

V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Thursday, January 30, 1992, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

Joe W. Derting, Chairman  
 James T. Osborne, Vice Chairman  
 Kenneth G. Mathews  
 James P. Litton  
 Maurice H. Parris  
 Jackson Barker, Jr.  
 Cecil K. Simcox

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

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1. Call to Order

The meeting was called to order by Mr. Joe W. Derting, Chairman of the Board.

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2. Invocation and Pledge of Allegiance - Maurice H. Parris

Mr. Parris called upon Mr. Simcox to give the Invocation and lead in the Pledge of Allegiance.

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3. Approval of Minutes of January 13, 1992

On motion of Mr. Osborne, second by Mr. Simcox, it was resolved to adopt the minutes of January 13, 1992, as written.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

4. Citizen Comments

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

Lewis Atkins commented on a recent advertisement for a Part-Time Deputy Emergency Services Coordinator. He inquired as to the status of the position, the reason for authorizing the employment, and the possibility that a conflict of interest exists between the function of Mrs. Mary Fraysier as the Emergency Services Coordinator, 911, and her association with Highlands Rescue Squad. He expressed his view that the position is not needed. Mr. Litton responded to Mr. Atkins citing reasons for giving her some help, and stated that in some cases part-time positions end up becoming full-time positions.

John College addressed the Supervisors commenting on information he received on the Augusta County 911 system. He pointed out the cost to maintain Washington County's E-911 system will be expensive. He stated Washington County will be required to have a police officer on duty at the dispatch center 24 hours a day. He urged the Board to carefully consider the money and personnel for the E-911 system and the liabilities involved.

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5. Public Hearing on the adoption of the Regional Solid Waste Plan prepared by Mount Rogers Planning District Commission (Martha Short/Lynn McKinney)

Mr. Derting invited comments both in support of and in opposition to the Regional Solid Waste Plan.

Steve Austin, Recycling Coordinator, was present to comment on the Regional Solid Waste Plan. He recommended the Board of Supervisors adopt the plan as presented.

Lynn McKinney, Chief Cartographer, Mount Rogers Planning District Commission, addressed the Supervisors on the Regional Solid Waste Plan prepared by Mount Rogers Planning District Commission. She recommended the Supervisors adopt the resolutions that the State Department of Waste Management asked Mount Rogers to submit as part of the planning process.

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

On motion of Mr. Mathews, second by Mr. Barker, it was resolved to adopt the Regional Solid Waste Plan prepared by Mount Rogers Planning District Commission along with the following resolutions:

#### RESOLUTION

WHEREAS, the Virginia Department of Waste Management has promulgated planning requirements pursuant to state law, and

WHEREAS, each county, city, and town in Virginia is required to prepare and adopt a plan pursuant to the requirements, and

WHEREAS, the Virginia Area Development Act authorized the creation of Planning District Commissions with a purpose of assisting its member localities with planning, and

WHEREAS, the City of Bristol, the Counties of Smyth and Washington, and the Towns of Abingdon, Damascus, Glade Spring, Marion, Saltville, and Chilhowie are all members of the Mount Rogers Planning District Commission, and

WHEREAS, the Towns stated above are within the jurisdiction of their respective counties in the collection treatment and disposal of solid waste, and

WHEREAS, these jurisdictions agreed to the Planning District staff preparing a plan which would satisfy the planning requirements with each locality implementing, monitoring, and reporting on their part of the plan, and

WHEREAS, the Planning District staff has prepared such a plan, and

WHEREAS, the draft of the Plan has been submitted to the Department of Waste Management by July 1, 1991 as per the requirements.

NOW, THEREFORE, BE IT RESOLVED, that Washington County has reviewed the plan as revised and resubmitted to the Department of Waste Management, and

BE IT FURTHER RESOLVED that Washington County doth hereby and hereon adopt that portion of the plan which specifically applies to Washington County, and

BE IT FURTHER RESOLVED that Washington County doth hereby and hereon approve that portion of the plan which is generic to all jurisdictions included.

Adopted subsequent to public hearing held on January 30, 1992.

#### RESOLUTION

WHEREAS, the Mount Rogers Planning District Commission has prepared a Solid Waste Management Plan pursuant to the Department of Waste Management Guidelines, and

WHEREAS, the aforesaid guidelines state that two or more governments working together constitute a region, and

WHEREAS, the designation of such a region is initiated by a request to the Director of the Department of Waste Management by those localities desiring to work together, and

WHEREAS, all the jurisdictions in Washington County do jointly wish to participate in the Solid Waste Management Plan in Washington County,

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Supervisors doth request that Washington County be hereby designated as the region to implement, monitor, and report on the Washington County portions of the Mount Rogers Solid Waste Management Plan.

#### RESOLUTION

WHEREAS, the Virginia Area Development Act authorized the creation of Planning District Commissions with a purpose of assisting its member localities with planning, and

WHEREAS, the Planning District Commission has been designated as the Regional Planning Unit for Solid Waste Management pursuant to the Federal Resource Conservation Recovery Act (RCRA), and

WHEREAS, THE City of Bristol, the Counties of Smyth and Washington, and the Towns of Abingdon, Damascus, Glade Spring, Marion, Saltville, and Chilhowie in the Planning District have jointly participated in the preparation of the Department of Waste Management mandated Solid Waste Management Plan, and

WHEREAS, the nine jurisdictions have united for the preparation only of the required Solid Waste Management Plan,

NOW, THEREFORE, BE IT RESOLVED, that Washington County doth hereby request the Department of Waste Management to designate these nine jurisdictions as the Regional Planning group which created the Mount Rogers Waste Management Plan.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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

Sharon Cunningham, property owner, Whitetop Subdivision, appeared before the Board of Supervisors requesting their support.

Charles Fields, property owner in the first phase of Whitetop Subdivision development. Mr. Fields appeared before the Supervisors requesting their assurance that this action will not interrupt or stop the progress of taking streets into the state secondary road system that are located in the first phase of Whitetop Subdivision development. Mr. Mathews responded to Mr. Fields stating that these are two separate road projects in the subdivision, and as such are funded and scheduled for construction separately.

Sonny Wright, property owner, addressed the Supervisors. He questioned the Board's procedure and approval for taking streets located in phase one of Whitetop Subdivision development into the secondary road system. Mr. Wright repeatedly objected to the process stating he continues to be opposed to his street being taken into the system and the procedure of assessment on his property.

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

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to approve the following resolutions and special assessments against each lot (Section Two) 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:

#### 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 section two of Whitetop View Estates located in the Harrison Magisterial District of Washington County, Virginia, and further described as follows:

Whitetop View Road - Beginning at a point 0.36 miles north-northwest of Route 699 on Whitetop View Road, thence north-northwest, thence east to dead end, a total of 0.23 miles.

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 section two of Whitetop View Estates 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 section two of Whitetop View Estates road project.

#### 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 section two of Whitetop View Estates 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 section two of Whitetop View Estates 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 section two of Whitetop View Estates; 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 section two of Whitetop View Estates 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 section two of Whitetop View Estates 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 section two of Whitetop View Estates 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 section two of Whitetop View Estates 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.

ESTIMATED SPECIAL ASSESSMENTS  
FOR  
ROAD IMPROVEMENTS  
IN  
the Whitetop SUBDIVISION

NAME OF OWNER	TAX MAP LOT NUMBERS	ESTIMATED SPECIAL ASSESSMENT AMOUNT
Chris V. & Tina H. Blevins	085-7-0017	\$3,438.00
C. Arthur Hart	085-7-0018 085-7-0019	\$6,876.00
Robert L. & Sharon H. Cunningham	0085-7-0016	\$3,437.50
Gary Davenport	0085-7-0015	\$3,438.00
Billy R. & Erma R. Pruitt	0085-7-0013A	\$3,438.00
Gary M. Ruble	0085-7-0014	\$3,438.00
Jack & Shelia Statzer	0085-7-0013B	\$3,437.50

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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7. Request for Independent Audit of Expenditures and Savings Related to the Closings of Hamilton and Hayter's Gap Schools (H. Benfield/James Mosier)

Chairman Derting announced the request for an independent audit of expenditures and savings related to the closings of Hamilton and Hayter's Gap Schools has been withdrawn from the agenda at the request of Messrs. Benfield and Mosier.

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8. Proposed Issuance by IDA of \$9,500,000 Hospital Facility First Mortgage Revenue Bonds (Clark R. Beil, Chief Executive Officer, Johnston Memorial Hospital, Inc.)

Mr. Clark Beil, Chief Executive Officer, Johnson Memorial Hospital, Inc. was present to request the Board of Supervisors to approve the issuance by the Industrial Development Authority's

first mortgage revenue bonds in an amount not to exceed \$9,500,000 to assist in the financing of certain costs of equipping and completing improvements, renovation and additions to the hospital facilities.

On motion of Mr. Mathews, second by Mr. Barker to adopt the following resolution pending an addendum being delivered to the County Administrator which states bonds are issued in calendar year 1992:

RESOLUTION

WHEREAS, the Industrial Development Authority of Washington County (the Authority) has considered the request of Johnston Memorial Hospital, Inc. (the Hospital) for the issuance of the Authority's hospital facility first mortgage revenue bonds in an amount now estimated not to exceed \$9,500,000 (the Bonds), to assist in the financing (the Financing) of certain costs of equipping and completing improvements, renovation and additions to the hospital facilities (collectively, the Project), to be located in the Town of Abingdon, in Washington County, Virginia (the County) provided the bonds be issued in the year 1992; and

WHEREAS, the Authority has held a public hearing on the issue of the Bonds for the Financing on January 8, 1992; and

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the Code), and section 15.1-1378.1 of the Code of Virginia, as amended (the Virginia Code), provide that the governmental unit having jurisdiction over the issuer of private activity bonds and over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds; and

WHEREAS, THE Authority issues its bonds on behalf of the County, the Hospital's facilities are located in the County and the Board of Supervisors (the Board) constitutes the highest elected governmental unit of the County;

WHEREAS, the Authority has agreed to assist the Hospital by issuing the Bonds for the Project; and

WHEREAS, the Authority recommends that the Board approve the issuance of the bonds; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bonds, a record of the public hearing and a "fiscal impact statement" with respect to the financing and the Project have been filed with the Board;

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

1. The Board of Supervisors hereby approves the issuance of the Bonds by the Authority for the benefit of the Hospital to the extent required by Section 147(F) of the Code and Section 15.1-1378.1 of the Virginia Code, to permit the Authority to assist in the Financing (provided bonds are issued in calendar year 1992).

- 2. The approval of the issuance of the Bonds as required by Section 147(f) of the Code does not constitute an endorsement to a prospective purchaser of the Bonds of the credit worthiness of the Hospital. As required by Section 15.1-1380 of the Virginia Code, the Bonds shall provide that neither the County nor the Authority shall be obligated to pay the Bonds or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefore, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia, the County or the Authority shall be pledged thereto.
- 3. The officers of the Board of Supervisors and officers of the County are authorized to execute such certificates as appropriate to assist in the designation of the Bonds as qualified tax-exempt obligations.

Adopted by a majority of a quorum of the Board of Supervisors of Washington County, Virginia on January 30, 1992.

The vote on this motion was as follows (6-0-1):

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Abstain	Mr. Barker	Aye
Mr. Simcox	Aye				

Mr. Parris filed an affidavit of disclosure explaining he is in the employment of Johnston Memorial Hospital, Inc. and, therefore, has a personal interest in certain aspects of the Johnston Memorial Hospital budget.

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9. Recess

On motion of Mr. Parris, with no second, 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. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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10. Resolution requesting Route 140 Extension be classified as a Rural Minor Arterial and added to Federal-Aid System as a Federal-Aid Primary Route #4 Spur (Ken Brittle, Senior Resident Engineer, Virginia Department of Transportation)

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

WHEREAS, due to a proposed new highway corridor (Route 140 Extension); and

WHEREAS, this corridor extends from the proposed section in the Town of Abingdon to Route 19; and,

WHEREAS, this Extension should be Functionally Classified as a Rural Minor Arterial and be added to the Federal-Aid System as a Federal-Aid Primary Route #4 Spur;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors that this addition be adopted and submitted to the Virginia Department of Transportation for approval.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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11. E-911 (Fred Hall, President, W. C. Fireman's Association)

Mr. Fred Hall, President, Washington County Fireman's Association, appeared before the Board of Supervisors to present a resolution expressing their position that they recognize the need for E-911 service in Washington County and supports its implementation. In their resolution, they requested the Board of Supervisors to support E-911.

Lt. Richard Thompson, Washington County Volunteer Fire Department, appeared before the Supervisors speaking in support of E-911. He requested the Supervisors pledge their support for E-911.

In responding to comments about Washington County's E-911 system, Mr. Barker recommended the Russell County system be observed. He stated they have a locator device in their system that uses a current address. He commented that Russell County has purchased address information that has been put into their system.

Mike Montgomery, responded to Mr. Barker's comments stating Russell County's system is good but does not compare to the system that is proposed for Washington County. Mr. Montgomery raised questions about the County's liability when using volunteers to gather address information for inclusion in the data base for the E-911 system. He stated a better use for fire and rescue personnel would be to spend the same time in training.

On behalf of the Board of Supervisors, Mr. Derting expressed appreciation to the firemen for attending the meeting.

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12. Request for Salary Increase, Central Dispatch Employees

Sheriff Joe Mitchell appeared before the Board of Supervisors calling attention to a disparity in the Dispatchers' salary. He emphasized that he is not requesting a salary increase for Central Dispatch personnel but is requesting the Board of Supervisors consider a proposal for salary equalization.

Becky Hayter, Central Dispatch, addressed the Supervisors explaining the placement of Dispatchers on the salary schedule.

On motion of Mr. Parris, second by Mr. Simcox, it was resolved to honor a request for salary equalization among County Central Dispatch personnel placing them on Step 1 of the State Compensation Pay Plan in the position category of Communication Operators retroactive to December 1, 1991, and further, transfer \$1,565 from Reserve from Contingencies to the Central Dispatch budget.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Mr. Mathews questioned Sheriff Mitchell requesting clarification on the jurisdictional authority of E-911. Sheriff Mitchell confirmed that the Call Takers for E-911 will operate under the direction of the Sheriff's Department.

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13. Appointment to W. C. Industrial Development Authority, Four Year Term, Monroe District

On motion of Mr. Osborne, second by Mr. Litton, it was resolved to appoint James G. Wallace to the Washington County Industrial Development Authority for a four year term representing Monroe District effective February 29, 1992.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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14. Appointment of Board of Supervisors Representative to the Mount Rogers Planning District Commission (Kenneth G. Mathews, term expired December 31, 1991)

Mr. Parris made a motion, second by Mr. Osborne, to appoint James P. Litton to represent Washington County on the Mount Rogers Planning District Commission.

Mr. Barker introduced a substitute motion, with no second, to reappoint Kenneth G. Mathews to represent Washington County on the Mount Rogers Planning District Commission.

The vote on Mr. Barker's motion was as follows (4-3):

Mr. Mathews	Aye	Mr. Litton	Nay	Mr. Derting	Aye
Mr. Osborne	Nay	Mr. Parris	Nay	Mr. Barker	Aye
Mr. Simcox	Aye				

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15. Purchase of Vehicles, Sheriff's Department and Animal Control

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to purchase four (4) Ford Crown Victoria Police vehicles and one (1) 4-wheel drive Blazer for the Sheriff's Department.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to purchase one (1) Chevy S-10 pickup truck for the Animal Control Department.

The vote on this motion was as follows (6-0-1):

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Abstain				

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16. County Administrator Comments:

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

- a. Application from Electro-Mechanical Corporation - Metal Castings Company to modify and operate a Stahl reverberatory furnace located in the Washington County Industrial Park application from Electro-Mechanical Corporation - Metal Castings Company to modify and operate a Stahl reverberatory furnace located in the Washington County Industrial Park

On motion of Mr. Parris, second by Mr. Osborne, it was concluded that the construction of a Stahl reverberatory furnace at Electro-Mechanical Corporation-Metal Castings Company at their facility located in the Bristol-Washington County Industrial Park is consistent and in conformance with all ordinances adopted by the Washington County Board of Supervisors pursuant to Chapter 11 (Section 15.1-427 et seq.) of Title 15.1 of the Code of Virginia.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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- b. Request for comments on Historic Preservation Fund FY 1992 Annual Grant Projects (Statewide), Mt. Rogers Planning District Commission

Received request for comments from Mount Rogers Planning District Commission with regard to Virginia Department of Historic Resources Historic Preservation Fund FY 1992 Annual Grant.

On motion of Mr. Mathews, second by Mr. Simcox, it was resolved to give a favorable review of the Virginia Department of Historic Resources Historic Preservation Fund FY 1992 Annual Statewide Grant.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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- c. Request for endorsement of Virginia Byway designation of Route 58, Abingdon and Damascus, Department of Conservation and Recreation

Received communication from Department of Conservation and Recreation, Division of Planning and Recreation Resources, with a request to the Board of Supervisors to designate the following as Virginia Byways: Route 58 from Damascus to Volney in Washington and Grayson Counties, and Route 58 between Abingdon and Damascus in Washington County.

Discussion ensued with questions posed to Mr. Ken Brittle, Virginia Department of Transportation, about the designation of these roads as Byways and whether or not this designation would affect possible development of future industrial parks.

Mr. Brittle defined Byways according to Virginia Department of Transportation terminology and supported a suggestion that further clarification of the proposal be obtained from the Department of Conservation and Recreation.

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to table request from Department of Conservation and Recreation.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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d. Invitation to Attend Homemaker's Extension Appreciation Dinner

Received invitation to attend appreciation dinner hosted by Homemaker's Extension for Monday, March 9, 1992.

Discussion ensued with Supervisors indicating their preference for a dinner rather than luncheon.

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e. New Supervisor Orientation and Staff Introduction Meeting

Received information from the County Administrator with regard to new Supervisor orientation and staff introduction meetings.

Discussion ensued with Supervisors indicating their preference to meet on February 5 and 6, 1992, at 4:00 p.m.

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f. Communications

The following communications were received:

- :: Invitation to Board of Supervisors to attend Homemakers Extension Appreciation Dinner to be held March 9, 1992, at 5:00 p.m. Location to be announced.
- :: New Supervisor Orientation and Staff Introduction Meetings to be held February 5 and 6, 1992 at 4:00 p.m.;
- :: Congressman Rick Boucher concerning business and education partnerships conference, Friday, February 14, 1992 at Wytheville Community Center;
- :: Governor Lawrence Wilder's announcement of Center on Rural Development Innovation Grant approvals for Mount Rogers Development Partnership in the amount of \$33,136, and People, Inc. of Southwest Virginia in the amount of \$20,000;
- :: Commission for the Arts concerning 1992-94 state budget proposal;
- :: Department of Health concerning waterline extension project at Hayter's Gap;

- :: Department of Transportation concerning:
  - :: design approval for new interchange on I-81;
  - :: News Release on federal action to allow Virginia High way projects to proceed;
- :: Communication concerning Jim Fiala and other Washington County merchants attending the Board of Supervisors meeting on February 10, 1992;
- :: Mount Rogers Planning District Commission concerning:
  - :: proposed School Disparity Plan prepared by Senate Finance Committee;
  - :: Inclusion of State Route 80 on Planning District Commission agenda for consideration in Mount Roger's road improvement priority list;
- :: Sammons Communications, Inc. concerning position statement on MTV;
- :: Virginia Association of Counties reminder of two vacancies on the VACo Board of Directors from Region 12;

On motion of Mr. Osborne, with no second, it was resolved to nominate Kenneth G. Mathews to fill a vacancy on the VACo Board of Directors representing Region 12.

The vote on this motion was as follows (6-0-1):

Mr. Mathews	Abstain	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

- :: Lois S. Little concerning Virginia Highlands Cable service
- :: Virginia Association of Counties/Virginia Municipal League 1991 Tax Rates

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g. Reminders of meetings were given to the Supervisors

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17. County Attorney's Reports

The following action was taken on County Attorney's reports:

a. Dog Damage Claim, Mike Johnson, \$200.00

Mr. Mike Johnson was present to discuss his dog damage claim and respond to questions from the Supervisors.

On motion of Mr. Parris, second by Mr. Litton, it was resolved to pay dog damage claim in the amount of \$200 to Mike Johnson.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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b. Resolution Related to Railroad Crossing at Meadowview

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

WHEREAS, Norfolk and Southern Corporation, the company, operates a rail system in Washington County Virginia and

WHEREAS, the Norfolk and Southern rail system utilizes crossing 469-800 which is directly across from the Post Office in the Meadowview community and

WHEREAS, crossing 469-800 has no crossing signal, lights, or bells and

WHEREAS, crossing 469-800 is a heavily traveled crossing which is a primary feeder for the Meadowview Post Office and a community church and

WHEREAS, the company has been upgrading the rail system through the Meadowview community in anticipation of significantly increasing the speeds of trains traveling through the community and

WHEREAS, crossing 469-800 is extremely close to crossing 469-799 which crosses State Route 80 and has a signal consisting of lights, and bells and

WHEREAS, the company will be adjusting the signal at crossing 469-799 to accommodate the increased speeds and

WHEREAS, the company is also in the process of upgrading crossing 469-795 at Emory & Henry College and

WHEREAS, the Virginia Department of Transportation has stated that any materials salvaged from the Emory & Henry crossing may be used to install signals at crossing 469-800 and

WHEREAS, the Virginia Department of Transportation has stated that crossing 469-800 is not in the state system and does not qualify for any state or federal participation in providing signals for crossing 469-800 and;

WHEREAS, it appears that because of the close proximity of crossing 469-799 to crossing 469-800 and the possible availability of materials from the Emory and Henry crossing a signal could be installed at crossing 469-800 and controlled and activated by the same equipment which controls and activates the signal at crossing 469-799 and;

NOW, THEREFORE, BE IT RESOLVED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS to request the company to evaluate the various options available for installing a signal at crossing 469-800; in particular to evaluate the possibility of installing a signal which could be controlled and activated by the same controller which activates the signal at crossing 469-799 and

BE IT FURTHER RESOLVED to ask the company to consider the possibility of utilizing materials and equipment from the Emory & Henry crossing to install a signal at crossing 469-800 and

BE IT FURTHER RESOLVED to ask the company to consider the benefits to be realized by installing a signal at crossing 469-800 at the same time that the signal for crossing 469-799 is being adjusted for increased speeds or at the time the signal for the Emory & Henry crossing is being upgraded and

BE IT FURTHER RESOLVED to ask the company to consider the statements by the Virginia Department of Transportation that since crossing 469-800 is not listed as state maintained crossing, the Virginia Department of Transportation will not initiate actions or participate in actions to install a signal at crossing 469-800 and

BE IT FURTHER RESOLVED to ask the company to consider the significant increase in public safety which could be realized by installing a signal at crossing 469-800 and the cost savings which could be realized by utilizing materials salvaged from the Emory and Henry crossing and utilizing the trigger mechanisms of crossing 469-799 and by performing any necessary work at the same time crossing 469-799 or crossing 469-795 is being updated and adjusted and

BE IT FURTHER RESOLVED BY THE BOARD OF SUPERVISORS to ask the company to respond to the requests of the citizens of Meadowview and the Board and State and explain why crossing 469-800 can not have a signal which is linked to the signal at crossing 469-799 and to state and explain the alternatives which exist for obtaining a signal at crossing.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Mr. Osborne urged the Board to move ahead with the Emory crossing, and requested a progress report in February.

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18. Consent Agenda:

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

- a. Transfer for Reserves for Contingencies, \$1,750
- b. Supplemental Appropriation, Washington County Industrial Park Treatment Plant Subsidy, \$24,097.95

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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19. Board Member Reports

The following Board Member reports were given:

On motion of Mr. Simcox, second by Mr. Mathews, it was resolved to request the Virginia Department of Transportation to initiate the process to take one remaining street located in Lowry Hills into the state secondary road system.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Mr. Barker briefly reported on recent public meetings he conducted in the Tyler District.

On motion of Mr. Barker, second by Mr. Mathews, it was resolved to request the Virginia Department of Transportation to do a safety study on two trestles located on State Route 641, and on State Route 700 at the intersection of State Route 627.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Mr. Parris commented that the Emory/Meadowview Sewer Project was never voted as the official project for the Community Development Block Grant Application.

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to adopt the Emory/Meadowview Sewer Project for submission to the Community Development Block Grant Program for funding.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Mr. Litton requested staff provide a report of all overtime and compensatory time given to County employees for the years 1991 and 1992, and that this report be presented at the February 10, 1992 meeting.

Mr. Osborne presented concerns of citizens using the boating facilities at Washington County Park. He stated users of the facilities are concerned about security and inadequate litter receptacles; he also requested that the possibility of a boat dock be explored with Tennessee Valley Authority and the Washington County Park Authority. The matter was turned over to the County Attorney.

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20. 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, specifically Exit 7 area

On motion of Mr. Barker, second by Mr. Simcox, 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, specifically Exit 7 area.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

On motion of Mr. Parris, second by Mr. Osborne, it was resolved to come out of executive session and proceed with business at hand in public.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

On motion of Mr. Barker, second by Mr. Simcox, 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 (6-0-1):

Mr. Mathews	Aye	Mr. Litton	Abstain	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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21. Adjournment

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

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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Joe W. Derting, Chairman