

V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Thursday, May 30, 1991, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

James P. Litton, Chairman
 Maurice H. Parris, Vice Chairman
 Kenneth G. Mathews
 Aubrey E. Brown
 Charles O. Byrd
 Thomas Whittaker
 Cecil K. Simcox

Bruce E. Bentley, County Administrator
 Cliff Walsh, County Attorney
 Mark W. Seamon, Director of Accounting
 Sandra M. Hatfield, Secretary

1. Call to Order

The meeting was called to order by Mr. James P. Litton, Chairman of the Board.

2. Invocation and Pledge of Allegiance - James P. Litton

Reverend Don Lasly, Pastor, First Baptist Church Damascus, gave the Invocation and led in the Pledge to the Flag.

Mr. Bentley requested the Agenda be amended to include the following item under County Administrator's Comments:

- e Request to advertise for public hearing to amend present Six Year Secondary Highway Construction Plan and public hearing on Highway Construction Budget for FY 1991-92

Mr. Byrd requested the Agenda be amended to include an item concerning Employee's Salaries and suggested it be numbered 5.a.

There were no further changes to the Agenda.

3. Approval of Minutes:

On motion of Mr. Byrd, second by Mr. Parris, it was resolved to approve the following Minutes, as presented:

:: Recessed Meeting of May 8, 1991
 :: Regular Meeting of May 13, 1991
 :: Recessed Meeting of May 14, 1991

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

4. Citizen Comments

At this time, Mr. Litton invited comments from citizens in the audience on items that do not appear on the agenda.

Rob Goldsmith, Executive Director, People Incorporated, addressed the Supervisors proposing to provide a Head Start Program in the Mendota Community.

After discussion, on motion of Mr. Whittaker, second by Mr. Parris, it was resolved to support People Incorporated's application for grant funding to operate a Head Start Program in the Mendota community, and further, resolved to include an amount not to exceed \$30,000 of local funds in the FY 1991-1992 budget to support the grant application.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

The Honorable Joseph Johnson, Delegate, addressed the Supervisors responding to their request for his opinion on County of Frederick's resolution in support of the Dillon Rule. He stated he sees nothing wrong with the Supervisors adopting the Resolution but, as a legislator, will not vote for anything that will take away from the localities. He returned the County of Frederick's Resolution with the understanding that he is not bound by the Resolution.

Bill Cole, Building Official for Washington County, addressed the Supervisors concerning their recent action to grant salary increases to certain employees. He requested that he and his secretary be given the same consideration as other employees, and requested a salary increase.

L. B. Atkins requested the Supervisors give a plaque to the Washington County Life Saving Crew and declare a day of recognition to honor their courageous life saving efforts during a recent accident and drowning at Avens Bridge in Washington County. Mr. Atkins also commented on recent actions of the Supervisors to give salary increases to certain County employees and not all County employees.

5. Mr. Robert Lampkins - Road Problems on Route 736

Mr. Robert Lampkins, resident of Route 736 in Emory, Virginia, addressed the Supervisors concerning the conditions of this road, and presented them with a signed petition. He stated the road is dangerous, the road bed is decaying, and it is unsafe. He asked the Supervisors for their commitment to consider Route 736 as a priority for inclusion in the Six Year Plan. Mr. Bentley was directed to contact Mr. Robert Lampkins in October when the Department of Transportation Six Year Plan for secondary road construction is discussed.

Mr. Johnson spoke in Mr. Lampkins behalf reiterating that the road is dangerous. He requested the Supervisors consider improvements to Route 736 as a priority.

Discussion among the Supervisors resulted in acknowledgement of the severity of the road conditions.

6. Public Hearing to consider and hear any objections from property owners in the Whitetop Subdivision in the Harrison Magisterial District of Washington County to show cause, if any they can, as to why special assessments should not be imposed against each lot in the Whitetop Subdivision in order to improve the streets in the Whitetop Subdivision to state standards, before taking such streets into the State secondary road system for future maintenance by the Virginia Department of Transportation

Mr. Litton invited comments both in support of and in opposition to the special assessments against lots located in the Whitetop Subdivision.

Sonny Wright, property owner stated he is not opposed to people getting a paved road, however, he is opposed to paying for it. He commented that the cost is more than he can afford to pay, and that it imposes a hardship on him. Mr. Wright reported he owns 2 lots in the Subdivision. He stated there are 21 lots in the Subdivision and only 10 lots were assessed. Mr. Wright raised his concern over a drainage problem.

Throughout the public hearing, Mr. Wright spoke to the Supervisors and responded to comments made by property owners in the Whitetop Subdivision.

Other persons who addressed the Supervisors speaking in support of the special assessments to bring the road up to state standards were:

Charles Fields, property owner;
 Unnamed Speaker #1, property owner, responded to the comments on the drainage problem, stating his brother-in-law gave property to the County for a drainage pond;
 Unnamed Speaker #2, property owner, expressed his viewpoint that the property owners in the back portion of the Subdivision are interested in bringing the entire road up to state standards and would be willing to participate in the assessment;
 Mr. & Mrs. Lopez, property owners;
 Bill Pruitt, property owner, wants road on back side;
 Jack Statzer, property owner on the back side of the Subdivision, expressed his willingness to pay an assessment to bring the subdivision road up to state standards;
 Gary Ruble, property owner on the back side of the Subdivision, supports paving the entire road;
 Lonny & Sharon Cunningham, property owner at the end of the subdivision road, supports paving the entire road.

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

On motion of Mr. Mathews, second by Mr. Byrd, it was resolved to adopt the following resolutions:

RESOLUTION

WHEREAS, the Board of Supervisors of Washington County, Virginia has received written declarations from the owners of seventy-five percent (75%) of the platted parcels of land in the Whitetop Subdivision requesting that special assessments be made against each property owner in the subdivision whose property abuts the streets in said subdivision to be improved, in order to improve these streets to State standards for future maintenance as part of the secondary road system; and

WHEREAS, in accordance with Section 33.1-72.1 of the 1950 Code of Virginia, as amended, the State will pay for one-half of the construction cost to bring the streets in the Whitetop Subdivision up to State standards; and

WHEREAS, the remaining one-half of the construction cost to bring the streets up to State standards can be provided through special assessments against the abutting property owners for such improvements under Section 33.1-72.1 of the Code of Virginia and Section 15.1-239 et seq. of the 1950 Code of Virginia, as amended; and

WHEREAS, the Board of Supervisors has notified each property owner abutting the streets to be improved of the proposed special assessments and has properly advertised a public hearing in order to receive comments or objections to the proposed special assessments for road improvements in the Whitetop Subdivision; and

WHEREAS, the Board of Supervisors of Washington County determines that it is in the public interest to improve substandard subdivision streets such as currently exist in the Whitetop Subdivision to State standards by

having the property owners pay for one-half of the cost of these road improvements;

NOW, THEREFORE, the Board of Supervisors of Washington County, Virginia hereby imposes special assessments for local improvements upon each property owner in the Whitetop Subdivision abutting the streets to be improved in the said subdivision as specifically set forth on Attachment A; and

IT IS FURTHER RESOLVED that the attached list of property owners and estimated special assessments (Attachment A) be provided to the Washington County Treasurer and to the Clerk of the Circuit Court for recording in the Judgment Lien Book as a lien against the property, indexed in the name of the owner, which estimated assessments shall be amended at the completion of the construction project by the Department of Transportation to reflect the actual final assessment for each parcel, based upon the total actual cost of the construction project, but in no case shall the final assessment be more than the estimated assessment as reflected on Attachment A hereto.

IT IS FURTHER RESOLVED that the owners of parcels abutting the streets to be improved in the Whitetop Subdivision are authorized to pay the special assessments hereby made in equal installments over a period of not exceeding ten (10) years, together with interest at the legal rate per annum on the unpaid balances. Such installments shall become due at the same time the real estate taxes become due and payable in the County, and the Washington County Treasurer is directed to mail a special assessment notice together with the real estate tax ticket not later than fourteen days prior to the due date.

IT IS FURTHER RESOLVED that the Board of Supervisors of Washington County, Virginia hereby authorizes the Virginia Department of Transportation to construct the streets in the the Whitetop Subdivision located in the Harrison Magisterial District of Washington County to State standards under the provisions of Section 33.1-72.1 of the Code of Virginia, using new rural addition road funds of Washington County for one-half of the cost, for constructing this street extension to State Department of Transportation standards.

RESOLUTION

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA, that the Virginia Department of Transportation is hereby requested to construct to State standards and take into the State secondary road system under Section 33.1-72.1(c) of the Code of Virginia the streets in the Whitetop Subdivision located in the Harrison Magisterial District of Washington County, Virginia, and further described as follows:

Un-named street - Beginning at a point on Route 669, 0.36 mile northeast of Route 702, thence north 0.36 mile to cul-de-sac. A total distance of 0.36 mile.

Washington County does hereby guarantee a fifty-foot right of way over the described streets, together with the necessary drainage easements which are unencumbered and are more readily set forth in the plat of the Whitetop

Subdivision recorded among the land records of Washington County in Plat Book 19 at page 87.

IT IS FURTHER RESOLVED that the Board of Supervisors has taken appropriate steps to assure the Virginia Department of Transportation that neither the original developer, developers, nor successor developers retain a speculative interest in property abutting said street extension, as defined in Section 33.1-72.1(c) of the Code of Virginia.

IT IS FURTHER RESOLVED that Washington County does hereby guarantee payment of one-half of the actual cost of this construction from County general revenue or special assessment; and that in furtherance of this guarantee Washington County does appropriate \$27,500 to provide one-half of the estimated cost of construction; and requests the Washington County Treasurer to escrow these funds in a special account to be disbursed to the Virginia Department of Transportation upon the completion of this project; and further requests the Washington County Treasurer to notify the Virginia Department of Transportation of the establishment of the escrow account of these funds for the Whitetop Subdivision road project.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

7. Public Hearing to consider the appointment of one member to the Washington County School Board to be appointed from the G-91 (Wilson) District: Hershel Stevens; and one member to the Washington County School Board from the C-91 (Madison) District: Richard T. Farnsworth

Mr. Litton invited comments both in support of and in opposition to appointments to the Washington County School Board.

James Salyers voiced his opposition to the appointment of Hershel Stevens and Richard T. Farnsworth elaborating in detail on the reasons for his position. He requested that the Board of Supervisors withhold approving these nominations until such time as he and Mrs. Salyers can speak to the Supervisors privately.

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

On motion of Mr. Brown, second by Mr. Mathews, it was resolved to approve the nomination and reappointment of Richard T. Farnsworth to the Washington County School Board representing Madison District for a four year term effective July 1, 1991.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

On motion of Mr. Simcox, second by Mr. Mathews, it was resolved to approve the nomination and appointment of Hershel Stevens to the Washington County School Board representing Wilson District for a four year term effective July 1, 1991.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

8. Recess

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

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

9. Presentation of Certificate of Appreciation to Highlands Military Support Group

Mr. James Litton presented a Plaque and Certificate of Appreciation to Highlands Desert Shield/Storm Support Group in recognition of the organization's contribution to the military personnel and their families during the Persian Gulf crisis. Accepting the Plaque was John W. Crigger, Sr., President.

Mr. Crigger expressed his appreciation to the Board of Supervisors and introduced the elected officers of the organization. Mr. Crigger also introduced Sheriff Deputy Charles Bishop who recently returned from military service assigned to the Persian Gulf.

Mr. Crigger invited the Supervisors to participate in the July 4th festivities at the Washington County Fairgrounds when the Town will be honoring military personnel from Washington County who served during the Persian Gulf crisis.

10. Public Hearing on the issuance of not to exceed \$1,170,015 general obligation bonds of the County to assist in financing certain capital projects for school purposes

Mr. Litton invited comments both in support of and in opposition to the issuance of general obligation bonds of the County in an amount not to exceed \$1,170,015 to assist in financing certain capital projects for school purposes.

Dr. George H. Stainback, Division Superintendent, addressed the Supervisors requesting they approve the Bond Sale Agreement in order for the State to sell bonds for the Washington County School Board.

Lewis Atkins, requested clarification on the interest rates for the bonds.

Dr. Stainback responded to Mr. Atkins that rates have not yet been determined.

On motion of Mr. Byrd, second by Mr. Brown, it was resolved to authorize the issuance of not to exceed \$1,170,015 General Obligation School Bonds, Series 1991, of the County of Washington, Virginia, to be sold to the Virginia Public School Authority, and further, it was resolved to authorize the County Administrator to sign the Bond Sale Agreement between Washington County and the Virginia Public School Authority dated as of May 31, 1991 for the Principal amount not to exceed \$1,170,015 and an amortization period of 20 years.

RESOLUTION AUTHORIZING THE ISSUANCE OF
\$ 1,170,015 GENERAL OBLIGATION BONDS, SERIES 1991
OF THE COUNTY OF WASHINGTON, VIRGINIA
TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY

WHEREAS, the Board of Supervisors (the "Board") of the County of Washington, Virginia (the "County") has determined that it is in the best interests of the County to undertake various capital projects for school purposes and that it is necessary and expedient to borrow money and issue the general obligation bonds of the County in an amount not to exceed \$1,170,015 to pay the costs thereof;

WHEREAS, the County is authorized to issue its general obligation bonds for the purposes described above by Section 15.10185 of the Code of Virginia 1950, as amended; and

WHEREAS, the Board has held a public hearing regarding the issuance of such bonds as required by Section 15.1-171.1 of the Code of Virginia of 1950, as amended:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WASHINGTON, VIRGINIA:

1. The Board of the County hereby determines that it is advisable to contract a debt and issue and sell the County's general obligation bonds (the "Bonds") in an aggregate principal amount not to exceed \$1,170,015.00 to the Virginia Public School Authority (the "VPSA").

2. The appropriate officers of the County are hereby authorized and directed to enter into a bond sale agreement with the VPSA providing for the sale of the Bonds to the VPSA.

3. The County Administrator is hereby authorized and directed to immediately cause a certified copy of this Resolution to be filed with the Circuit Court of the County pursuant to Sections 15.1-199 and 15.1-212 of the Code of Virginia 1950, as amended, and within ten days thereafter to cause to be published once in a newspaper having general circulation in the County, a notice setting forth (1) in brief and general terms that purposes for which the Bonds are to be issued and (2) the amount of such Bonds.

4. This resolution shall take effect immediately.

APPENDIX B
to the Bond Sale Agreement

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED
\$1,170,015 GENERAL OBLIGATION SCHOOL BONDS,
SERIES 1991, OF THE COUNTY OF WASHINGTON, VIRGINIA,
TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY
AND PROVIDING FOR THE FORM AND DETAILS THEREOF.

WHEREAS, in October 1990 and November 1990, the School Board of Washington County, Virginia (the "School Board") obtained a commitment (the "Commitment") from the Commonwealth of Virginia Board of Education (the "Board of Education") for a loan of One Million, One Hundred Seventy Thousand Fifteen Dollars (the "Literary Fund Loan") from the Literary Fund, a permanent trust fund established by the Constitution of Virginia and dedicated to the support of public education in the Commonwealth of Virginia (the "Literary Fund"), for the construction, renovation and expansion of school buildings (the "Project") in Washington County, Virginia (the "County").

WHEREAS, the Board of Education was to have given advances on the Literary Fund Loan to the School Board, as construction or renovation of the Project progressed, in exchange for temporary notes from the School Board to the Literary Fund (the "Temporary Notes") for the amounts so advanced;

WHEREAS, after the completion of the Project and the advance of the total amount of the Commitment, the Temporary Notes were to have been consolidated into a permanent loan note of the School Board to the Literary Fund (the "Literary Fund obligation") which was to evidence the obligation of the School Board to repay the Literary Fund Loan;

WHEREAS, the Literary Fund Obligation was to have borne interest at two percent (2%) per annum and mature in annual installments for a period of twenty (20) years;

WHEREAS, in connection with the 1991 Interest Rate Subsidy Program (the "Program"), the Virginia Public School Authority (the "VPSA") has offered to purchase general obligation school bonds of the County, and the Board of Education has offered to pay, to the County, a lump sum cash payment (the

"Lump Sum Cash Payment") equal to the sum of (i) net present value difference, determined on the date the VPSA sells its bonds, between the interest rate that the general obligation school bonds of the County will bear upon sale to the VPSA and the interest rate that the Literary Fund Obligation would have borne plus (ii) an allowance for the costs of issuing the Bonds (the "Issuance Expense Allowance");

WHEREAS, the Board of Supervisors (the "Board") of the County of Washington, Virginia (the "County"), has determined that it is necessary and expedient to borrow not to exceed \$1,170,015 and to issue its general obligation school bonds for the financing of certain capital projects for school purposes; and

WHEREAS, the County held a public hearing, on May 30 and June 11, 1991, on the issuance of the Bonds (as defined below) in accordance with the requirements of Sections 15.1-171.1 and 15.1-504, Code of Virginia 1950, as amended (the "Virginia Code").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF WASHINGTON, VIRGINIA:

1. Authorization of Bonds and Use of Proceeds. The Board hereby determines that it is advisable to contract a debt and issue and sell general obligation bonds in an aggregate amount not to exceed \$1,170,015 (the "Bonds") for the purpose of financing certain capital projects for school purposes. The Board hereby authorizes the issuance and sale of the Bonds in the form and upon the terms established pursuant to this Resolution.

2. Sale of the bonds. It is determined to be in the best interest of the County to accept the offer of the VPSA and the Board of Education for the VPSA to purchase, and the County to sell to the VPSA, the Bonds at a price equal to an amount that when added to the Lump Sum Cash Payment will be approximately equal to the capital cost of the Project(s) approved by the Board of Education plus the Issuance Expense Allowance, upon the terms established pursuant to this Resolution and for the County to accept the Lump Sum Cash Payment from the Board of Education. The Chairman of the Board, the Administrator of the County, and such officer or officers of the County as either may designate such officer or officers of the County as either may designate are hereby authorized and directed to enter into a Bond Sale Agreement with the VPSA providing for the sale of the Bonds to the VPSA (the "Bond Sale Agreement") and to accept the Lump Sum Cash Payment from the Board of Education.

3. Details of the Bonds. The Bonds shall be issuable in fully registered form; shall be dated the date of issuance and delivery of the Bonds; shall be designated "General Obligation School Bonds, Series 1991"; shall bear interest from the date of delivery thereof payable on December 15, 1991 (on which date capitalized interest on the VPSA bonds shall be credited against such interest in full satisfaction thereof), and semiannually thereafter on each June 15 and December 15 (each in "Interest Payment Date"), at the rate or rates established in accordance with paragraph 4 of this Resolution; and shall mature on December 15 in the years (each a "Principal Payment Date"), and in the amounts set forth in Exhibit A attached hereto. The Interest Payment Dates stated above and the principal

with paragraph 4 of this Resolution; and shall mature on December 15 in the years (each a "Principal Payment Date"), and in the amounts set forth in Exhibit A attached hereto. The Interest Payment Dates stated above and the principal amounts due on the Bonds as shown on Exhibit A attached hereto accept changes in the Interest Payment Dates and the principal amounts due on the Bonds at the request of the VPSA; and, the execution and delivery of the Bonds as described in Section 8 hereof shall conclusively evidence the same as having been approved and authorized by this Resolution.

4. Interest Rates. The (Administrator/Manager) of the County is hereby authorized and directed to accept the interest rate or rates on the Bonds established by the VPSA, provided that no such interest rate or rates shall be more than ten one-hundredths of one percent (10/100 of 1%) over the annual rate to be paid by the VPSA for the corresponding maturity of the bonds to be issued by the VPSA (the "VPSA Bonds"), a portion of the proceeds of which will be used to purchase the Bonds, and provided further, that no interest rate or rates on the Bonds shall exceed nine percent (9%) per annum; and the execution and delivery of the Bonds as described in Section 8 hereof shall conclusively evidence the same as having been approved and authorized by this Resolution. As required by Section 15.1-186(a) of the Virginia Code, the estimated interest rate on the Bonds is four and one-quarter percent (4.25%) to six and seven tenths percent (6.7%) per annum and the estimated interest charges required to repay and retire the Bonds is \$607,432.38.

5. Form of the Bonds. For as long as the VPSA is the registered owner of the Bonds, the Bonds shall be in the form of a single typewritten bond substantially in the form attached hereto as Exhibit B.

6. Payment, Paying Agent and Registrar. The following provisions shall apply:

(a) For as long as the VPSA is the registered owner of the Bonds, all payments of principal of, premium, if any, and interest on the Bonds shall be made in immediately available funds to the VPSA at or before 11:00 a.m. on the applicable Interest Payment Date and Principal Payment Date, or if such date is not a business date for Virginia banks or for the Commonwealth of Virginia, then at or before 11:00 a.m. on the business day next preceding such Interest Payment Date and Principal Payment Date.

(b) All overdue payments of principal or interest shall bear interest at the applicable interest rate or rates on the Bonds.

(c) Treasurer of Washington County, Virginia, is designated as Bond Register and Paying Agent for the Bonds.

7. No Prepayment or Redemption. The principal installments of the Bond are not subject to prepayment or redemption prior to their stated maturities.

8. Execution of the Bonds. The Chairman or Vice Chairman and the Clerk or any Deputy Clerk of the Board are authorized and directed to execute and deliver the Bonds in an aggregate principal amount not to exceed \$1,170,015 and to affix the seal of the County thereto.

9. Pledge of Full Faith and Credit. For the prompt payment of the principal of, the premium, if any, and the interest of the Bonds as the same shall become due, the full faith and credit of the County are hereby irrevocable pledged, and in each year while any of the Bonds shall be outstanding there shall be levied and collected in accordance with law an annual ad valorem tax upon all taxable property in the County subject to local taxation sufficient in amount to provide for the payment of the principal of, the premium, if any, and the interest shall become due, which tax shall be without limitation as to rate and amount and in addition to all other taxes authorized to be levied in the County.

10. School Bond Approval. The Clerk of the Board is hereby authorized and directed to cause a certified copy of this Resolution to be presented to the School Board of the County. The Bonds hereby authorized shall not be issued by the Board until the School Board of the County shall have adopted an appropriate resolution consenting to the issuance of the Bonds.

11. Use of Proceeds Certificate. The Chairman of the Board, the Administrator of the county as either may designate are hereby authorized and directed to execute a Use of Proceeds Certificate setting forth the expected use and investment of the proceeds of the Bonds and containing such covenants as may be necessary in order to show compliance with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and applicable regulations relating to the exclusion from gross income of interest on the Bonds will be invested and expended as set forth in such Use of Proceeds Certificate and that the County shall comply with the other covenants and representations contained therein. Furthermore, the Board covenants on behalf of the County that the County shall comply with the provisions of the Code so that interest on the Bonds and on the VPSA Bonds will remain excludable from gross income for Federal Income tax purposes.

12. State Non-Arbitrage Program, Proceeds Agreement. The Board hereby determines that it is in the best interests of the County to authorize and direct the Treasurer of the County to participate in the State Non-Arbitrage Program in connection with the Bonds. The Chairman of the Board, the Administrator of the County and such officer or officers of the County as either may designate are hereby authorized and directed to execute and deliver a Proceeds Agreement with respect to the deposit and investment of proceeds of the Bonds by and among the County, the other participants in the sale of the VPSA Bonds, The VPSA, Public Financial Management, Inc., as investment manager, and Central Fidelity Bank, as depository.

13. Filing of Resolution and Publication or Notice. The appropriate officers or agents of the County are hereby authorized and directed to cause a certified copy of this Resolution to be filed with the Circuit Court of the County and, within ten (10) days thereafter, to cause to be published once in a newspaper having general circulation in the County a notice setting forth (a) in brief and general terms the purposes for which the Bonds are to be issued and (b) the amount of the Bonds.

14. Further Actions. Each member of the Board and all other officers, employees and agents of the County are hereby authorized to take such action as they or any one of them may consider necessary or desirable

in connection with the issuance and sale of the Bonds and any such action previously taken is hereby ratified and confirmed.

15. Effective Date. This Resolution shall take effect immediately.

The undersigned Clerk of the Board of Supervisors of the County of Washington, Virginia, hereby certifies that the foregoing constitutes a true and correct extract from the Minutes of a meeting of the Board of Supervisors held on May 30, 1991, and of the whole thereof so far as applicable to the matters referred to in such extract. I hereby further certify that such meeting was a regularly scheduled meeting and that, during the consideration of the foregoing resolution, a quorum was present.

VIRGINIA PUBLIC SCHOOL AUTHORITY
BOND SALE AGREEMENT
dated as of May 31, 1991

Name of Jurisdiction (the "Local Unit"): Washington County

Sale Date: Not earlier than June 24, 1991 nor later than June 27, 1991.

Closing Date: On or about July 25, 1991.

Principal Amount (not to Exceed): \$1,170,015

Amortization Period: 20 Years

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1. The Virginia Public School Authority ("VPSA") hereby offers to purchase your general obligation school bonds in an amount not to exceed the Principal Amount set forth above from the proceeds of VPSA's bonds, the sale of which is scheduled to take place on the Sale Date.
 2. You represent that on or before the Sale Date, your local governing body will have duly authorized the issuance of your bonds by adopting a resolution in a form satisfactory to VPSA (the "local resolution" and that your bonds will be in the form set forth in the local resolution. Such form of the local resolution and/or your bonds must be approved by VPSA prior to adoption of the local resolution by your local governing body.
 3. VPSA's commitment to purchase your bonds is contingent upon VPSA's receipt on the Closing Date, of (a) a certified copy of the local resolution, (b) approving legal opinions from your bond counsel in form satisfactory to VPSA as to (i) the validity and exclusion from gross income for federal and Virginia income tax purposes of the interest on your bonds, (ii) the conformity of the terms and provisions of your bonds to the requirements of this Bond Sale Agreement including the exhibits hereto, and (iii) the due authorization, execution and delivery of this Bond Sale Agreement and the Proceeds Agreement (de-

fined below) and the enforceability of the Proceeds Agreement, (c) an executed agreement, among VPSA, you and the other local units

WITNESS MY HAND and the seal of the Board of Supervisors of the County of Washington, Virginia.

Dated: May 30, 1991

Clerk, Board of Supervisors of the County of Washington, Virginia

(Seal)

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

11. Public Hearing to consider increasing the charges for use of the Washington County Landfill and convenience stations

Mr. Litton invited comments both in support of and in opposition to the proposed fee increase at Washington County Landfill and Convenience Stations.

Lewis Atkins raised the question about the effect of the proposed increases on the tipping fee paid by the Town. Mr. Bentley explained there is no tipping fee for the Towns within the County.

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

On motion of Mr. Byrd, second by Mr. Brown, it was resolved to increase Landfill and Convenience Center rates effective July 1, 1991 as follows:

- \$20.00 per ton for commercial trash, garbage and refuse;
- \$12.00 per bag of asbestos;
- \$ 4.00 per foot for unbagged asbestos;
- \$.50 for tires;
- \$20.00 per ton for commercial brush and undergrowth; and

\$20.00 per ton for noncommercial building materials.

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

Mr. Mathews	Aye	Mr. Litton	Nay	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Nay
Mr. Simcox	Aye				

Mr. Litton commented he has attempted to get a convenience center installed in the vicinity of Tumbling Creek in the Jefferson Magisterial District for several years and until the matter is corrected he will vote "Nay" on any matter related to solid waste or the Landfill. He requested that his comments be placed in the minutes each time there is action on a matter concerning solid waste or the Landfill.

12. Consideration of Resolution Requesting Virginia Department of Transportation to take Widner's Point Subdivision into the Secondary System

On motion of Mr. Brown, second by Mr. Parris, it was resolved to adopt the following resolution taking Lakeview Lane and Whispering Water Road, both located in the Madison Magisterial District of Washington County, Virginia, into the State secondary highway system.

RESOLUTION
WIDNER'S POINT SUBDIVISION

IT IS HEREBY RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA that the Virginia Department of Transportation is hereby formally and officially requested to take into the State secondary highway system the following streets in the Madison Magisterial District of Washington County, Virginia:

Lakeview Lane - Beginning at a point on State Route 670, 0.09 mile southeast of State Route 664 east, thence southwest thence southeast to cul-de-sac. A total distance of 0.18 mile.

Whispering Water Road - Beginning at a point on Lakeview Lane, 0.12 mile southwesterly from State Route 670, thence west, thence south, thence east, thence north looping back into Whispering Water Road. A total distance of 0.31 mile.

The Board of Supervisors of Washington County, Virginia does hereby guarantee a 50-foot right of way as recorded in Plat Book Number 24, at page 40, slide Number 442, dated 2-8-89, among the land records of Washington County, Virginia. Washington County does also guarantee the necessary drainage easements, and that they are unencumbered.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

12.a Mr. Byrd commented on the Board of Supervisors recent action to approve salaries on an individual basis stating his view that they should be handled as a group in the departments which they are employed. He stated he made a serious mistake in voting on May 23, 1991 for the raises the way he did, adding that the Board needs to listen to all requests.

Mr. Byrd made a motion, with no second, to rescind the action of May 23, 1991 with regard to salary increases for the Animal Control Wardens, and further requested the County Administrator to take a look at all employees salaries asking that he present what he thinks is a fair and equitable proposal and that the Board of Supervisors present their salary proposal.

Mr. Litton held up two unopened letters from the Animal Control Wardens and stated he was given them to read in the event Mr. Byrd's motion passed.

Mr. Brown expressed his concern that the Supervisors are taking away the authority of the County Administrator to deal with personnel matters. He commented he hopes the Board's position can be reevaluated.

The vote on Mr. Byrd's motion was as follows (3-3-1):

Mr. Mathews	Aye	Mr. Litton	Nay	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Nay	Mr. Whittaker	Nay
Mr. Simcox	Abstain				

Mr. Litton left the Board table, delivered the two unopened letters to the Animal Control Wardens who were in the audience, and returned to the table.

13. E-911 Update Report (Mary Fraysier)

Mr. Bruce Bentley gave a status report on the implementation of E-911. Supervisors received a draft ordinance for the assignment of names to streets and roads and the posting of street signs and building numbers, and a copy of an official letter of notification to citizens concerning field verification work.

14. Presentation of Energy Use Analysis and Product Proposal for Washington County Administration Office and Washington County Treasurer's Office (S. Strother Smith, III, Southwest Systems Integration, Inc.)

Mr. Strother Smith, Southwest Systems Integration, Inc., presented an energy use analysis and product proposal for the Administration Building. Mr. Smith explained the benefits of an energy management system.

The Board of Supervisors will advise Mr. Smith of action if desired.

15. Reconsideration of Temporary Special Use Permit For Sharon Poe Massingill to place a doublewide mobile home in an R-2 (Residential, General) zone

On motion of Mr. Whittaker, second by Mr. Parris, it was resolved to withdraw request of Sharon Poe Massengill for a special use permit for the placement of a doublewide mobile home in an R-2 (Residential, General) zone.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

16. Office on Youth Requests (Buckey Boone, Director)

The following actions were taken on Office on Youth requests:

:: Accept Funds from United States Department of Agriculture for Summer Food Service Program

On motion of Mr. Mathews, second by Mr. Brown, it was resolved to accept up to \$6,686 from the United States Department of Agriculture which was received as a result of the Summer Food Service Program Grant Approval, and further appropriate these funds to be used for students enrolled in the summer breakfast program at Abingdon, High Point and Meadowview Elementary Schools; children enrolled in the Recreation Department's Play Days at Watauga, Greendale, and Meadowview Elementary Schools; and lunch and breakfast to all children at all A Leg Up weekly programs.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

:: Appointments to Youth Services Citizen Board

On motion of Mr. Brown, second by Mr. Byrd, it was resolved to appoint the following members to the Washington County Youth Services Citizen Board for one year terms effective June 1, 1991 to May 31, 1992:

Jill Maiden, Patrick Henry High School;
Collin Jones, John S. Battle High School;
Ross Edmonds, Abingdon High School.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

17. Consideration of Board Appointments Expiring June 30, 1991, Four Year Appointments Unless Otherwise Noted

:: Virginia Highlands Airport Commission
Robert L. Pugh, Jefferson District

Mr. Litton turned the gavel over to Mr. Parris for the purpose of making a motion.

On motion of Mr. Litton, second by Mr. Whittaker, it was resolved to appoint John McCroskey to the Virginia Highlands Airport Commission representing Jefferson District for a four year term effective July 1, 1991 to June 30, 1995.

The vote on this motion was as follows (4-2-1):

Mr. Mathews	Abstain	Mr. Litton	Aye	Mr. Brown	Nay
Mr. Byrd	Nay	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

:: Highlands Community Services Bd. (3 Year Appointments)

Jean S. Miller, Madison District

Mr. Brown requested the Madison District appointment be postponed until June 10, 1991.

Darrell Horton, Wilson District

On motion of Mr. Simcox, second by Mr. Litton, it was resolved to appoint Joyce Rush to the Highlands Community Services Board for a three year term representing Wilson District effective July 1, 1991 to June 30, 1994.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

:: Public Library, Board of Trustees

Lola Harris, Jefferson District

On motion of Mr. Litton, second by Mr. Whittaker, it was resolved to reappoint Lola Harris to the Washington County Public Library Board of Trustees representing Jefferson District for a four year term effective July 1, 1991 to June 30, 1995.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

Mr. Parris returned the gavel to Mr. Litton.

18. Consideration of Appointments to the Mount Rogers Planning District Commission

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to reappoint the following members to the Mount Rogers Planning District Commission:

:: W. D. Young, Jr., Washington County Planning Commission
 :: H. Brady Surles, At-Large

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

19. County Administrator Comments:

The following action was taken on County Administrator's comments:

- a Consideration of 1991 CDBG Planning Grant Applications (Sally H. Morgan, Deputy Director, Mount Rogers Planning District Commission)

Received notification from Sally Morgan, Deputy Director, Mount Rogers Planning District Commission, about the availability of funds under the Community Development Block Planning Grant Program.

Discussion ensued about applying for a CDBG grant for Widner's Valley/Rush Creek, Glade Spring Sewer, and the Mendota Water Project. No action was taken for the Planning Grant application.

- b Consideration for Scheduling Additional Budget Work Sessions

Discussion ensued relative to scheduling additional budget work sessions. It was determined the Washington County School Board will meet with the Board of Supervisors on June 12, 1991 at 7:00 p.m. in a budget work session.

- c Communications

The following communications were received:

- :: Letter to Virginia Department of Community Development, Mr. Dan Campbell, Community Representative, concerning Washington County Industrial Park Sewerage Treatment Project, requesting an extension of the ARC Grant and SWVED Grant;
- :: Letter to Crown American Corporation, Randy Quinlan, Senior Project Manager, concerning request for reduction on letter of credit - Twin City Mall;
- :: Letter from Rubinette Niemann, Vice Chairman, History Committee, Virginia Highlands Festival Board, concerning use of the Elliott Building for a six month period;
- :: Letter from Town of Hillsville, Mayor James I. Webb, concerning positions of Southwest Virginians for the Northern Route as it deals with the upgraded US 58;
- :: Report from People Incorporated, Rob Goldsmith, Executive Director, concerning status of Widener Valley Housing Rehabilitation Project;
- :: Memorandum from County Administrator to Board of Supervisors concerning RR crossing safety gates and County highway construction budget for FY 1991-92

- :: Letter from Emory & Henry College, William M. Malloy, Dean of Students, requesting the Board of Supervisors to approve funding for the installation of railroad crossing safety gates at the State Route 865 crossing adjacent to the College campus;
- :: Letter to the Board of Supervisors from Herbert W. Dankert urging the Supervisors to install the warning gates at the railroad crossing on the Emory & Henry Campus on State Route 865;
- :: Letters to the County Administrator from Sandra M. Hatfield, Secretary, and Don Quesenberry, Director of Recreation, (on behalf of himself, Mrs. Jo Ann Taylor and employees of the Maintenance Department) requesting salary increases.

d Reminders

Reminders of upcoming activities were given to the Supervisors.

e Request to advertise for public hearing to amend present Six Year Secondary Highway Construction Plan and public hearing on Highway Construction Budget for FY 1991-92

There was consensus agreement to schedule Mr. Ken Brittle, Resident Engineer, Virginia Department of Transportation, at the June 10, 1991 meeting.

20. County Attorney's Reports

a Dog Damage Claims

The following actions were taken on dog damage claims:

On motion of Mr. Parris, second by Mr. Byrd, it was resolved to pay dog damage claim filed by Mike Johnson in the amount of \$250.00.

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

Mr. Mathews	Abstain	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Nay
Mr. Simcox	Aye				

On motion of Mr. Byrd, second by Mr. Parris, it was resolved to pay dog damage claim filed by Frank Hamilton in the amount of \$145.00.

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

Mr. Mathews	Abstain	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Nay
Mr. Simcox	Aye				

On motion of Mr. Simcox, Second by Mr. Brown, it was resolved to pay dog damage claim filed by H. C. Kiser in the amount of \$250.00.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Nay
Mr. Simcox	Aye				

There was no action taken on dog damage claim filed by Mr. Floyd O. Parris.

21. Consent Agenda:

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

- a Request for Public Hearing Fee for Temporary Special Use Permit issued to Jerry Eggers, Greendale Chapel Church in the amount of \$20.51;
- b Widener's Valley Housing Rehabilitation Drawdown Request No. 19 as follows:

RESOLUTION

WHEREAS, People, Inc., on behalf of Washington County, Va., as its administrative agent, will be certifying invoices and supporting documentation submitted to the County totalling \$31,100.00 as being proper for payment, and requests the same amount to be requested for drawdown from the state for use on the Widener Valley Housing Rehabilitation Project;

BE IT RESOLVED, by the Board of Supervisors of Washington County, Va., that:

- 1.) The Board of Supervisors of Washington County, Va. approves the request for drawdown of funds from the Treasurer of Virginia in the amount of \$31,100.00 for the Widener Valley Housing Rehabilitation Project.
- 2.) The Board of Supervisors of Washington County, Va. approves a supplemental appropriation in the amount of \$31,100.00 for the Widener Valley Housing Rehabilitation Project.
- 3.) The Board of Supervisors of Washington County, Virginia, upon the receipt of funds, authorizes the immediate payment of

\$31,100.00 to the appropriate vendors for the payment of the invoices certified by People, Inc. for the Widener Valley Housing Rehabilitation Project.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

22. Board Member Requests

On motion of Mr. Simcox, with no second, it was resolved to appropriate \$1,735.80 to Highlands Rescue Squad from the One for Life Funds because funds are supplied by the State.

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

Mr. Mathews	Nay	Mr. Litton	Aye	Mr. Brown	Nay
Mr. Byrd	Nay	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

22. Adjournment

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to adjourn the meeting.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

James P. Litton, Chairman