

V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Thursday, August 29, 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 - Aubrey E. Brown

Mr. Aubrey Brown gave the Invocation and led in the Pledge to the flag.

3. Approval of Minutes:

:: Regular Meeting of August 12, 1991

On motion of Mr. Brown, second by Mr. Parris, it was resolved to adopt the minutes with the following corrections:

Page Nos. 5740 and 5744, change the phrase "...called for a question." to called for the question.

Pages 5745 and 5746, change Item 14.a to include the six recommendations of the Landfill Committee as follows:

1. Immediately start negotiations with Waste Management of North America for the disposal of Washington County solid waste out of County. (Believed to be at the Johnson City, TN. site) Develop hard numbers on a short term (2 yrs or less) with a long term option for actual cost to Washington County. The Committee also recommends industrial waste

price negotiations with at least three industries (appointed by all Washington County industries) participating in all negotiations with Waste Management.

2. The present landfill site be used as a transfer station if serviced by an out of County site.
3. The option of a joint Bristol/Washington County (City located or County located) landfill remains open.
4. Site 111B is not acceptable to the Committee for a County landfill site although it was the first choice of Draper Aden and Waste Management. It was felt by the Committee that its nearness to the Creeper Trail, Country Club and residential areas would present tremendous opposition.
5. Site 14 (Draper Aden Report) be pursued as the first choice of a County located landfill pending a feasibility and viability report on this site by Draper Aden and Waste Management. The Committee felt a back-up site must be actively pursued in the event the out of County proposal does not materialize. The Committee does not feel that Site 26 should be pursued anymore due to high risk and the expense of determining its usability.
- *6. Referendum in November for a Regional Landfill in Washington County operated by a private company. Area to be served would be City of Bristol, VA, and the Counties of Smyth, Russell, Scott, Grayson, and Wythe. (* 8/26/91 Note: It has since been determined that Recommendation No. 6 is not consistent with State Board of Elections regulations.)

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 following items were added to the Agenda:

- #1 6.a Denton's Valley Water Project (A. Brown)
- #2 8.a Virginia Department of Transportation request for work session on Six Year Secondary Highway Plan

5. Community Development Block Grant Application for Emory/Meadowview Sewer Project (E. W. Potts)

Mr. E. W. Potts, Chairman, Washington County Service Authority, addressed the Supervisors requesting a show of support that the Washington County Board of Supervisors will be willing to support a CDBG grant application for the Emory-Meadowview sewer project in 1992. Chairman Litton

polled the Supervisors. Each Supervisor indicated their support of a CDBG grant application. Discussion followed relative to the sources of local funding to support the grant.

4. Citizen Comments

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

Bill Bish addressed the Supervisors requesting the 911 process be stopped.

Mr. Bish elaborated on his reasons for the request and suggested the money be used to attract businesses to Washington County and to provide sewer services in the County. He concluded that he will not participate in 911.

The following people addressed the Supervisors on E-911 objecting to the house numbering system being used and to the road names assigned.

Ward Foster stated his reservations about the program;

Pat Brady

Will Smith

Cathy Maggio, stating the fire department cannot send certain equipment to her house to fight a fire;

Jim Mosier

Patrick Mannix

John Svecz, Windale area, stated E-911 will not benefit those residents who do not have services

Madilyn Kerr

Mike Perry

Chairman Litton invited Mary Fraysier, Emergency Services Coordinator, to respond to the concerns of the citizens in the audience and explain the E-911 program. Mrs. Fraysier invited Becky Hayter, Chief Dispatcher, Sheriff's Department, to assist in explaining the E-911 program.

Mr. Bob Saunders, a retired engineer from Atlantic Telephone & Telegraph, suggested that E-911 can be implemented using current addresses, and offered to review the A T & T system for 911 with the County.

Jim Mosier, proposed the Supervisors place funds (appropriated to the School Board to reopen Hayter's Gap and Mendota Schools), in reserves until all options are studied.

Dan Potter requested there be an investigation of the Washington County School Board. At the conclusion of the Citizen Comment period, Mr. Potter asked the Supervisors to call a special meeting for people who have grievances about E911.

L. B. Atkins commenting on Highlands Rescue Squad trucks being down for repairs, questioned the Supervisors about Abingdon Ambulance Service receiving payment from the County in taking Highland's calls.

9. 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				

On motion of Mr. Simcox, second by Mr. Byrd, it was resolved not to expend or appropriate General Funds carried over from FY 1990-91 in the amount of \$757,000 for a period of at least 60 days to allow the Board of Supervisors to decide how to best use the money for the benefit of the County.

During discussion of the motion, Mr. Byrd suggested the money be considered for use on the Courthouse renovation project.

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

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

6. 1991-92 Department of Waste Management Litter Control Grant (Stephen Austin)

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

RESOLUTION
COUNTY OF WASHINGTON

WHEREAS the Virginia Waste Management Act provides for the allocation of public funds for the purpose of enhancing litter control and recycling activities; and

WHEREAS these funds are provided through the Virginia Department of Waste Management to Virginia localities by annual grants; and

WHEREAS having reviewed and accepted the Guidelines for use of said funds;

BE IT RESOLVED that the Board of Supervisors of Washington County:

Hereby endorses such a program for the County of Washington; and

Hereby expresses the intent to combine with the Town of Abingdon in a mutually agreed upon Cooperative Program; and

Hereby authorizes the County of Washington to apply on behalf of the above named Locality for a grant, and to be responsible for the administration and implementation of the Program as described in the attached Application; and

That said funds, when received, will be transferred immediately to the Coordinating Organization; or if coordinated by a Planning District Commission, funds will be sent directly to said Commission by the Department.

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. Mathews, second by Mr. Brown, it was resolved to appropriate \$1,249 of the Virginia Department of Waste Management Litter Control Grant funds for FY 1991-92 to the Town of Abingdon to be used to place a bin within the Town limits for office paper recycling.

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				

6.a Denton's Valley Water Project (A. Brown)

Mr. Brown expressed a need for a waterline to serve the residents of Denton's Valley, and asked that this project be moved up on the priority list of waterline projects. He stated the Washington County Service Authority has agreed to pay \$750 for each tap, estimating there will be 28 taps needed.

Mr. Brown introduced Mr. Everett Stevens who spoke on behalf of the residents from Denton's Valley. He explained the quality of water is poor, there are pressure problems, and some residents must carry water to their homes. He stated waterlines were installed in the Alvarado community and at the Lake, and the residents are requesting that these two lines be connected in Denton's Valley.

Discussion ensued with Supervisors agreeing on the need to supply Denton's Valley community with a waterline, however, the project was not moved on the priority list of waterline projects. The Supervisors assured Mr. Stevens the project will be considered, and that each waterline project on the priority list will be considered in their numbered sequence.

7. Request for Salary Increase - County DARE Officer (John A. McCall)

Received request from Sheriff John A. McCall on behalf of County DARE Officer to consider granting a 2% salary increase to this Deputy on the basis that all County employee's received a 2% salary increase.

Discussion ensued with Mr. Seamon explaining the County policy to fund salary increases for the County paid DARE Officer at the same time and at the same rate as other deputies who are employed under State Compensation Board policies.

There was no action taken on Sheriff McCall's request.

Louis Eades, Ted Cox and David Bridgeman appeared before the Supervisors reporting an emergency situation whereby a spring that supplies water to their farms and surrounding farms has been shut off. He explained that the property owners affected by this situation have been deeded lifetime rights to spring water which is located on the Nicewonder property, recently rezoned to build a golf course.

Messrs. Eades, Cox and Bridgeman were advised that this matter is a civil matter.

Mr. Simcox made a motion, with no second, that the street numbering remain as it is currently.

Mr. Whittaker made a substitute motion, with no second, to drop E-911.

The vote on Mr. Whittaker's motion was as follows (1-6):

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

8. Railroad Crossing Gates at Emory and Henry College Campus

Received communication from President Charles W. Sydnor, Jr., President, Emory & Henry College, committing the College to make funds available for the revenue sharing agreement with the Commonwealth of Virginia Department of Transportation.

Mr. Patrick Mannix addressed the Supervisors inquiring about the reason the crossing gates were not installed under the Six Year Plan.

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

WHEREAS, the railroad crossing located at the Emory and Henry College on State Route 865 presents a danger to life and limb; and

WHEREAS, the danger could be significantly reduced by the installation of railroad crossing gates; and

WHEREAS, Emory and Henry College has agreed to bear one-half of the cost of purchasing and installing railroad crossing gates at this location; and

WHEREAS, it appears that state funds are available through the revenue sharing program to match funds provided by Emory and Henry College through Washington County for the purpose of purchasing and installing railroad crossing gates at Emory and Henry College on State Route 865;

NOW, THEREFORE, let it be resolved that the Board of Supervisors of Washington County, Virginia hereby requests revenue sharing funds for the purchase and installation of railroad crossing gates at Emory and Henry College on State Route 865 in an amount not to exceed one-half of the cost of the purchase and installation of the railroad crossing gates, thus matching funds provided to the County by Emory and Henry College.

BE IT FURTHER RESOLVED that the Board of Supervisors of Washington County requests that the Virginia Department of Transportation proceed immediately with the installation of the railroad crossing gates.

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.a Virginia Department of Transportation request for work session on Six Year Secondary Highway Plan

Mr. Bentley reported Mr. Ken Brittle, Resident Engineer, Virginia Department of Transportation, has requested a meeting be scheduled to review road priorities to be included in the Six Year Secondary Highway Plan. By consensus agreement, the work session was scheduled for Wednesday, September 11, 1991, at 7:00 p.m. in the Board of Supervisors meeting room.

10. County Administrator Comments:

The following action was taken on County Administrator Comments:

10.a Resignation of Don Quesenberry, Recreation Director

Received letter of resignation from Don Quesenberry, County Recreation Director, effective August 30, 1991.

Discussion ensued relative to merging the Park Authority and Recreation Department. Mr. Byrd pointed out the Washington County Park Authority, as an autonomous board, has the ability to borrow money and to raise their own funds, and further, the County would have to create another line item in the budget for the new department.

There was a suggestion that the County Administrator explore the possibility of combining recreation programs with the Town of Abingdon.

There was consensus agreement to authorize the County Administrator to advertise the vacant position of Recreation Director.

10.b Letter to Virginia Cooperative Extension Service

Received letter from T. Harry Arnold, President, Washington County Farm Bureau, requesting the Board of Supervisors to oppose the cluster approach to providing extension services to farmers.

Mr. Bentley stated since he mailed this communication to the Supervisors, he was asked by Mr. Arnold to postpone action on his request until further notice.

10.c Appropriate \$6,000 From Unbudgeted Funds to Repair Two Highlands Rescue Vehicles

Mr. Simcox commented about the need for a Rescue Squad in the Wilson and Tyler Districts and proposed there be future consideration of combining fire/rescue services.

On motion of Mr. Simcox, second by Mr. Whittaker, it was resolved to appropriate \$6,000.00 to Highlands Rescue Squad from Reserve for Contingencies for the purpose of repairing two of Highlands' inoperable ambulance vehicles.

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. L. B. Atkins inquired of the Supervisors their reason for giving Highlands Rescue Squad more funds when other rescue squads are not receiving additional funds.

Discussion ensued relative to Highlands Rescue Squad financial status, attempts to rebuild the organizational structure of the squad, and efforts to reduce their debts. The question was raised about the amount of funds necessary to clear their debts. Mr. Frank Canter, Resource Management Consultant, was asked to prepare a report for the September 9, 1991 meeting of the Board of Supervisors.

10.d Landfill and Convenience Stations Operational Guidelines

Received memorandum concerning complaints that Washington County will not allow the use of the Landfill and Convenience Stations without a Virginia license plate and a County decal or Abingdon, Damascus, Glade Springs town tag. In response to a discussion relative to amending the Ordinance, Messrs. Bentley and Walsh were asked to draft a proposal for review by the Supervisors.

Discussion ensued about the County's success in reducing out of state/coun-ty use of the Landfill and Convenience Stations. Supervisors expressed their position that the draft ordinance should not weaken the County's position.

10.e Communications

The following communications were received:

- :: Memorandum from Ken Stargardt, Director of Economic Development, concerning Mount Rogers Development Partnership matters;
- :: Letter from John P. Svecz concerning 911 Emergency Telephone System;
- :: Memorandum from Mark W. Seamon, Director of Accounting, concerning attendance at Virginia Accounting and Auditing Conference, October 7-8, 1991, in Blacksburg, VA;
- :: Letter from Dr. R. H. Ely, Assistant Superintendent, concerning School Activity Pass;
- :: Memorandum from Bruce Bentley, County Administrator, concerning vacation from September 2-6, 1991;

10.f Reminders of upcoming activities were received.

11. County Attorney's Reports

The following action was taken on County Attorney:

11.a Annexation - Twin Cities Mall

Received informational report from Cliff Walsh, County Attorney, stating that a motion to dismiss the County's Petition for Declaratory Judgement and Order dismissing the Petition for Declaratory Judgement will be sent to Mr. H. Peters and Crown American's registered agent for their signatures.

11.b Prohibition of Motorcycles in Park

Received report regarding Washington County Park Authority policy on motorcycles in the Park. Mr. Walsh was asked to explore the Department of Motor Vehicles regulations on motorcycles.

11.c Local Government Attorney's Spring Conference

Received request from County Attorney to attend Local Government Association 1991 Fall Conference September 26-28, 1991 in Norfolk, VA. By consensus agreement, Mr. Walsh was given authorization to attend the conference.

12. Consent Agenda:

On motion of Mr. Byrd, with no second, it was resolved to approve the following consent agenda items:

12.a Supplemental Appropriations of \$5,500 requested by Washington County Public Library for a federal grant received; \$1,973.50 requested by the Office on Youth for funds which were obligated at June 30, 1991 from 1990-91 grant funds; and \$5,250 to cover outstanding invoice for EMS Microwave Link project at June 30, 1991.

12.b Inter-Departmental Transfers - Library Fund in the amount of \$244.00 from Library Admin.-Local to Damascus Branch Library; and \$244.00 from Library Admin.-Local to Branch Library-Glade Spring.

12.c. Widener Valley Housing Rehabilitation Drawdown Request Nos. 22 and 23 - \$22,800, as follows:

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 \$22,800.00 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 \$22,800.00 for the Widener Valley Housing Rehabilitation Project.
- 2.) The Board of Supervisors of Washington County, Va. approves a supplemental appropriation in the amount of \$22,800.00 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 \$22,800.00 to the appropriate vendors for the payment of the invoices certified by People, Inc. for the Widener Valley Housing Rehabilitation Project;

d Revenue Refund - Rezoning Application Fee - \$50 to Paul Phipps;

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				

13. Board Member Reports

On motion of Mr. Byrd, second by Mr. Parris, it was resolved to request the Department of Transportation to do a speed/traffic study on Route 751.

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. Brown commented that Mr. Walter Breeding who lives on Trigg Street has asked him to state his support and desire for 911.

On motion of Mr. Litton, second by Mr. Byrd, it was resolved to request the Virginia Department of Transportation to do a speed/traffic study and consider installing Industrial Zone signs on Route 694, from the Landfill to Greenway Creek.

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				

Board Members received copies of the FY 1991-92 Annual Budget.

14. Executive Session pursuant to Section 2.1-344(3) of of the Code of Virginia of 1950, as amended, to discuss or consider the condition, acquisition or use of real property for public purposes or the disposition of publicly held property, specifically, landfill and Elliott Building

On motion of Mr. Brown, second by Mr. Parris, it was resolved to go into executive session pursuant to Section 2.1-344(3) of of the Code of Virginia of 1950, as amended, to discuss or consider the condition, acquisition or use of real property for public purposes or the disposition of publicly held property, specifically, landfill and Elliott Building

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. Whittaker, second by Mr. Parris, it was resolved to come out of executive session and continue with business at hand in public as required by law.

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. Whittaker, second by Mr. Brown, it was resolved to adopt the following certification:

WHEREAS, the Washington County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Washington County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion of convening the executive meeting were heard, discussed or considered by the Washington County Board of Supervisors.

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				

15. Adjournment

On motion of Parris, with no second, 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