V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, August 23, 1994, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

James T. Osborne, Chairman
Dulcie M. Mumpower, Vice Chairman
Kenneth G. Mathews
Bobby D. Ingle
Joe W. Derting
Maurice H. Parris
Jackson Barker, Jr.

Bruce E. Bentley, County Administrator
Barry Proctor, Interim County Attorney
Mark W. Seamon, Director of Accounting
Sandra M. Hatfield, CPS, Executive Secretary

****

1. Call to Order

The meeting was called to order by Mr. James T. Osborne, Chairman of the Board who welcomed everyone in attendance.

****

2. Invocation and Pledge of Allegiance - James T. Osborne

Mr. James T. Osborne gave the Invocation and led in the Pledge of Allegiance.

****

3. Approval of Agenda

On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to approve the Agenda with the following additions:

11. Executive Session pursuant to Section 2.1-344(A)(3) of the 1950 Code of Virginia, as amended, in order to discuss property acquisition, Johnson Memorial Clinic

17. h. County Attorney Interviews

17. i. Letter of Support - City of Bristol, VA Regional Landfill

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

4. Approval of Minutes of August 9, 1994

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to approve the Minutes of August 9, 1994 with the following correction:

Page 7300, Agenda Item 16, Delinquent Taxes for the 1993 Tax Year:

"On motion of Mr. Derting, second by Mr. Ingle, it was resolved to obtain bids to publish the list of delinquent taxes on properties ..."

The vote on the motion to approve the Minutes of August 9, 1994 as amended was as follows (6-0-1):

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Abstain
Mrs. Mumpower	Aye				

Mr. Barker abstained from voting for the reason he was absent from the meeting.

****

5. Joint Public Hearing of Washington County Board of Supervisors and representatives of the Virginia Department of Transportation for the purpose of revising the project limits for the Jonesboro Road Secondary Construction Project

Mr. Osborne invited comments both in support of and in opposition to revising the project limits for the Jonesboro Road Secondary Construction Project.

Mr. Steve Buston, Resident Engineer, Virginia Department of Transportation, appeared before the Supervisors to explain in detail the Jonesboro Road Secondary Construction project which qualifies for Federal Safety Money because of the amount of traffic and the number of accidents on this road. He explained these funds require the County to participate at the level of 10% match of local funds, or $300,000, which will be allocated at $100,000 a year over a three year period to match the $2,700,000 Federal funds.

Mr. Buston described the project limits from I-81, Frontage Road 024, to the Bristol City Limits. He advised that instead of the contractors doing a total reconstruction of Jonesboro Road, the project will involve widening of shoulders and realignment.

Mr. Buston responded to a question from Mr. Pat Mannix concerning that section of Jonesboro Road that was being worked on as the sewer line was being constructed. He stated that the contractor may not need to reconstruct that section of Jonesboro Road.

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

On motion of Mr. Mathews, second by Mrs. Mumpower, it was resolved to accept Federal Safety Improvement Funds for Route 647 and revise the

project limits for the Jonesboro Road Secondary construction project from I-81 service road F024 to the Bristol City Limits.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

****

6.a. Delinquent Taxes, Penalty and Interest Figures Through August 1994 (Fred Parker, Treasurer)

Mr. Fred Parker, Treasurer, appeared before the Board of Supervisors with a list of delinquent taxes including penalty and interest figures from the years 1986 through August 1994.

On motion of Mr. Barker, second by Mr. Derting, it was resolved to request the County Attorney to proceed with legal action to be instituted for the judicial sale of delinquent tax properties.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

***** b. Banking Services (Fred Parker, Treasurer)

On motion of Mrs. Mumpower, second by Mr. Mathews, it was resolved to exercise a two year renewal option with Central Fidelity Bank for banking services for Washington County.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

****

7.a. Resolution of the Board of Supervisors of Washington County, Virginia Authorizing Application for the Virginia Public School Authority 1994 Series B Bond Sale

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

RESOLUTION AUTHORIZING APPLICATION FOR THE
VIRGINIA PUBLIC SCHOOL AUTHORITY 1994 SERIES B BOND SALE

WHEREAS, the Board of Supervisors (the "Board") and the School Board of the County of Washington, Virginia (the "County"), have determined that it is in the best interest of the County to apply to the Virginia Public School Authority (the "VPSA") to participate in the 1994 Series B bond sale to be conducted by the VPSA for the purpose of funding certain school capital projects; and

WHEREAS, the proceeds from said bond sale will be used for financing, construction, renovation, refurbishment, addition, equipping and furnishing of the following School Board properties at an estimated cost of $600,000 (the "Projects"):

Stadium lights at Patrick Henry HS and Holston HS	$ 34,000
Carpeting at E.B. Stanley MS	100,000
Chiller at Meadowview ES	55,000
Reinforcement and addition of support to Patrick Henry HS stadium	21,000
Installation of new intercom systems at High Point ES, Wallace MS, Holston HS, John S. Battle HS and Abingdon HS	28,000
Modifications to hall entrances at E.B. Stanley MS	17,000
Construction of baseball field at John S. Battle HS	244,400
Converting to coal burner and installation of pipes at Abingdon HS as energy conservation measures	28,079
Paving projects at Washington County School Board Skill Center, Watauga ES, Wallace MS, Damascus MS and Patrick Henry HS	23,500
Cap and/or seal track at Patrick Henry HS	20,000
Architect's fees for these various projects; and	13,189

WHEREAS, the Board intends to hold a public hearing regarding the issuance of such bonds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Washington, Virginia, does hereby authorize the School Board of the County of Washington, Virginia to submit the attached application to participate in the VPSA 1994 Series B bond sale for the purpose of financing the Projects.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

Mr. Barker filed a statement disclosing that he is an employee of the Washington County School Board and that he can participate in this transaction fairly, objectively and in the public interest.

a. <u>RESOLUTION OF THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY,</u>

VIRGINIA DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND /OR TO BE MADE IN CONNECTION WITH THE ACQUISITION,CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS

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

RESOLUTION OF THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA DECLARING ITS INTENTION TO REIMBURSE ITSELF FROM THE PROCEEDS OF ONE OR MORE TAX-EXEMPT FINANCINGS FOR CERTAIN EXPENDITURES MADE AND/OR TO BE MADE IN CONNECTION WITH THE ACQUISITION,CONSTRUCTION AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS

WHEREAS, Washington County, Virginia (the "Issuer") is a political subdivision organized and existing under the laws of the State of Virginia; and

WHEREAS, the Issuer has paid and will pay, on or after the date hereof, certain expenditures (the "Expenditures") in connection with the acquisition, construction and/or equipping of See Exhibit "A" (the "Project"), as more fully described in Exhibit A attached hereto; and

WHEREAS, the Board of Supervisors of the Issuer (the "Board of Supervisors") has determined that those moneys previously advanced no more than 60 days prior to the date hereof and to be advanced on and after the date hereof to pay the Expenditures are available only for a temporary period and it is necessary to reimburse the Issuer for the Expenditures from the proceeds of one or more issues of tax-exempt bonds (the "Bonds");

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS AS FOLLOWS:

Section 1. The Board of Supervisors hereby declares the Issuer's intent to reimburse the Issuer with the proceeds of the Bonds for the Expenditures with respect to the Project made no more than 60 days prior to the date hereof, unless approved earlier. The Issuer reasonably expects on the date hereof that it will reimburse the Expenditures with the proceeds of the Bonds.

Section 2. Each Expenditure was and will be either (a) of the type properly chargeable to capital account under general federal income tax principles (determined in each case as the date of the Expenditure), (b) a cost of issuance with respect to the Bond, (c) a nonrecurring item that is not customarily payable from current revenues, or (d) a grant to a party that is not related to or an agent of the Issuer so long as such grant does not impose an obligation or condition (directly or indirectly) to repay any amount to or for the benefit of the Issuer.

Section 3. The maximum principal amount of the Bonds expected to be issued for the Project is an estimated $600,000.

Section 4. The Issuer will make a reimbursement allocation which is a written allocation by the Issuer that evidences the Issuer's use of proceeds of the Bonds to reimburse an Expenditure, no later than 18 months after the later of the date on which the Expenditure is paid or the Project is placed in service or abandoned, but in no event more than three years after the date on which the Expenditure is paid. The Issuer recognizes that exceptions are available for certain "preliminary expenditures," costs of issuance, certain de minimis amounts, expenditures by "small issuers" (based on the year of issuance and not the year of expenditure) and not the year of expenditure" (based on the year of issuance and not the year of expenditure) and expenditures for construction projects for at least 5 years.

Section 5. This resolution shall take effect immediately upon its passage.

EXHIBIT "A"

DESCRIPTION OF PROJECT

Financing, construction, renovation, refurbishment of.

Stadium Lights -- Patrick Henry and Holston High Schools
Carpet - E. B. Stanley Middle School
Chiller - Meadowview Elementary School
Secure hall entrances at E. B. Stanley Middle School
Baseball field - John S. Battle High School
Matching grant money for AHS ECM
Paving Projects
Cap and/or seal track at Patrick Henry High School

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

Mr. Barker filed a statement disclosing that he is an employee of the Washington County School Board and that he can participate in this transaction fairly, objectively and in the public interest.

*****

****

8. Virginia Gas Company; Resolution of the Board of Supervisors of Washington County, Virginia Approving Issuance of Bonds by Industrial Development Authority of Buchanan County, Virginia in the amount of $8,000,000 Natural Gas Facility Revenue Bonds, Series 1994

Mr. Mark Witt, Chief Executive Officer, United Gas Company addressed the Board of Supervisors concerning the proposed issuance of revenue bonds in the amount of $8,000,000 by the Industrial Development Authority of Buchanan County, Virginia to finance the following projects:

(a) The acquisition of certain interests in real estate;
(b) the construction, equipping and installation of approximately 9 miles of natural gas distribution lines and approximately 19 miles of additional natural gas gathering lines branching off of the distribution lines in and near the Town of Grundy in Buchanan County;
(c) the acquisition, construction and installation of the appurtenant equipment, and
(d) the acquisition, construction and installation of production and storage facilities.

Mr. Witt explained that twenty-five percent of the funds will be used in Washington County. He emphasized that the issuance of these bonds will in no way affect the credit worthiness of Washington County, nor will Washington County have any obligation to use their taxing authority for the bonds.

Mr. Witt stated he has appeared before the Industrial Development Authorities in Buchanan and Dickenson Counties and there was no objection raised at the meetings to the issuance of the revenue bonds. Mr. Witt responded to questions from members of the Board on storage wells. He stated his company is located in Washington County and it is a taxpayer of Washington County.

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

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF WASHINGTON, VIRGINIA

The Industrial Development Authority of Buchanan County, Virginia (the "Authority") has considered the application of Virginia Gas Company, Virginia Gas Distribution Company, Virginia Gas Exploration Company and/or Virginia Gas Storage Company (together, the "Applicant"), requesting the issuance of the Authority's revenue bonds in a principal amount not to exceed $8,000,000 (the "Bonds"). The proceeds of the Bonds will be used to assist the Applicant in financing (A) the acquisition of certain interests in real estate, (B) the construction, equipping and installation of approximately 9 miles of natural gas distribution lines and approximately 19 miles of additional natural gas gathering lines branching off of the distribution lines in and near the Town of Grundy in Buchanan County, (C) the acquisition, construction and installation of appurtenant equipment, (D) the acquisition, construction and installation of natural gas gathering and production facilities in Dickenson County and/or Buchanan County that will support the natural gas distribution lines in Buchanan County and (E) the acquisition, construction and installation of natural gas storage facilities in Scott County, Washington County and/or Buchanan County that will also support the natural gas distribution lines in Buchanan County (together, the "Project").

The natural gas distribution facilities comprising a portion of the Project include four main natural gas distribution trunk lines extending approximately 3 miles and approximately 6 miles of smaller distribution lines branching off the four main distribution trunk lines in numerous locations in and near the Town of Grundy. The Grundy main distribution trunk lines will connect with the Virginia Gas Exploration Company ("VGEC") gathering system in four places. The first main distribution trunk line will connect with the VGEC system 1,500 feet along State Route
640 through Royal City and 1,500 feet up Watkins Branch. The second main distribution trunk line will connect with the VGEC system starting from downtown Grundy to the mouth of the VGEC system starting from downtown Grundy to the mouth of Newhouse Branch. The third main distribution trunk line will connect from Buchanan General Hospital up Booth Branch 3,000 feet. The fourth main distribution trunk line will connect to the VGEC system along Route 83 to the Slate Creek subdivision approximately 3,300 feet.

The additions to the VGEC gathering system will connect to the Columbia Gas Transmission system in western Buchanan County and to the CNG Transmission Company interstate pipeline #H-21777 in eastern Buchanan County and the East Tennessee Natural Gas #3400 interstate pipeline in Dickenson County. This will provide three alternative sources of gas supply to supplement VGEC sources. The natural gas storage facilities comprising a portion of the Project are located (A) on approximately 6,300 acres of land on either side of US Route 58 straddling the border between Scott and Washington Counties, and (B) on approximately 2,000 acres of land adjoining the tributaries of the Booth Branch of Slate Creek approximately 3 miles east of the Town of Grundy. The natural gas gathering and production facilities comprising a portion of the Project will be located in various parts of the Nora and Breaks/Haysi gas fields in Dickenson and/or Buchanan Counties, including gathering and production facilities that will be connected to the Applicant's Haysi Gathering System. The Haysi Gathering System (A) extends from an area adjacent to the Jefferson National Forest to the community of Tarpon, then along Jefferson National Forest to the community of Tarpon, then along State Routes 63 and 80 to the communities of Birchleaf and Colley and from there to the interconnect with East Tennessee Natural Gas Pipeline near the Town of Wakenva, all in Dickenson County, and (B) includes compression facilities near Birchleaf and Wakenva. Projected extensions to the Haysi Gathering System will extend 2 miles from Birchleaf in Dickenson County to the Columbia system at Bartlick.

Virginia Gas Company is a Delaware corporation and each of Virginia Gas Distribution Company, Virginia Gas Exploration Company and Virginia Gas Storage Company is a Virginia corporation. Each corporation has its principal place of business at 120 South Court Street, Post Office Box 2407, Abingdon, Virginia 24210.

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 of 1950, as amended (the "Virginia Code") provide that the highest elected governmental unit of the locality 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. A portion of the Project will be located in Washington County. Section 15.1-1378 of the Virginia Code provides that if a locality has created an industrial development authority, no industrial development authority created

by a second locality may finance a facility located in the first locality unless the governing body of such first locality concurs with the inducement resolution adopted by the industrial development authority created by the second locality. The Authority adopted an inducement resolution for the financing of the Project on June 7, 1993 (the "Inducement Resolution"). Copies of the Inducement Resolution and the Supplemental Resolution referred to below have been filed with the Board of Supervisors of the County of Washington, Virginia (the "Board").

Following the public hearing held by the Authority on August 16, 1994, the Authority adopted a resolution (the "Supplemental Resolution") in which it recommended and requested that the Board approve of the issuance of the Bonds by the Authority. The Board constitutes the highest elected governmental unit of Washington County. A brief summary of the Authority's public hearing and the Applicant's Fiscal Impact Statement have been filed with the Board.

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

1. The Board approves the issuance of the Bonds by the Authority in a principal amount not to exceed $8,000,000 for the benefit of the Applicant, as 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 of the Project.

2. The Board concurs with the Inducement Resolution adopted by the Authority, as required by Section 15.1-1378 of the Virginia Code. Further, the Board ratifies and accepts the actions taken at the public hearing held by the Authority on August 16, 1994.

3. The approval of the issuance of the bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the Applicant or the Project. As required by Section 15.1-1380 of the Virginia Code. the Bonds shall provide that Washington County shall not 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 nor any political subdivision thereof, including Washington County, shall be pledged thereto.

4. This resolution shall take effect immediately upon its adoption.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

****

9. Request for Permission to Use Area at Washington County Landfill to Store and Distribute Donated Firewood to Indigent Citizens (Doug Meade, Director, Department of Social Services)

On motion of Mrs. Mumpower, second by Mr. Barker, it was resolved to allow the Department of Social Services to utilize the County Landfill as a storage and distribution site for the social service firewood program.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

****

(Mr. Derting left the Board table.)

10. Social Services Building Site Status (Frank Canter)

Mr. Frank Canter, member of the Building Site Study Committee, appeared before the Board of Supervisors to report the status of the School Board's action of August 15, 1994 relative to the donation of land to Washington County for the site of the Social Services Building.

Mr. Canter conveyed that the School Board voted to declare the land east of Stanley Street consisting of approximately two (2) acres as surplus property and resolved to return it to the Board of Supervisors with the request that the land be used for county projects and remain under the control of the Board of Supervisors. He stated they further stipulated that at any time the property is not used for county purposes that it be returned to the school system.

Discussion ensued with Mr. Canter reviewing the necessary procedural considerations the Board of Supervisors would have to follow before the site could be accepted as a viable site for the Social Services Building project.

Mr. Canter provided the Supervisors with a bid proposal from Addison Surveyors for a boundary survey for approximately two acres of land including an Auto-Cad Drawing of the parcel suitable for recordation for a cost of $300.00. Also provided was a bid proposal from RLS & Company to do a Geotechnical Study for an approximate cost of $4,000 to $5,000. Included as part of Mr. Canter's report was a question posed to the Washington County Industrial Development Authority and a response from their legal advisor relative to financing, constructing and leasing a new office building to the Washington County Department of Social Services.

(Mr. Derting returned to the Board Table.)

Mr. Barker raised a question about the status of financing and expressed his preference to have the project financed by People Incorporated. He voiced his concern that People Incorporated was not invited to participate in the latest discussions relative to the Social Services Building project.

Further discussion ensued relative to the property being rezoned, financing, surveying the property, and having a geotechnical study performed.

On motion of Mrs. Mumpower, second by Mr. Barker, it was resolved to do land survey at a cost of $300, proceed with requesting the Washington County School Board to file an application to rezone approximately two acres of land located east of Stanley Street, and to authorize RLS & Company to perform a Geotechnical Study of the two acres of land at an approximate cost up to $5,000 and that the money for survey and geotechnical testing be taken from the Capital Improvements line item for the Social Service Building Land-Purchase.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

****

12. Recess

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

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

****

13. Waste Haulers Permit Application:

The following action was taken on permit applications of Waste Haulers:

a. Roll-It, Inc.

On motion of Mr. Ingle, second by Mr. Parris, it was resolved to approve permit application of Roll-It, Inc. to provide waste collection services in Washington County through August 31, 1995, with the stipulation that they pay the required fee of $500 per truck to the Treasurer of Washington County.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

*****

b. Waste Management of Tri Cities, Inc.

On motion of Mr. Ingle, second by Mr. Parris, it was resolved to approve permit application of Waste Management of Tri Cities to provide waste collection services in Washington County through August 31, 1995, with the stipulation that they pay the required fee of $500 per truck to the Treasurer of Washington County.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

****

14.a. DEQ Compliance Agreement

Mr. Mark Reeter, Assistant County Administrator/Economic Development, appeared before the Board of Supervisors giving an overview of the Compliance Agreement to allow Washington County to enter into a less extensive and expensive detection monitoring program for groundwater.

On motion of Mr. Mathews, second by Mr. Derting, it was resolved to authorize the County Administrator to execute Compliance Agreement with Department of Environment Quality regarding the Washington County Landfill facility establishing the groundwater monitoring program, and the submission of Schedule B listing tests for constituents as part of the groundwater monitoring program.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

*****

b. Request to Advertise Procurement of Landfill Lab Services

On motion of Mr. Mathews, second by Mr. Ingle, it was resolved to solicit proposals from analytical laboratories to conduct periodic analysis of groundwater samples collected at the Washington County Landfill for standard groundwater monitoring requirements under Virginia Solid Waste Management Regulations.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

11 a. Purchase of Abingdon Professional Partnership Property for County Health Department Building

Executive Session pursuant to Section 2.1-344(A)(3) of the 1950 Code of Virginia, as amended, in order to discuss property acquisition, Johnson Memorial Clinic

On motion of Mr. Ingle, second by Mr. Barker, it was resolved to go into executive session pursuant to Section 2.1-344(A)(3) of the 1950 Code of Virginia, as amended, in order to discuss property acquisition, Johnson Memorial Clinic, and further it was resolved to invite the following persons to participate in the discussions: Barry Proctor, County Attorney; Bruce E. Bentley, County Administrator; Mark W. Seamon, Director of Accounting; Mr. John Nor man, Financial Advisor for the County with the firm of Wheat First Butcher Singer; Dr. Craig Smith, Director, Mount Rogers Health District.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

On motion of Mr. Mathews, second by Mr. Ingle, it was resolved to come out of Executive Session and proceed with business at hand in public as required by law.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

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

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

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

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

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

There was no action.

****

15. General Obligation Bonds Resolution for Voter Referendum

Mr. John Norman, Financial Advisor for the County with the firm of Wheat First Butcher Singer, addressed the Board of Supervisors concerning the procedural steps to be considered when working toward a bond referendum. He commented that the County has already established their debt capacity through the study recently complet
ed. He recommended before the County presents a bond referendum before the voters, the Supervisors need to identify and prioritize capital improvements needs and project costs, suggesting that a multi-year program be adopted, and adopt a resolution stating the maximum amount and purpose of General Obligation Bonds. He strongly emphasized the importance of the Board of Supervisors establishing a communications network to inform the citizens of Washington County about the projects being considered and how they will be funded.

Mr. Norman presented three resolutions for the Supervisors to consider requesting the Circuit Court of Washington County, Virginia to order an election on the question of issuing General Obligation Bonds.

Discussion ensued on the agencies to include in the planning for a capital improvements program. In advising the Supervisors, Mr. Norman stated there are outside agencies who will act as a third party in assessing the County's needs and provide technical support. In response to a Supervisor's question concerning a time frame to accomplishing their goals before asking the voters to decide on the question of issuing General Obligation Bonds, Mr. Norman advised the Supervisors that the process will take several months.

In his remarks prior to making a motion, Mr. Mathews suggested the Board submit a proposal to the voters to borrow $8,000,000 for water and sewer projects before spending money on engineering plans for projects which voters would not approve.

Mr. Mathews made a motion to adopt a Resolution requesting the Circuit Court to order an election in November 1994 on the question of issuing General Obligation Capital Improvement Bonds in the amount of $8,000,000 for water and sewer projects in Washington County. There was no second. The motion failed.

Mr. Ingle expressed his viewpoint that the County needs to pursue water and sewer projects, however, he stated it is too soon to place a referendum on the ballot for $8,000,000.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to pursue the formation of a capital improvements program, and further to delay the referendum until a definitive plan is developed.

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

Mr. Mathews	Nay	Mr. Ingle	Aye	Mr. Derting		Aye	
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Nay		
Mrs. Mumpower	Aye						

There was consensus agreement among the Supervisors to contact Mr. Norman for the technical resource information that is available to the County.

****

16. Citizen Comments:

At this time, Mr. Osborne invited comments from citizens on items that do not appear on the Agenda.

Mr. Ingle left the Board Meeting room.

Thomas Whittaker addressed the Supervisors about the dismissal of charges; Board approval of $500 travel expenses for County Extension Agent, Phil Blevins, to receive an achievement award. He suggested it was a waste of money and that it given to the fire Department. He reported he is going to court to get access to records.

Mr. Ingle returned to the meeting.

Bill Bish addressed the Board of Supervisors about the dissemination of his 911 mailing address to the Constitutional Officers stating that the information is confidential. He inquired of the Board's policy and asked how he can have his 911 address and telephone number removed from the County's records.

Mr. Parris responded to Mr. Bish stating that the only 911 information that is confidential is the telephone number.

****

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. Ingle	Aye	Mr. Derting		Aye	
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye		
Mrs. Mumpower	Aye						

****

17. County Administrator Comments:

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

a. Request to Change Library Letterhead Stationery

Mr. Bentley presented a request from Librarian Charlotte Lewis for permission to change the Library's letterhead stationery by creating a new logo and changing the colors.

After a brief discussion, there was no objection raised. It was the consensus opinion of the Board of Supervisors that the request to change letterhead stationery should be directed to the Public Library Board of Trustees for their action.

*****

Mr. Barker left the room to speak to Mrs. Lewis.

*****

b. Industrial Sewer Rate Comparison Between Smyth County and Washington County, Virginia

Received communication from Mike A. Maiden, Superintendent of Wastewater Operations, Town of Abingdon, reporting results of an Industrial Sewer Rate Comparison they performed between Smyth County and Washington County. He reported the comparison revealed that Smyth County rate is 51% higher and suggested Washington County look at increasing its rate to generate more revenue.

A brief discussion resulted in the Supervisors asking that the staff make a recommendation to the Board.

*****

c. Mount Rogers Planning District Commission 1994 Regional Awards

Received request from Mount Rogers Planning District Commission to submit nominations for their Annual Regional Service Award and 12th Annual Achievement Award for a Disabled Person.

There were no nominations submitted.

*****

d. Freedom of Information Act Seminar, Roanoke, VA September 15, 1994

Received information on Freedom of Information Act Seminars being held throughout the Commonwealth.

There was consensus agreement that the County Attorney, one staff member and one Supervisor attend the September 15, 1994 seminar in Roanoke, VA.

*****

e. Meeting of Local Southwest Virginia Governments Who Have Turned Solid Waste Disposal Needs to Private Sector, Salem, VA, September 15, 1994

Received information the City of Salem is hosting a meeting with local governments who have elected to turn their solid waste disposal needs over to the private sector, Thursday, September 15, 1994, 1:30 p.m.

There was consensus agreement that Mark Reeter or one Board Member will attend the meeting at the City of Salem.

*****

f. Communications

The following communications were received:

Interoffice Communications:

:: County Administrator to Jackson Barker, Jr. concerning C-4 Media Cable Service concerning their service area in Washington County;

:: County Attorney to Board of Supervisors concerning Cable Television providers and their franchise term expiration dates;

:: Leton L. Harding, Jr. concerning C-4 Media Cable service deficiencies;

:: County Administrator to Harold Harwood, President, Mid Mountain Foods, Inc. concerning status of Washington County Industrial Park Water Supply Improvements Project;

:: Draper Aden Associates concerning Washington County Industrial Park Water System Improvements;

:: Clerk's Office concerning Revenue Bond Voucher in the amount of $32,988.13;

:: County Attorney to Chairman of Planning Commission conveying the Board of Supervisors directive that the Planning Commission meet with the Virginia Highlands Airport Commission to discuss the Airport's expected future development and land use, and its zoning regulations needs;

:: County Attorney to Board of Supervisors concerning the County's ownership of the Meadowview Town Square property;

Federal, State and Local Representatives:

:: United States Senator John W. Warner concerning his support for reauthorization of the Economic Development Administration;

:: United States Department of Agriculture, Forest Service, concerning request for comments on an ecological assessment for the Southern Appalachian Region to begin in August 1994;

:: Governor George Allen concerning resolution requesting assistance in obtaining a natural disaster designation due to the May 27, 1994 frost which affected Christmas tree production; Copy of letter to Secretary of Agriculture;

:: Governor's Commission on Government Reform, Transportation Committee public hearing scheduled for August 22, 1994;

:: Department of Economic Development, Division of Tourism, concerning Virginia Tourism Cooperative Advertising Fund;

:: Department of Environmental Quality concerning VPDES Permit No. 0026531, Abingdon Sludge Management Plan Regarding Land Application of Stabilized Sludge;

:: Department of Health concerning

:: amendment to sludge management plan from the Town of Damascus concerning stabilized sewage sludge generated by the Damascus sewage treatment works;

:: Sludge Management Plan from Town of Abingdon concerning land application of stabilized sewage sludge generated by Abingdon sewage treatment works;

:: Review of Plans/specifications for construction of additions to a community waterworks that will consist of 8,740 feet of 20-inch diameter waterline at Route 58 in Washington County;

:: Vision Paper, Southwest Virginia Family Practice Residency Program;

:: Department of Professional and Occupational Regulation Notice effective July 1, 1995, no individual shall engage in, or offer to engage in, work as a tradesman in the trades of Electrical, Plumbing, Heating, Ventilation and Air-Conditioning, or Gas-Fitting in the Commonwealth unless he has been certified by the Board for Contractors through the Tradesman Certification Program in addition to complying with any other applicable requirements;

:: Department of Transportation Alternative Fuels Revolving Fund program Application Guidelines;

:: Town of Abingdon to Warren W. McCray concerning Westwood Too, Phase I, Subdivision Sewer;

General Correspondence:

:: Notice of Virginia 44th Annual Transportation Conference, October 12-13, 1994, Lexington;

:: Highlands Community Services concerning:

:: Notice of Change of Address effective August 1, 1994;

:: Letter of Appreciation for financial support;

:: Mid-Mountain Foods, Inc. concerning Washington County's letter of intent concerning improvements to the water supply serving the Washington County Industrial Park;

:: Mount Rogers Planning District Commission concerning:

:: acknowledgment of notice of intent to apply for Federal and/or State assistance on Washington County Industrial Park water supply improvements project;

:: Sprint United Telephone-Southeast response to MRPDC concerning telephone service rates;

:: MRPDC to Kim Trimble, Virginia State Corporation Commission, concerning Sprint-United business plan and rates for telephone service;

:: Waste Management Bulletin

*****

g. Reminders

*****

h. County Attorney Interviews

The Board of Supervisors was provided a schedule for County Attorney Interviews on September 10, 1994. He asked the Supervisors if they would consider scheduling a separate interview date for applicant Joe Fay due to a scheduling conflict on September 10, 1994.

By consensus of the Board, it was agreed to schedule the County Attorney interview for applicant Joe Fay on September 13, 1994, at 6:00 p.m.

*****

i. Letter of Support - City of Bristol, VA Regional Landfill

On motion of Mr. Derting, second by Mr. Ingle, it was resolved to convey to the City of Bristol, VA that Washington County supports the effort to establish a regional landfill in Bristol, VA.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

****

18. County Attorney's Reports

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

a. Motorcycle Regulations for Washington County Park

Mr. Proctor reported that he received a request from the Washington County Park Authority to review traffic regulations at the Washington County Park as they pertain to motorcycle use within the boundaries of the Park, specifically excessive noise and the use of the motorcycles. Mr. Proctor advised that the County would be justified in having regulations that limit or control noise levels, prohibit all vehicles going off road, and establishing a speed limit that applies to all vehicles.

*****

Mr. Proctor called attention to his communication to the Board of Supervisors concerning the County's ownership of the Meadowview Town Square property;

Mr. Proctor stated that the Honorable Judge David D. Brown conducted an examination of the land records and determined that the property at one time belonged to the Preston family and was later conveyed to Norfolk and Western Railway Company, and ultimately conveyed by deed from the Railroad to the County. He stated Judge Brown felt that there may have been a defect in the Railroad's ownership of the property and accordingly documented in the land records a claim of ownership by the County both by adverse possession and by prescription (use) in 1971. Further, he stated since that time, there has been no challenge to the County's ownership of the property nor has the County conveyed away its interest in the Town Square. Mr. Proctor advised the Board that based on this information from Judge Brown, it is his conclusion that the County is authorized to make a reasonable restriction concerning parking at the Town Square and in particular to ban all parking by tractor trailers.

Mr. Proctor stated a review of Section 9-3 of the Washington County Code permits parking regulations to be established by the County Administrator without the passage of an ordinance by the Board of Supervisors.

****

19. Consent Agenda:

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

a. CDBG Drawdown No. 3, Emory/Meadowview Sewer Project
b. Supplemental Appropriation:
:: Emory/Meadowview Sewer Project Grant: $689,607.52
:: SW VA Microenterprise Development Grant: $118,839.69

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

****

20. Board Member Reports

The following Board Member Reports were given:

Mr. Barker notified the Board of Supervisors he will be absent when the County Attorney interviews are scheduled on September 10, 1994 due to a military service obligation. He urged the Supervisors to consider readvertising the County Attorney position if they feel the applicants are not highly qualified for the position.

Mr. Derting inquired about the status of the Roadviewers. Mr. Bentley responded that Mr. Mark Reeter has been asked to organize a meeting of the Roadviewers.

(Note: Meeting of Roadviewers, September 15, 1994, 3:00 p.m.)

On motion of Mr. Ingle, second by Mr. Parris, it was resolved to request the Virginia Department of Transportation to do a traffic safety study on Route 633, Black Hollow Road.

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

Mr. Mathews	Aye	Mr. Ingle	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mrs. Mumpower	Aye				

Mr. Osborne gave a verbal report on his and Mr. Derting's attendance at the Local Government Officials Conference in Charlottesville, Va giving a synopsis of each workshop they attended.

****

21. Adjournment

On motion of Mr. Derting, second by Mrs. Mumpower, it was resolved to recess the meeting to Saturday, September 10, 1994, at 9:00 a.m. to interview County Attorney candidates.

_____

James T. Osborne, Chairman