residential, General) to B-2 (Business, General), Wilson Magisterial District.

The vote on this motion was as follows: (4-2)

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Nay</i>
<i>Mr. Rector</i>	<i>Nay</i>
<i>Mr. Roberts</i>	<i>Aye</i>

b. Request for Special Use Permit:

(1). *Joseph Fletcher Odum, Property Tax Map # 067A2-3-2A: Request for a Special Exception Permit to place a double wide manufactured home on property located off of State Route 797 at the end of Cameron Lane in a V (Village) zone, Monroe Magisterial District.*

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to the application of Joseph Fletcher Odum for a Special Exception Permit.

Mr. Joseph Odum addressed the Board requesting approval of his application for a Special Exception Permit.

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

On motion of Mr. Rector, second by Mrs. Mumpower, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the application of Joseph Fletcher Odum for a Special Exception Permit to place a double wide manufactured home on property located off of State Route 797 at the end of Cameron Lane in a V (Village) zone, Monroe Magisterial District.

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

c. Public Hearing Concerning Dry Well Replacement Program

Mr. David Adams of People, Inc. addressed the Board. Mr. Adams explained in January of 2003 the Board of Supervisors designated People, Inc. as the subrecipient of the Community Development Block Grant for the Dry Well Replacement Program. During the course of the project two public hearings are required. The first of the two was held in February 2003. Mr. Adams advised the Board that four dry well replacement projects had been completed, and the fifth project is nearing completion. The program guidelines require that the second public hearing be held prior to the completion of the fifth project.

Responding to an inquiry, Mr. Adams stated that Rivermont Drive is being considered for the Dry Well Replacement Program.

Mr. Derting opened the public hearing to receive comments both in support of and in opposition to the Dry Well Replacement Program.

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

6. **Recess**

On motion of Mr. Rector, second by Mr. Ingle, it was resolved to take a ten minute 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. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

7 **Review of Denial of Grant of Withholding of Right-of-Way from Public Use pursuant to Sec. 54-245 of the 2002 County Code: Application by J.C. Enterprises, LLC to withhold from dedication for public use two proposed right-of-ways (Akers Lake Trace and Blue Lake Court) to be constructed to serve a proposed subdivision of land on property identified as County Tax Map 147-A-30**

County Administrator Mark Reeter addressed the Board. Mr. Reeter explained that at the June 30, 2003, meeting of the Washington County Planning Commission, the Commission acted to deny the application by J. C. Enterprises, LLC to withhold from dedication for public use two proposed right-of-ways (Akers Lake Trace and Blue Lake Court) to be constructed to serve a proposed subdivision on approximately 150 acres of property. The applicant exercised its right to have the decision of the Planning Commission reviewed by the Board of Supervisors. The Board’s review of this matter was originally scheduled for the August 12 meeting; however, at the request of Mr. Akers the Board tabled action on this matter until the September 9 meeting.

Attorney Robert Copeland addressed the Board on behalf of J.C. Enterprises, LLC. Mr. Copeland explained that when the request came before the Planning Commission, the Commission didn’t realize there was only 28’ at the intersection of Akers Lake Trace and State Route 644. Current standards of the Virginia Department of Transportation (VDOT) for subdivision streets serving 25 parcels require a minimum 40’ right of way. VDOT notified the County and J.C. Enterprises that they would waive the 40’ right of way requirement and accept 30’ but nothing smaller. Therefore with only a 28’ of right-of-way off of State Route 644 there was no opportunity for J.C. Enterprise to dedicate the 30’ feet for public dedication. Mr. Copeland stated that the current plat only shows sixteen parcels, but there may be an instance where one of the sixteen landowners may want to subdivide their property. Therefore J. C. Enterprises is planning for a subdivision of 25 parcels. He advised the Board that adjoining property owners had been approached in regards to selling J.C. Enterprises land enough to meet the right of way requirements, but had been refused.

Mr. Copeland stated that a concern of the County Zoning Administrator has been for the health and public safety of the prospective landowners in the proposed Blue Lake Meadows subdivision. Subsequently, there have been meetings between the County Zoning Administrator, County Attorney and representatives of J. C. Enterprises to discuss and create a recommendation to build the subdivision streets to VDOT standards.

County Administrator Mark Reeter addressed the Board explaining that he recommends the Board grant the request of J. C. Enterprises, LLC to withhold Akers Lake Trace and Blue Lake Court from public dedication with requirements, conditions and restrictions as outline in his correspondence of September 3 to Mr. Larry Akers and modified by correspondence dated September 9, 2003. Mr. Reeter further explained that his proposed recommendations address the concerns for public health and safety issues.

Discussion ensued among the Board.

Responding to an inquiry, Mr. Reeter explained that a certified surveyor would be required to provide the County with certification that the road had been built to VDOT standards.

Upon motion of Mr. Roberts, second by Mr. McCall, the Board acted to overrule the decision of the Washington County Planning Commission of June 30, 2003 and to grant the request of J.C. Enterprises, LLC to withhold from dedication for public use 3,542 linear feet of Akers Lake Court and 1,800 linear feet of Blue Lake Court as shown on the preliminary subdivision plat of Blue Meadows Subdivision (as prepared by L.K. Addison, surveyor) subject to the requirements, conditions and restrictions set forth in correspondence from the County Administrator to Mr. Larry Akers dated September 3, 2003 and modified by correspondence dated September 9, 2003 .

The vote on this motion was as follows: (4-3)

<i>Mr. Derting</i>	<i>Nay</i>
<i>Mr. Barker</i>	<i>Nay</i>
<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Nay</i>
<i>Mr. Roberts</i>	<i>Aye</i>

Scribner's Note: The Letters of September 3 and 9, 2003, referenced above is included as Minutes Exhibits Item 2003-09-09A.

8. Consideration of Complaints by Melvin Hills Subdivision Residents

Ms. Reba Anderson a resident of Melvin Hills Subdivision addressed the Board on behalf of a large group of Melvin Hills residents with concerns of activities occurring in their Subdivision. Ms. Anderson explained that the first problem exists at 17343 Lundy Drive where it appears the residents are using the property as a service garage. Ms. Anderson complained that there are vehicles at this residence that change daily. She stated that some arrive by either flatbed truck or towed. She made the following observations. The rear of the residence has been converted into a partially enclosed garage. Appropriate drainage has not been installed which causes large amounts of water to stand in the area of the new

addition. This is a possible breeding ground for mosquitoes. The residents, which are comprised mostly of senior citizens, fear they will contract the West Nile Virus.

Ms. Anderson stated that a second problem exists at 17288 Rim Road. Ms. Anderson stated her concern with this trailer residence because it houses two adults, four children, five kittens and four dogs. Further, she stated the following observations. The animals are not on leashes and roam the neighborhood. It appears they are not tagged. The children have little supervision and are permitted to freely roam the neighborhood. The exterior of this residence is surrounded by clutter from pillows, rugs, trash and clothing. The occupants have stated that the residence has rats. It appears that the occupants receive some form of financial assistance from the County. The residents of Melvin Hills feel this situation needs to be investigated.

Ms. Anderson explained that both residences have potential for causing environmental concerns and pose health and safety hazards to the other residents of Melvin Hills.

Discussion ensued among the Board. County staff was directed to send a letter to the Department of Social Services regarding the situation at 17288 Rim Road, and further to have the Animal Control Officers investigate the claim that dogs are running at-large in the neighborhood. In addition, the Board requested that the County’s Recycling and Special Projects Manager look into the matter of the trash and debris around this residence.

County Attorney Lucy Phillips addressed the Board regarding the situation at 17343 Lundy Road. Ms. Phillips explained that the County has attempted to gather evidence to determine if the residents are in violation of the zoning ordinance. To-date, the County has not been able to gather sufficient evidence to prove that a violation of the County’s Zoning Ordinance exists.

Sheriff Fred Newman addressed the Board explaining that his department is working with the Virginia Department of Motor Vehicles regarding the situation at 17343 Lundy Road to determine if the residence is being used as a detail shop to prepare vehicles to be sold at auction. At this point, the Sheriff’s Department has not been able to substantiate the claims.

County staff asked Ms. Anderson and others from the neighborhood to contact them to discuss the situation for the purpose of reaching resolution of the matter.

9 Dog Damage Claim

Mr. Robert Vance presented his dog damage claim. Mr. Vance explained that this is the second claim he has had before the Board during the last year.

On motion of Mr. Roberts, second by Mrs. Mumpower, it was resolved to authorize a dog damage claim in the amount of \$60.00 to Robert D. Vance..

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. McCall</i>	<i>Aye</i>

Mrs. Mumpower *Aye*
Mr. Rector *Aye*
Mr. Roberts *Aye*

10 Consideration of Issues Involving Abandonment of the Southern Terminal Portion of Secondary Route 873 (Civil Drive)

Mr. R. T. Barker and his legal counsel, Mr. Joe Johnson, addressed the Board regarding the request to abandon the southern terminal portion of Secondary Route 873 (Civil Drive). Mr. Barker explained that his family owns a farm in this area, and he asserted that if the Board approves the abandonment request, then they would not have access to the west entrance of the property coming from Mendota. He further explained that he had a rental house on his farm and the abandonment would affect his renters. Mr. Barker asked the Board to deny the request.

Supervisor Jack Barker addressed the Board requesting that action pertaining to the abandonment request be taken during the meeting.

Discussion ensued among the Board on the issue. Reference was made to resolution of the Board at the August 12 meeting to delay action on this application until receiving a formal recommendation from the Virginia Department of Transportation. No such recommendation had been received. It was consensus of the Board to place the request on a future Board of Supervisors meeting agenda.

11 Consideration of Approval of Certificate of Records Destruction for Certain Records in the Office of County Treasurer

On motion of Mr. Rector, second by Mr. McCall, it was resolved to approve the Certificate of Records Destruction as requested by the Office of County Treasurer.

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 Consideration of Transfer of Victim/Witness Assistance Program to Office of County Sheriff

Ms. Robin Widener, Director of the Washington County Victim/Witness Assistance Program presented the Board with a request to authorize the transfer of administrative responsibility for the Program from the Office of Commonwealth's Attorney to the Washington County Sheriff's Office. Ms. Widener explained that at the present time, the Program is generally only involved with victims of crime throughout the court

process. By placing the Program with the Sheriff’s Office, the Program would have access to information about all reported crimes.

Discussion ensued among the Board relative to the request.

On motion of Mr. Barker, second by Mr. Rector, the Board acted to authorize transfer of administrative responsibility for the Washington County Victim/Witness Assistance Program to the Washington County Sheriff’s Office.

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. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

12a Consideration of Funding Special Achievement Activities for Students in the Washington County School System

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to transfer \$20,000.00 from restricted reserves for contingencies to the Washington County School Board to be earmarked for student achievement as related to student participation in national award programs.

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. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

13 County Administrator Reports:

a. Recognition of County Planner Wally Horton

County Administrator Mark Reeter introduced the new County Planner Mr. Wally Horton.

b. Update on Status of Courthouse Renovation Project

Mr. Reeter provided the Board with a status report on the Courthouse Renovation Project. Phase I is completed with Phases II and III nearing completion. The total job is expected to be finished before the end of September. To date, there have been no modifications to the original contract.

c. Board of Supervisors Electronic Agenda

Mr. Reeter requested the Board’s guidance regarding the electronic agendas. It was general consensus among Board members to continue with the electronic agendas and to cutback on the number of Agenda books produced.

d. Receipt of Star Solutions and Fluor Proposals for I-81 Improvements

Mr. Reeter advised the Board he was in receipt of the proposals for I-81 Improvements from Star Solutions and Fluor. The Board was provided at their stations with correspondence from the Virginia Department of Transportation announcing that the 60-day comment period had officially begun and would be open through November 4. Mr. Reeter further advised the Board they would be provided with copies of both proposals in CD format, and that paper copies would be given to the Transportation Advisory Board.

14 County Attorney Reports

No report.

15 Board Information

County Administrator Mark Reeter drew attention to correspondence included in the Board section from the Virginia Department of Transportation (VDOT) regarding their new public hearing format on the proposed Six Year Plan. Mr. Reeter advised the Board that the public hearing would be held on October 21, 2003, at Southwest Virginia Community College in Richlands, VA.

16 Consent Agenda

On motion of Mr. Ingle, second by Mr. McCall, it was resolved to approve the following Consent Agenda items:

- a. Payment of Bills – September 2003*
- b. Cancelled Check – General Fund*
- c. Supplemental Appropriation to Washington County Sheriff’s Office*

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. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

17 Board Member Reports

Supervisor John Roberts reported to the Board that he and Chairman Joe Derting attended the dedication of the addition at Rhea Valley Elementary School.

Supervisor Phillip McCall thanked the Board for cards and flowers he received during his recent illness and surgery.

Chairman Joe Derting reported that the Washington County Service Authority is working on a water line installation project in the area of Walkers Mountain and Valley Institute.

Mr. Derting advised the Board that an industrial prospect had toured the Glade Highlands Regional Industrial Park.

18 Request for Closed Meeting Pursuant to Code of Virginia Sec. 2.2-3711(A)(5) to discuss a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding in Washington County; more specifically, regarding the location or expansion of business or industry in the Washington County Industrial Park.

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to convene in closed meeting pursuant to Code of Virginia Sec. 2.2-3711(A)(5) to discuss a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding in Washington County; more specifically, regarding the location or expansion of business or industry in the Washington County Industrial Park. The Closed Meeting shall include Mark Reeter, County Administrator; Christy Parker, Assistant County Administrator; and Lucy Phillips, County Attorney.

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. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

On motion of Mr. Ingle, second by Mr. Barker, the Board of Supervisors reconvened in open meeting.

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. McCall</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>

Mr. Rector *Aye*
Mr. Roberts *Aye*

Mr. Derting asked for any participant in the closed meeting who believes that there was a departure from the requirements of the Virginia Freedom of Information Act during the closed meeting to please state the substance of the departure.

Hearing no such statements, on motion of Mr. McCall, second by Mr. Rector, it was resolved to certify the closed meeting in accordance with the requirements of the Virginia Freedom of Information Act. By vote in favor of this motion, each member certified that the closed meeting was conducted in conformity with Virginia law and that only public business matters lawfully exempted from open meeting requirements and identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the closed meeting.

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*

19 Adjourn

On motion of Mr. Rector, 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. Barker *Aye*
Mr. Ingle *Aye*
Mr. McCall *Aye*
Mrs. Mumpower *Aye*
Mr. Rector *Aye*
Mr. Roberts *Aye*

Prepared by:

Naoma A. Mullins, Recording Clerk

09/09/03 13058

Approved by the Washington County Board of Supervisors:

Joe W. Derting, Chairman