V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Wednesday, November 27, 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
Dawn Trogdon, Recorder

ABSENT:

Sandra M. Hatfield, Secretary

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1. Call to Order

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

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2. Invocation and Pledge of Allegiance - Cecil K. Simcox

Mr. Cecil K. Simcox gave the Invocation and led in the Pledge of Allegiance.

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3. Approval of Minutes:

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

:: Recessed Meeting of November 11, 1991
:: Regular Meeting of November 11, 1991
:: Recessed Meeting of November 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				

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4. Citizen Comments

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

Betsy Henderson, Meadowview, Virginia, addressed the Supervisors concerning the railroad crossing at the Town Square in Meadowview. Mrs. Henderson presented a petition to the Board of Supervisors with 552 signatures requesting the Board of Supervisors, Virginia Department of Transportation and the Norfolk Southern Railroad to help upgrade the railroad crossing in front of the Post Office. She continued by stating that the railroad crossing is a danger to the families, churches and businesses in Meadowview.

Discussion ensued. Mr. Walsh, County Attorney, explained there is a recorded Deed showing that Meadowview Square belongs to Washington County. He presented his assessment of the State's position on taking the crossing into the system. Mr. Byrd presented his view that the County should provide funds toward a solution to the hazardous conditions.

On motion of Mr. Byrd, second by Mr. Parris, it was resolved to instruct the County Attorney to contact Norfolk Southern Railroad requesting they investigate crossing 469-800K to determine if the train traffic at that crossing is expected to increase in either volume or speed; further to request Norfolk Southern Railroad to investigate solutions to utilizing the signal device at State Route 80 to trip a signal at 469-800K as well as the possibility of utilizing surplus materials from the Emory and Henry crossing.

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				

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5. Public Hearing to solicit input on local community development needs and potential projects to be submitted for funding from the Virginia Community Development Block Grant Program (Sally Morgan)

Mrs. Sally Morgan was present and distributed information on the CDBG Program relative to funding, and eligibility of projects. She reported localities are eligible to apply for funds for two projects at one time. Mrs. Morgan explained the primary purpose of the grant is to benefit low to moderate income persons. She stated the filing deadline for project submission is March 6, 1992.

In response to Mr. Byrd's questions, Mrs. Morgan gave an interpretation of project types for two or more localities participating in one project.

Mr. Litton invited comments from the audience on local community development needs and potential projects for submission to the Virginia Community Development Block Grant Program for funding.

Johnny Stiltner, Meadowview resident, inquired about the eligibility of grant funds to partially or fully reconstruct the buildings located in the Meadowview Square area that is used by businesses.

Mrs. Morgan responded that this project would fall into the category of a commercial revitalization project and it is an allowable project type.

Mr. Bentley pointed out the criteria that a CDBG project must serve or benefit 51% or more of low to moderate income persons and needed evidence to qualify Meadowview Square.

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

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6. Resolution Requesting County Treasurer to Deposit Nursing Home Pre-Admission Screening Funds in Special Welfare Fund (Doug Meade, Director, Department of Social Services)

Mr. Doug Meade, Director, Department of Social Services, addressed the Supervisors requesting their support of a resolution authorizing the County Treasurer to deposit funds received from Nursing Home Pre-Admission Screening into the Special Welfare Fund instead of the County's General Fund. He explained the Department of Social Services generates revenue from serving on the pre-admission screening panel, and stated he would like to use these funds to meet emergency food assistance needs of their clients.

On motion of Mr. Brown, second by Mr. Mathews, it was resolved to prepare a resolution directing the County Treasurer to deposit in the Special Welfare Fund, number 50, account number 4106-0001, all future state revenue from the Pre-Screening Medicaid Program.

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				

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7. Taylor's Valley Water Project (James Short)

Mr. James Short, addressed the Supervisors explaining he and residents in his community received official notices to boil drinking water because of contaminants.

Mr. Short further explained their efforts to petition the Service Authority to install a water line in Taylor's Valley to serve 12 customers and a church, and the Service Authority's recent action to fund half the cost of the project. Mr. Short stated he is now requesting the Board of Supervi sors to fund half the cost of the project. He stated the estimated cost of the project would total $44,795.

On motion of Mr. Parris, second by Mr. Whittaker, it was resolved to include Taylor's Valley with the Denton's Valley, Mendota and Black Hollow projects to be funded on a 50-50 basis with the Washington County Service Authority.

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

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

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8. Highlands Rescue Squad Report (M. Fraysier and Frank Canter)

Mrs. Mary Fraysier and Mr. Frank Canter distributed a status report of Highlands Rescue Squad finances and operations. Mr. Canter also distributed a document supplied by Central Dispatch giving responses for all rescue squads operating in Washington County.

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9. Recess

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

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10. Appeal of Washington County Planning Commission's Action of November 12, 1991 Pertaining to APCO's Proposed Construction of a 138,000 Volt Transmission Line and Substation

Board of Supervisors received an Appeal of the Planning Commission's action concerning the Appalachian Power Company proposed construction of a transmission line and substation.

Mr. Byrd commented that he received a packet of information at the beginning of the meeting pertaining to the Planning Commission's report to the Supervisors and has not had an opportunity to review the material.

On motion of Mr. Simcox, second by Mr. Byrd, it was resolved to table the Appeal until Monday, December 9, 1991.

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

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

Steve Hodges, counsel for Appalachian Power Company, and Emmitt Yeary, counsel for residents of Meadowview, appeared before the Supervisors in quiring about the format of the December 9, 1991 meeting so that they can be prepared.

Discussion ensued with Mr. Litton pointing out there is insufficient time allocated to read the material given to the Supervisors at this meeting and consider the Appeal.

Both attorneys agreed to provide information material by Wednesday, 5:00 p.m., December 4, 1991 which will be distributed by the County to the Board of Supervisors.

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11. Washington County Erosion and Sediment Control Program

Mr. Bentley presented correspondence from Department of Conservation and Recreation, Division of Soil and Water Conservation, concerning Washington County's Erosion and Sediment Control Program pertaining to sites which remain unstabilized and without adequate controls. Included with the correspondence was a copy of the Virginia Code.

Discussion ensued. There was consensus agreement for Mr. Bentley to notify Crown American Corporation that the County will exercise the provisions of the Bond if they do not correct the erosion problems. Discussion ensued and agreement was reached on notifying Buchanan Land Company also to correct the erosion problems on their project located on Route 19.

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12. Holiday Schedule

On motion of Mr. Byrd, second by Mr. Brown, it was resolved to authorize two additional holidays to County employees on December 26, 1991 and December 27, 1991 in appreciation for their services to the County.

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. Brown, second by Mr. Parris, it was resolved to reschedule the Board of Supervisors regular second business meeting in December to December 23, 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				

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13. Consideration of Appointment to Fill Vacancy on Building Code of Appeals (Jack Blackburn, Taylor District)

On motion of Mr. Parris, second by Mr. Brown, it was resolved to appoint Lawrence Lewis to the Building Code of Appeals effective immediately to August 31, 1993.

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				

It is noted that Mr. Lewis will fulfill Mr. Jack Blackburn's position on the Building Code of Appeals.
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14. County Administrator Comments:

The following action was taken on County Administrator Comments:

a. Consideration of Board Appointments to Solid Waste (Landfill) Committees and Sewer Committees

There was no action taken on appointing Board Members to serve on the Solid Waste (Landfill) Committees and the Sewer Committees.

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b. Consideration of Holding Dinner Meeting With Legislators

There was consensus agreement of the Board of Supervisors to schedule a dinner meeting with our Legislators.

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c. Communications

The following communications were received:

:: Speech made to the Virginia Department of Transportation at their public hearing on Tuesday, November 19, 1991, in Bristol, Virginia, by Bruce E. Bentley;

:: Letters to newly elected Supervisors from Bruce E. Bentley informing them of the Virginia Association of Counties conference for newly elected Supervisors, January 8-10, 1991, at Richmond Marriott Hotel;

:: John E. Corrigan, Regional Director, U. S. Department of Commerce to Kenneth H. Stargardt concerning eligibility of the Mount Rogers Revolving Loan Fund;

:: Virginia Economic Development Seminar, Wednesday, December 11, 1991 at Richmond Omni Hotel at James Center;

:: Department of Transportation:

:: Ray D. Pethtel, Commissioner, concerning Willow Creek Circle, Route 1119, added to the Secondary System;

:: Jack L. Corley, District Administrator, concerning VDOT's intent to honor their commitment for the erec tion of street name signs under their old policy if proof is provided per guidelines noted.;

:: Ken Brittle, Resident Engineer:

:: To J. R. Hudson, concerning Route 691, and Mr. Hudson's letter to Mr. Brittle;

:: Speed Studies:

:: Route 11, from the Intersection of Route 58, past the Mini-Storage Warehouses;

:: Route 751;

:: Department of Waste Management, Dean E. Starook, Senior Environmental Engineer, Division of Operations, concerning Washington

County Sanitary Landfill, Permit No. 406, Permit Modification Request;

:: Mount Rogers Health District, Washington County Health Department, T. R. Burgess, Sanitarian, to Gary Lee Hash, concerning Non-Community Campground Supply Well;

:: Economic Development Office, Ken Stargardt, Chairman, Industrial Development Committee, concerning final meeting of calendar year;

:: Washington County Public Schools, Dr. George Stainback, Division Superintendent, concerning telephone request regarding location of a 32,000 square foot facility for the health and social services departments;

:: Mount Rogers Planning District Commission, Tom Taylor, Executive Director, concerning ARC/EPA Program f Public Private Partnerships (P3) Addressing Environmental Problems;

:: Wheat, First Securities, Inc., David P. Rose, Managing Director, concerning the Public Finance Department of Wheat, First Securities, Inc. and their financial advisory services to municipalities throughout the Commonwealth of Virginia;

:: Waste Management of Tri-Cities, Inc., J. Larry Burris, General Manager, concerning Solid Waste Collection Services on Routes 675 and 672;

:: Draper Aden Associates, concerning Hayter's Gap Waterline Extension Project.

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d. Reminders of meetings were received.

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15. County Attorney's Reports There were no reports given.

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16. Consent Agenda

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

a. Supplemental Appropriation of $133,933, Washington County School Board representing state funds, and noting that the expenditure of these funds will require no additional local funds.

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				

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17. Board Member Reports

On motion of Mr. Simcox, second by Mr. Byrd, it was resolved to match the $250 reward offered by the Washington County Little League for information leading to the arrest and conviction of the person or persons responsible for the destructive vandalism at the Washington County Little League site, and that the $250.00 come from Reserve for Contingencies.

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

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

Mr. Whittaker expressed his view that this action will be opening a can of worms.

On motion of Mr. Parris, second by Mr. Whittaker, it was resolved to advertise for rezoning by the Board of Supervisors 23.3 acres of property belonging to Gilbert Coleman located on the east side of State Route 705 in the Madison Magisterial District, E-81 Election District, from R-2 (Residential, General) and A-2 (Agricultural, General) to M-2 (Industrial, General).

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				

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18. Executive Session Pursuant to Section 2.1-344(A)(2) of the 1950 Code of Virginia, as amended, in order to discuss property use and acquisition; Section 2.1-344(A)(6) of the 1950 Code of Virginia, as amended, in order to discuss the investing of public funds where competition or bargaining is involved and where if made public initially the financial interest of the County would be adversely affected; Section 2.1-344(A)(7) of the 1950 Code of Virginia, as amended, in order to consult with

legal counsel on possible litigation (specifically Goodson Water Company property, Social Services/Health Department Building, E-911)

On motion of Mr. Brown, second by Mr. Parris, it was resolved to go into Executive Session Pursuant to Section 2.1-344(A)(2) of the 1950 Code of Virginia, as amended, in order to discuss property use and acquisition; Section 2.1-344(A)(6) of the 1950 Code of Virginia, as amended, in order to discuss the investing of public funds where competition or bargaining is involved and where if made public initially the financial interest of the County would be adversely affected; Section 2.1-344(A)(7) of the 1950 Code of Virginia, as amended, in order to consult with legal counsel on possible litigation (specifically Goodson Water Company property, Social Services/Health Department Building, E-911)

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. Simcox, it was resolved to come out of executive session, and 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				

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On motion of Mr. Parris, second by Mr. Brown, it was resolved to appoint Leslie Seymore to serve on the Youth Services Advisory Board, effective

immediately, representing Holston High School for a three year term of office.

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				

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19. Adjournment

On motion of Mr. Parris, second by Mr. Brown, 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				

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James P. Litton, Chairman