V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, March 9, 1993, 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 on Jackson Barker, Jr. to give the Invocation and lead in the Pledge of Allegiance.

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3. Approval of Agenda

On motion of Mr. Parris, second by Mr. Osborne, it was resolved to amend the Agenda to include Item 19.b, Agreement Between Washington County and City of Bristol Pertaining to Industrial Park Sewer Service.

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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4. Approval of Minutes:

The following action was taken on approval of Minutes:

:: Regular Meeting of February 23, 1993

Mr. Bentley called attention to Page 6496 of the February 23, 1993 minutes wherein the County Administrator was directed to monitor telephone bills referring to his memorandum to Constitutional Officers and Department Heads requesting they verify their department telephone calls and sign off on the telephone bill before submitting it to the Accounting Office for payment. He explained to monitor telephone bills for all departments would be a monumental task, adding that in some cases telephone calls cannot be verified. A brief discussion of the matter resulted in the Supervisors agreeing that Constitutional Officers and Department Heads will monitor their agency or department telephone bill.

On motion of Mr. Barker, second by Mr. Parris, it was resolved to approve the minutes of February 23, 1993 with the following corrections:

Page 6496, Item 23, Board Member Reports, Paragraph 2:

Correct references to Taylor's Valley and replace with Widener's Valley.

Page 6496, Item 23, Board Member Reports, Paragraph 6:

Correct the paragraph to read as follows:

Discussion about the use of the County telephones for personal calls by County employees resulted in the Supervisors agreeing that Constitutional Officers and Department Heads will monitor their agency or department telephone bills.

The vote on the motion to approve the minutes of February 23, 1993 minutes was as follows (6-1):

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

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:: Recessed Meeting of March 2, 1993

On motion of Mr. Parris, with no second, it was resolved to approve the minutes of March 2, 1993 with the following correction:

Page 6499, Item 3 (Continued), Presentation by Washington County Service Authority:

There was consensus agreement to eliminate the cost figures reported for water projects on SR 712 (Alvarado), and SR 732 & 733 (Rush Creek).

Page 6500, Item 5, Adjournment, Paragraph 4:

Correct the Washington County Service Authority vote to adjourn to reflect Mr. Coulthard and not Mr. Osborne.

The vote on the motion to appove the minutes of March 2, 1993 was as follows (6-1):

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

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5. Planning & Zoning Public Hearings:

The following action was taken on public hearings on Planning and Zoning matters:

REQUEST FOR SPECIAL USE PERMIT:

(1) Frankie Gregory: Request for a Special Use Permit to operate an independent used car dealership with repair and restoration on approximately 2.74 acres of property located on the South side of I-81 and the North side of U.S. Route 11 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application filed by Frankie Gregory.

Frankie Gregory addressed the Supervisors explaining he wants to operate a small business.

Mr. Osborne, in his comments, asked Mr. Frankie Gregory if he agrees with the stipulation placed on the Special Use Permit by the Planning Commission that restricts the hours of operation. Mr. Frankie Gregory confirmed his agreement to the stipulation.

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

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to follow the recommendation of the Planning Commission and approve request of Frankie Gregory for a Special Use Permit to operate an independent used car dealership with repair and restoration on approximately 2.74 acres of property located on the South side of I-81 and the North side of U.S. Route 11 in an A-2 (Agricultural, General) zone, Monroe Magisterial District,

with the stipulation that Mr. Gregory operate his business between the hours of 8:00 a.m. and 6:00 p.m., with no operations on Sunday.

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				

*****

INTENT TO REZONE:

(2) Linda McBride: Request to rezone approximately 3.18 acres of property located on the North right-of-way line of a right-of-way leading to Virginia Secondary Highway number 605 from R-2 (Residential, General) to A-1 (Agricultural, Limited), Taylor Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application filed by Linda McBride.

Darren McBride addressed the Supervisors explaining he would like to place a single wide mobile home on the property.

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

On motion of Mr. Parris, second by Mr. Osborne, it was resolved to follow the recommendation of the Planning Commission and grant the request of Linda McBride to rezone approximately 3.18 acres of property located on the North right-of-way line of a right-of-way leading to Virginia Secondary Highway number 605 from R-2 (Residential, General) to A-1 (Agricultural, Limited), Taylor Magisterial District.

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				

*****

(3) Verner Osborne and Billy Ray Poole: Request to rezone approximately 21 acres of property located on the Southeast side of State Route 699 and running to the corporate limits of Abingdon from R-2 (Residential, General) to A-2 (Agricultural, General), Harrison Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application filed by VErner Osborne and Billey Ray Poole.

Billy Ray Poole addressed the Supervisors requesting the property be rezoned to agricultural so that he could erect greenhouses.

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 accept the recommendation of the Planning Commission and approve request of Verner Osborne and Billy Ray Poole to rezone approximately 21 acres of property located on the Southeast side of State Route 699 and running to the corporate limits of Abingdon from R-2 (Residential, General) to A-2 (Agricultural, General), Harrison Magisterial District.

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) Clara E. Leonard: Request to rezone approximately 109.7 acres of property located on the South side of State Route 648 near High Point Elementary School from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application filed by Clara E. Leonard.

Herschel Stevens, speaking for Mrs. Leonard, requested the land be rezoned to Agricultural so Mrs. Leonard could continue to farm without disruption.

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

On motion of Mr. Simcox, second by Mr. Barker, it was resolved to approve recommendation of the Planning Commission and grant request of Clara E. Leonard to rezone approximately 109.7 acres of property located on the South side of State Route 648 near High Point Elementary School from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

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				

*****

(5) Bessie K. Latham: Request to rezone approximately 32.92 acres of property located on the South side of State Route 648 near High Point Elementary School from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application filed by Bassie K. Latham.

George Latham speaking for his mother, Bessie Latham, stated the land has been in his family for over 50 years and has always been used as a farm. He requested the property be rezoned to Agricultural.

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

On motion of Mr. Simcox, second by Mr. Osborne, it was resolved to follow the recommendation of the Planning Commission and grant request of Bessie K. Latham to rezone approximately 32.92 acres of property located on the South side of State Route 648 near High Point Elementary School from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

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) Mildred B. Frye: Request to rezone approximately 36.17 acres of property located on the East side of State Route 649 near the intersection of Routes 648/649 from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application filed by Mildred B. Frye.

Lonnie Booher, nephew of Mildred Frye, requested the property be rezoned to agricultural.

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

On motion of Mr. Simcox, second by Mr. Litton, it was resolved to follow the recommendation of the Planning Commission and approve request of Mildred B. Frye to rezone approximately 36.17 acres of property located on the East side of State Route 649 near the intersection of Routes 648/649 from

R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

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				

*****

(7) Frances B. and Herschel R. Stevens, French Hale Moore III and James T. Frye: Request to rezone approximately 96.72 acres of property located on the South side of State Route 647 near the intersection of Route 647/648, from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application filed by Frances B. and Herschel R. Stevens, and James T. Frye.

Herschel Stevens introduced Mrs. Frye. Mrs. Frye stated the farm has been in the Frye family for over 70 years and has always been a farm. She asked that the property be rezoned to Agricultural.

It was noted that French Hale Moore III submitted a letter requesting that his application for rezoning be withdrawn and that his property at 3361 King Mill Pike remain with the current zoning designation of R2 (Residential, General). As a result of this, Mrs. Freeman stated for the record that the total acreage on the application will decrease to 89.97 acres.

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

On motion of Mr. Simcox, second by Mr. Barker, it was resolved to approve request of Frances B. and Herschel R. Stevens and James T. Frye to rezone approximately 89.97 acres of property, rather than 96.72 acres, located on the South side of State Route 647 near the intersection of Route 647/648, from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

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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(8) Charles G. Campbell: Request to rezone approximately 95 acres of property beginning on the South side of State Route 647 and running to the North and South side of State Route 650 and ending on the Southeast side of State Route 654 from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application filed by Charles G. Campbell.

Charles Campbell addressed the Supervisors stating he would like the property to be rezoned back to Agricultural.

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

On motion of Mr. Simcox, second by Mr. Litton, it was resolved to follow the recommendation of the Planning Commission and approve request of Charles G. Campbell to rezone approximately 95 acres of property beginning on the South side of State Route 647 and running to the North and South side of State Route 650 and ending on the Southeast side of State Route 654 from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

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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(9) James R. Gilmer: Request to rezone approximately 27.425 acres of property located on the Northwest side of State Route 650 and running to the Southeast side of State Route 650 from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application filed by James R. Gilmer.

James Gilmer, Jr. representing his father, requested the property be rezoned back to agricultural.

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

On motion of Mr. Simcox, second by Mr. Mathews, it was resolved to follow the recommendation of the Planning Commission and approve request of James R. Gilmer to rezone approximately 27.425 acres of property located on the Northwest side of State Route 650 and running to the Southeast side of State Route 650 from R-2 (Residential, General) to A-2 (Agricultural, General), Wilson Magisterial District.

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				

****

6. 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. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

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8. Mr. Litton's Reports and Comments

Mr. Litton stated Mr. Harry Brady was present prior to recess to call the Supervisors attention to sewer problems near his property. Mr. Litton stated Mr. Brady reported to him there is septage coming from houses in the Black Hollow area. Mr. Litton distributed photographs of the sewer problem which were supplied by Mr. Brady and asked the Supervisors to respond to Mr. Brady.

Mr. Litton stated there were six people in the audience prior to recess who told him they would like to hold a public meeting of their own in the Board of Supervisors meeting room on a matter of water service in the County. He stated they would like a representative from the Washington County Service Authority and the Board of Supervisors to attend the meeting, and stated that anybody that can is invited to attend. After consulting the calendar, agreement was reached to schedule the meeting for March 22, 1993, 7:00 p.m.

In prefacing a motion, Mr. Litton stated there were other people in attendance at this meeting who wanted to address the Board, however, because Citizen Comments is scheduled so late in the meeting, they left.

Mr. Litton made a motion, with no second, to schedule Citizen Comments on the Agenda at the beginning of the meeting.

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

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

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9. Dog Damage Claim - Kenneth Long

Kenneth Long appeared before the Board of Supervisors to respond to questions concerning his dog damage claim. Mr. Long explained that the damaged female goat was pregnant and had to be destroyed. He stated his claim is for $100 because he should be paid for loosing two goats.

On motion of Mr. Litton, with no second, it was resolved to approve dog damage claim filed by Kenneth Long in the amount of $100.00.

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

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

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7. Manufacturing Plant in Washington County (Walter Herman)

Walter W. Herman appeared before the Board of Supervisors to comment on his invention which is a Stand-off delivery system and patented as the Land Harpoon. He described the system as a self contained air driven, stand-off delivery system capable of firing projectiles containing lines, hoses or fire suppressant transport over 500 feet. Mr. Herman requested the Supervisors assistance in helping him to seek an industry in Washington County that would manufacture the Land Harpoon. He stated he would like to work with the Washington County Industrial Development Authority.

Mr. Herman presented the Supervisors with a written technical profile of the Land Harpoon, and the associated hoses and nozzles. He distributed copies of his personal communications to President Clinton and various Congressional officials soliciting their recognition of the Land Harpoon.

At the completion of Mr. Herman's presentation, Mr. Litton referred him to Mark Reeter, Assistant County Administrator/Economic Development, and to the Washington County Industrial Development Authority for their assistance with his request.

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14. E-911 Update (Mary Fraysier, Emergency Services Coordinator)

Due to Mrs. Fraysier's absence, there was consensus agreement to table the E-911 Update report until she returns.

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15. Tumbling Creek Convenience Station (Litton)

The Board of Supervisors received an evaluation of three potential convenience station sites on State Route 613, in the Tumbling Creek Community, Jefferson District.

Frank Canter, Resource Management, responded to questions from the Board on three potential sites and providing his recommendation that Site No. 2, property owned by Herbert Earl Herndon, be considered as the best site for the Convenience Station because of its location and for the reason there are no houses near the specific site.

On motion of Mr. Parris, second by Mr. Osborne, it was resolved to begin the permitting process for a solid waste convenience center on the Herbert Earl Herndon property located approximately 1/2 mile from Tumbling Creek Bridge on SR 613, and approximately 5.5 miles from the Washington County/Smith County line.

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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16. Allow Planning Staff to Initiate Rezoning of Phillip Mitchell Property (Mathews)

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to direct the County Planner to initiate a potential rezoning of the Phillip Mitchell property, Tax Map No. 84-9-3, a total of 4.69 acres, located on the East side of State Route 692 near the Chip Ridge Farm, from A-2 (Agricultural, General) to R-2 (Residential, General) in the Harrison Magisterial District; further, the County Planner was to follow the customary procedures of advertisement and notice to affected property owners; and further still, since the potential rezoning is being initiated by the County, the County Planner is to waive the rezoning fee.

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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17. Request for Declaration of Regional Housing Week, May 1-8, 1993

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to proclaim the week of May 1 - 8, 1993 as "Regional Housing Week: Creative Solutions to Housing Problems in Southwest Virginia," and adopted the following Resolution:

HOUSING AWARENESS & ACTION WEEK
May 1 - 8, 1993

WHEREAS, substandard housing, including inadequate indoor plumbing, overcrowding, deterioration and aging of existing homes, and unsafe heating and wiring, continues to be widespread in many communities of Southwest Virginia; and

WHEREAS, affordability of safe and adequate homes is a growing problem for low and moderate income families in the region; and

WHEREAS, existing housing agencies, including housing authorities, community action agencies, and other non profit organizations face a growing demand for services and a stagnant or declining pool of resources to meet those needs; and

WHEREAS, State and federal agencies encourage or require an increasing commitment to partnership from both the public and private sectors of local communities;

THEREFORE, BE IT RESOLVED, that the Washington County, Virginia Board of Supervisors supports the efforts of the Southwest Virginia Housing Coalition and its member organizations to address these problems in partnership with State and federal agencies, by declaring May 1 - 8, 1993 as "Regional Housing Week: Creative Solutions to Housing Problems in Southwest Virginia."

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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18. a. <u>Agreement Between Washington County Service Authority and Board of Supervisors pertaining to "Virginian" Sewer</u>

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to accept the agreement between the Washington County Service Authority and the Board of Supervisors relative to the Virginian sewer expenses and to appropriate the amount of $20,800 from reserves for contingencies to the Washington County Service Authority to pay for service laterals and manhole cost for future connections.

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

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

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b. Agreement Between Washington County and City of Bristol Pertaining to Industrial Park Sewer Service

On motion Mr. Osborne, second by Mr. Mathews, it was resolved to accept the "draft" agreement dated March 9, 1993 for identification purposes between Washington County and the City of Bristol, Virginia pertaining to the Industrial Park Sewer Service.

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

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

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19. Financial Report, County of Washington, for the Year Ended June 30, 1992

Received from Robinson, Farmer, Cox Associates copies of the Financial Report for the year ended June 30, 1992. Also received was a Statement of the Treasurer's Accountability to the County of all County funds as of June 30, 1992 listing cash receipts and disbursements by funds.

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to authorize the publication of the Treasurer's Accountability Statement in the local newspaper.

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. Clerk's Budget - FY 1993 (Kathy Crane, Clerk, Circuit Court)

Mrs. Kathy Crane, Clerk, appeared before the Board of Supervisors to request additional funds for FY 1993 to cover unanticipated office expenditures.

In her presentation, Mrs. Crane provided documentation of her attempts to request additional funds from the Compensation Board to cover microfilming/indexing costs, and their denial. Mrs. Crane also provided documentation of her efforts to apprise the legislators of increasing operational

costs and to solicit their consideration of restoring funding for office expenses for Circuit Court Clerk's office during the General Assembly sessions. Also included was the Clerk's Office budget showing the balance of funds as of February 6, 1993.

On motion of Mr. Barker, second by Mr. Mathews, it was resolved to appropriate $15,150 from reserves for contingencies for the Clerk's Office to cover extra operating expenses relative to telephones, microfilming/indexing, and office supplies.

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. Discussion of Adjustment for the Elderly on Real Estate Reassessment (Melvin Ritchie, Commissioner of Revenue)

Mr. Melvin Ritchie, Commissioner of Revenue, appeared before the Board of Supervisors to respond to questions concerning adjusting the real estate tax rate for the elderly of Washington County.

On motion of Mr. Mathews, second by Mr. Barker, it was resolved to to direct the County Attorney to draft an amendment to the County Ordinance relative to exemptions to the real estate assessment to be advertised for a future public hearing.

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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12. Recess

On motion of Mr. Mathews, second by Mr. Parris, 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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20. County Administrator Comments:

The following action was taken on County Administrator Comments:

a. April 13, 1993 Conflict, Board of Supervisors Meeting and School Board-BOS Joint Budget Study Committee Meeting

Mr. Bentley informed the Supervisors of the conflict of meetings between the School Board and the Board of Supervisors relative to the April 13, 1993 budget work session which is scheduled for Greendale Elementary School.

There was consensus agreement among the Supervisors to request the School Board to reschedule the budget work session to Thursday, April 15, 1993, at Greendale Elementary School.

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b. Spring Preallocation Hearings for the Interstate, Primary, and Urban Systems, and for Mass Transit

Received information from the Commonwealth Transportation Board relative to the 1993 Spring Preallocation Hearings for the Interstate, Primary, and Urban Systems, and for Mass Transit for Bristol District which will be held at Virginia Highlands Community College, Abingdon, on April 2, 1993, beginning at 10:00 a.m. Mr. Bentley will obtain additional information from Mr. Ken Brittle.

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c. Request from Appalachian Independent Center to Use Washington County Courthouse as Historic Site on their 1993 Christmas Ornament

Received request from Mr. Jack C. Phelps, Jr., Appalachian Independent Center, for approval to use the Washington County Courthouse as the historic site for the 1993 Christmas ornament.

On motion of Mr. Barker, second by Mr. Mathews, it was resolved to approve the request of Appalachian Independent Center to use the Washington County Courthouse as the historic site to appear on the 1993 Christmas ornament.

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. Request for Comments Concerning Opportunity Area Analysis for the Sugar Camp Opportunity Area, Mount Rogers National Recreation Area

Received communication from the United States Depatment of Agriculture, Forest Service, informing Washington County of their performing an analysis of Sugar Camp Opportunity Area which is located directly south of US 81 and the Town of Damascus, in the Mount Rogers National Recreation Area.

Discussion ensued with Mr. Bentley raising a question as to the impact of this on the Route 58 2E routing project. There was consensus agreement to forward the communication to the Route 58 Committee with a request that the specific location be pinpointed, and further, to place this on the Agenda for the March 23, 1993 meeting of the Board of Supervisors.

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e. Communications The following communications were received:

Inter-Office Communications

:: Subpoena Duces Tecum in the matter of James P. Litton vs. James C. Walsh;

:: Subpoena for Witness for Bruce E. Bentley in the matter of James P. Litton vs. James C. Walsh

:: County Administrator:
  :: to Constitutional Officers and County Department Managers advising all Department Managers will be required to verify monthly long distance calls made from phones assigned to their department.
  :: concerning Exit 19 Sewer Project Easement from Sonny Wright;
  :: Washington County Transfer Station Project: Implemention Sched

ule; Action List; Siting Analysis;

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to advertise for construction bids on March 14, 1993 for the Washington County Transfer Station Project.

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

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

:: Director of Accounting and County Administrator responding to Sheriff Mitchell concerning Administrative/Confidential Secretary funded by the State Compensation Board, and advising the State Compensation Board would receive requests made by elected Constitutional Officers only.

:: Assistant County Administrator concerning Date for Virginia Department Waste Management required public meeting on Washington County Solid Waste Transfer Station.

It was noted the public meeting was advertised in the Bristol Herald-Courier and will be held on Thursday, March 25, 1993 at 7:00 p.m. in the Board of Supervisor's Meeting Room.

:: Washington County Public Library to Comfort Inn expressing appreciation for the hospitality extended to Librarian applicant;

:: Washington County Public Schools to Chief Kevin O'Grady, Damascus Police Department, concerning participation in Washington County Group Medical Plan; response from Blue Cross/Blue Shield of Virginia stating eligibility requirements;

:: Sheriff's Department, Chief Correctional Officer, William T. Slemp, reporting corrections of violations at the Washington County Jail, as well as correspondence related to violations;

Federal, State and Local Representatives:

:: Delegate Joseph P. Johnson, Jr. concerning nomination of Glad Spring Historic District to National Register of Historic Places and the Virginia Landmarks Register;
:: Department of Transportation notifying Washington County that the railroad crossing priorities will not be funded from the Revenue Sharing Program.
:: Mount Rogers Health District concerning:
    :: inspection of two solid waste disposal vehicles operated by Roll-It Inc. of Bristol, Tennessee;
    :: OSHA Regulations on protecting employees from bloodborne infections;

General Correspondence:

:: Benjamin O. Tayloe, National Association for a Balanced Federal System, request for support of the Article V Proposal of the Council of State Governments.

On motion of Mr. Barker, second by Mr. Mathews, it was resolved to adopt the following resolution supporting restoration of the state's ability to initiate amendments to the Constitution:

WHEREAS, more than 400 petitions from several states requesting a Constitutional Con vention to propose amendments have been filed with Congress but have never resulting in the calling of a Convention or adoption of an amendment; and,

WHEREAS, a proper balance of national and state power is needed in a federal system, and the present mechanism for the states to initiate a Constitutional Convenientiion has proved to be unworkable; and

WHEREAS, an Intergovernmental Partnership Task Force proposed in its 1989 report to the Intergovernmental Affairs Committee of the Council of State Governments, an amendment to Article V of the United States Constitution to establish a thoughtful balancing of national and state interests in the constitutional amendment process; and

WHEREAS, the purpose ofthe Task Force proposal is to enable the legislatures of three-fourths of the states to propose amendments to the Constitution subject to the veto of the Congress by a two-thirds vote of both Houses within two years of the state's submission of the amendmentssss; and

WHEREAS, the General Assembly of Virginia, on March 7, 1990, adopted House Joint Resolution 140 supporting the Article V Proposal of the Council of State Governments;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Virginia Board of Supervisors that, on this 9th day of March 1993, does hereby support the Article V Proposal of the Council of State Governments and House Joint Resolution 140 as adopted by the General Assembly of Virginia.

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				

:: Highlands Community Services Board 1994-2000 Comprehensive Plan Public Hearing scheduled for Wednesday, March 10, 1993, 7:00 p.m., City Council Chambers, City Hall, Bristol, Virginia;

:: John L. Wynne to Board of Assessors concerning tax assessment of property;

:: Virginia Chamber of Commerce Assembly Action.

Mr. Bentley explained an error was made by the Architect in the spelling of a Supervisor's name on the Washington County Courthouse Plaque and stated the plaque will be recast. He proposed the new plaque also contain the names of the Courthouse Committee, and informed the Supervisors that the County would be responsible for only a portion of the cost. Discussion ensued, and there was consensus agreement to include the names of the Washington County Courthouse Committee members on the Plaque listing the Board of Supervisors.

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f. Reminders

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21. County Attorney's Reports

a. Request for Cost Estimate Concerning Improving Caroll Street in Preston Hills Subdivision to State Standards

On motion Mr. Simcox, second by Mr. Litton, it was resolved to direct the County Attorney to contact Virginia Department of Transportation and obtain a cost estimate on improving Carroll Street, located in Preston Hills Subdivision, to state standards.

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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Received copy of Notice of Appeal to the Supreme Court of Virginia in the matter of William Ross Bish, Jr. vs. the Board of Supervisors relative to E-911.

Discussion ensued with Supervisors requesting that the committee appointed to study the costs to go on line with the E-911 system present their findings to the Board as soon as the report is completed.

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On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to authorize the County Attorney to attend the professional seminars on March 25-27, 1993 and April 15-16, 1993.

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

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

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13. Private Landfill (Jim Bundy)

Mr. Jim Bundy, Architect, appeared before the Board of Supervisors with a proposal to establish a private Landfill in Washington County, and asked for a political commitment from the Supervisors if they would be interested in him pursuing the project. He explained that he would need up to five years to put the project together during which time the Supervisors would be utilizing the Transfer Station. He concurred with the Board action to proceed with the Transfer Station for solid waste collection.

Supervisors responded to Mr. Bundy's request. Supervisors concurred with the concept of having a Landfill in Washington County provided that it meets all the environmental regulations, and that it would serve the citizens of Washington County at a lower cost. Mr. Mathews expressed his reluctance to support a verbal proposal until Mr. Bundy could return with some specific factual information.

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14. Consent Agenda:

The following action was taken on the Consent Agenda:

a. Request for Refund, Electrical Permit, $25.00

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to authorize a refund to Brenda Jones in the amount of $25.00 for electrical permit issued on January 29, 1993.

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 Refund, Real Estate Taxes, $699.30

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to authorize a refund to Mr. Arthur P. Slaughter in the amount of $699.30 for assessment of a building that does not belong to him.

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. Supplemental Appropriations:
:: Washington County Sheriff's Department, $1,500
:: Commonwealth Attorney's Office, $2,097.00

On motion of Mr. Parris, second by Mr. Osborne, it was resolved to approve the following supplemental appropriations:

:: Washington County Sheriff's Department, $1,500, funds received from Highway Safety Mini-Grant, Division of Motor Vehicles, for the purchase of computer equipment necessary to computerize traffic records;

:: Commonwealth Attorney's Office, $2,097.00, additional funds received from State Compensation Board for the purchase of computer equipment.

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. Payment of Bills, February 1993

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to approve payment of bills for the month of February 1993.

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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15. Board Member Reports

The following Board Member reports were given:

Jackson Barker, Jr. reported receiving a communication from Richard Gardner, Building Superintendent for Hamilton and Hayter's Gap Schools, concerning increased electrical rates for the two buildings.

On motion of Mr. Barker, second by Mr. Parris, it was resolved to authorize the County Attorney to write to the utilitity companies about the Board of Supervisors intent to use Hamilton School and Hayter's Gap School buildings for community service activities.

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. Osborne, it was resolved to request the Department of Transportation to take the necessary steps to install a guard rail at Barbs Trailer Park located .06 miles west of Bristol City Limits on Gate City Highway.

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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16. Citizen Comments: The following has been extracted from the Board of Supervisors Bylaws, Rules of Procedure and Guidelines, adopted January 11, 1993 and is provided for your information:

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

Delegate Joseph Johnson, Jr. addressed the Board of Supervisors emphasizing the importance of the Board becoming actively involved in County affairs statewide. Mr. Johnson gave an overview of legislation affecting Washington County. He stated efforts are underway to get four-laning Route 58 to Damascus into the Six Year Plan, and expressed his hope that the Board of Supervisors will endorse it.

Thomas Whittaker addressed the Board of Supervisors on unpaid phone bills for personal long distance telephone calls made by County employees.

Patrick Mannix addressed the Board of Supervisors concerning access to public records.

William Bish, Jr. addressed the Board of Supervisors suggesting that their scheduled recess be moved to after citizen comments on the agenda.

William C. Hunigan addressed the Board of Supervisors restating the problem he presented to the Supervisors in months past of water running onto his property and flooding the basement of his business, and the expenses he is incurring because of it. He expressed his view that the County is liable for damage to his property.

Mr. Barker made a motion, which he later withdrew, offering to reimburse Mr. Hunigen $40.76 from reserves for contingencies for pumps he purchased. In making this motion, Mr. Barker stated it is not made on the grounds of

the County's responsibility for the water run-off problems but because of Mr. Hunigan improving his property by taking the water off it.

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17. 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