V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, December 27, 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

Bruce E. Bentley, County Administrator
Joseph B. Lyle, County Attorney
Mark W. Seamon, Director of Accounting Cecile M. Rosenbaum, Legal Assistant/Personnel Administrator

Absent:
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.

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

Mr. Parris called on Mrs. Mumpower who gave the Invocation and led in the Pledge of Allegiance.

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3. Approval of Agenda

On Motion of Mr. Parris, second by Mrs. Mumpower, it was resolved to approve the amended agenda with the following corrections:

Item 15. Chairman's was corrected to read Chairmen's

Item 17. add: g. Topographic Survey 2.115 Acre Tract, Stanley Street, Proposed Social Services Building.

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				

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4. Approval of Minutes of December 7, 1994

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to approve the minutes of December 7, 1994 as presented:

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

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

Mr. Mathews noted that he abstained as he was not in attendance at the December 7, 1994 meeting.

***** Approval of Minutes of December 13, 1994

On motion of Mr. Mathews, second by Mr. Barker, it was resolved to approve the minutes of December 13, 1994 with the following corrections:

Agenda for the November 22, 1994 incorrectly included:

The Agenda for the November 22, 1994 was incorrectly placed with the minutes of the December 13, 1994 meeting. The correct Agenda from the December 13, 1994 meeting will be placed with the minutes.

Page 7448 Item Number 21. should read as follows:

Recess to Thursday, December 15, 1994, 7:00 p.m. to Meet with Legislators at the Swiss Inn

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				

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5. Sludge Disposal (Maurice Parris)

On motion of Mr. Parris, second by Mrs. Mumpower, it was resolved to subsidize the sludge disposal of the Town of Abingdon at a cost of $5.00 per ton for 400 tons or $2,000.00 which is the amount presently contracted for disposal.

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

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

Mark Seamon questioned the Board regarding the invoicing of this subsidization to the Town of Abingdon and it was decided that this cost would come out of the County Solid Waste Disposal Budget.

Mr. Parris also commented that he would be in agreement to subsidize additional sludge disposal cost when the Town of Abingdon contracts for the

disposal because about 50% of sludge produced comes from Washington County residents.

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6. 1994 National, State and Local Concerns of the Southwest Virginia Agriculture Association, Inc.

On motion of Mr. Derting, second by Mr. Barker, it was resolved to adopt the following resolution in support of the Southwest Virginia Agricultural Association, Inc.:

BE IT RESOLVED that the Washington County, Virginia Board of Supervisors supports the following positions taken by the Directors of the Southwest Virginia Agricultural Association:

MULTI-FLORA ROSE

- Endorse efforts to initiate the multi-flora rose rosette virus and other means of eradication in Southwest Virginia.

LIVESTOCK

- Oppose of the sale of downer and cancer-eye cows at livestock markets in Virginia.

DAIRY

- Strongly support and request that Extension hire a dairy agent to work in Southwest Virginia,
- oppose the sale of unpasteurized milk from any animal,
- favor keeping Class 1 milk differentials within the existing Federal Order System,
- support the Virginia Dairy Set-aside Program and encourage all dairymen to participate, and
- support the implementation of an educational program with extension and local veterinarians to encourage 100% dairymen participation in the 10 POINT QUALITY ASSURANCE PROGRAM.

FORESTRY

- Urge continuation of educational and technical assistance to landowners to assist them in the proper use of steep lands, and
- oppose the charging of higher insurance premiums for wood burning home heating equipment when properly installed.

GOVERNMENTAL AFFAIRS

- Urge reason and prudence be applied in drafting of laws and regulations dealing with environmental concerns to seek a balance between agricultural production/economics and environmental impact,
- recommend continuation of practical efforts to protect and improve the quality of flowing water streams in Virginia,
- recommend that efforts be considered on ways to utilize and conserve additional water on the farm land in Southwest Virginia,
- encourage the Southwest Virginia Agricultural Association, Virginia Cooperative Extension and the Powell River Project Resource Center to continue educational programs on household water testing for citizens of Southwest Virginia,
- request Congress to make funds from the Abandoned Mined-Land Program available to localities for water and sewer projects,
- support the AGRI-21 Program of TVA in cooperation with the Tennessee Valley Region Association of Demonstration Farm Families and land grant universities,
- support continued funding of Virginia Cooperative Extension at a level adequate to provide educational programs for agriculture, families and 4-H throughout the state,

- request that temporary special-use permits be issued to trucks hauling Christmas trees from the Mt. Rogers area allowing them to travel into that area during the Christmas tree harvesting period,
- support the establishment of the proposed Black Diamond Resource Conservation and Development District,
- support the full funding of U.S. Highway 58 project to enable prompt completion, and
- oppose the disposal of out-of-state medical and hazardous waste landfills within Virginia.

WILDLIFE

- Oppose the release of wolves, bears and mountain lions in Southwest Virginia.

BURLEY TOBACCO

- Support an increase in the promotion of tobacco and the benefits from tobacco production, i.e., employment, tax revenues, etc.,

- support the concept that tobacco poundage lost from a farm because it is not grown be returned to that state, and that producers in that state should have an opportunity to grow this tobacco before it is redistributed out-of-state,
- support an effort to hire a full-time Extension Tobacco Specialist to work in the burley producing counties of Southwest Virginia,
- oppose any additional taxes on tobacco,
- support the elimination of Item #58.1-3236 from the Tax Code of Virginia,
- support the exemption of Burley tobacco producers who grow less than two acres of tobacco from Sod Buster Rules, and
- support the concept that warehouse charges be on a reasonable percentage basis rather than a flat rate charge.

FAMILY AND YOUTH

- Support programs to provide affordable and accessible health care for all youth in our area regardless of family income level, and
- support full funding of agricultural-based programs in all area high schools including Vocational Agriculture.

CROPS

- Highly suggest the state Pesticide Board make the private pesticide applicators exam more user-applicable,
- recommend development and funding of continued research of no-till technology for all crops in Southwest Virginia,
- endorse the continued expansion of federal crop insurance coverage to include all vegetable, fruits, field and nursery crops in all areas at a reasonable cost, and
- request that ASCS continues to update county yields for all crops.

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				

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7. Goodson Kinderhook Fire Department Resolution Designating Status for Purposes of Borrowing Money

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

RESOLUTION

WHEREAS, the Goodson-Kinderhook Volunteer Fire Department (the "Department") of Washington County, Virginia (the "County") is a "qualified volunteer fire department" as that term is defined in Sec. 1.103-16(b) of the United States Internal Revenue Regulations; and,

WHEREAS, the Department is looking to borrow $134,000 from Central Fidelity National Bank (the "Bank") for the purpose of purchasing a new fire truck; and,

WHEREAS, the interest on County obligations are tax-exempt pursuant to Sec. 103(a)(1) of the Internal Revenue Code if the obligations of the County in the calendar year do not exceed $10,000,000.00 as provided in Sec. 265(b)(3) of the Internal Revenue Code; and,

WHEREAS, the obligations of the County in the 1994 calendar year have not exceeded $10,000,000.00; and,

WHEREAS, pursuant to Sec. 1.103-16(a) of the Internal Revenue Regulations, the interest on the Department's proposed obligation to the Bank will be tax exempt if the County Board of Supervisors (the "Board") allocates a portion, equal to the amount of the proposed loan, of its tax-exempt status to the Department pursuant to Sec. 265(b)(3) of the Internal Revenue Code; and

WHEREAS, if such allocation is made the Bank will provide the Department a lesser interest rate on the proposed loan; and,

WHEREAS, the Board desires to assist the Department in this endeavor;

NOW, THEREFORE, BE IT RESOLVED that $134,000.00 (or the actual amount of the loan whichever is correct) of the County's tax-exempt status for the 1994 calendar year be, and hereby is, allocated to the Department for the purpose of providing a lesser interest rate on the loan money to be used to purchase a new fire truck.
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				

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8. Department of Transportation Citizen Information/Participation Meeting, Interstate Route 81 Project in Washington County

Mr. Bentley inquired if any of the Supervisors would be able to attend the meeting with the Representatives of the Virginia Department of Transportation on Tuesday, January 17, 1994 between 4:00 p.m. and 7:00 p.m.
None of the Supervisors could commit to attendance and no action was taken on this matter.
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9. Bright STARS Grant Award

On motion of Mr. Barker, second by Mr. Derting, it was resolved to accept the Bright STARS Technical Assistance Grant for $7,000.00 and to appropri-

ate this $7,000.00 grant to People, Inc. Department #53700, Bright STARS account number #5644.
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				

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10. Recess

Recess was delayed until later in the meeting.

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11. Mount Rogers Volunteer Fire and Rescue Squad Request for Surplus Vehicle

On motion of Mr. Parris, second by Mrs. Mumpower, it was resolved to consider donating a surplus vehicle for the Mount Rogers Volunteer Fire and Rescue Squad at the appropriate time since none are presently available.
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. Montgomery County Board of Supervisors Request for Support of Proposed Legislation to Enable Authorities to Contract With Other Authorities

On motion of Mr. Ingle, second by Mr. Parris, it was resolved to adopt the following resolution:
IT WAS RESOLVED, that the Board of Supervisors of Washington County, Virginia hereby requests that Section 15.1-1241(e) of the Virginia Water and Sewer Authorities Act, Chapter 28, Title 15.1 of the Code of Virginia of 1950, as amended, which reads as follows:

(e) The term "political subdivision" shall mean a county or municipality and any institution or commission of the Commonwealth of Virginia.

shall be amended to read as follows:

(e) The term "political subdivision" shall mean a county, authority or municipality and any institution or commission of the Commonwealth of Virginia.

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				

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13. New River/Mt. Rogers Private Industry Council EDWAA Plan 1995

On motion of Mr. Mathews, second by Mr. Derting, it was resolved to appoint Assistant County Administrator, Mark Reeter and Supervisor Jackson Barker to review the EDWAA Plan for approval or disapproval.
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				

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14. Agreement with Mid-Mountain Foods, Inc.

Mr. Bentley informed the Supervisors of the position of Mid-Mountain Foods, Inc. unwillingness to accept responsibility for repayment of monies obtained from ARC and DHCD for the Washington County Industrial Park Water Improvements Project.

It was resolved by consensus of the Board to appoint Mr. Derting and Mr. Osborne to work with the Washington County Service Authority and the Washington County I.D.A. to resolve who will assume the repsonsibility of repayment in the event the project defaults.

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15. Chairmen's Recommendations on Capital Improvements Planning

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

WHEREAS, a joint workshop meeting between the Washington County Board of Supervisors (Board of Supervisors), Washington County Service Authority (Service Authority), and Washington County Planning Commission (Planning Commission) was held on December 7, 1994, and

WHEREAS, the purpose of that meeting was to discuss the need for a Capital Improvements Program (CIP) to better undertake capital projects planning in Washington County, and

WHEREAS, at that meeting the Board of Supervisors acted to request that the chairmen of the Board of Supervisors, Service Authority, Planning Commission, Washington County Industrial Development Authority (IDA) and the Assistant County Administrator prepare recommendations as to who should participate in the development of a plan to implement capital im
provements programming in Washington County, and to present these recommendations to the respective boards, authorities and commissions of the County as soon as practical, and

WHEREAS, the above chairmen and Assistant County Administrator held a meeting on December 20, 1994 for this purpose and prepared recommendations embodied in the form of this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that the recommendations set forth herein are hereby accepted:

THAT a CIP Development Committee composed of the chairmen and one other representative each from the Board of Supervisors, Service Authority, Planning Commission, IDA, and Assistant County Administrator be formed for the purpose of researching, discussing and preparing recommendations as to the scope, direction, content, approach and method of capital improvements programming for Washington County.

THAT a CIP Finance Committee composed of one representative each from the Board of Supervisors, Service Authority, Planning Commission, and

IDA; the Treasurer of Washington County, County Administrator, and County Director of Accounting, with the County Financial Advisor as a consultant be formed for the purpose of researching, evaluating and preparing recommendations on the financial condition of Washington County relevant to capital financing, and also of such other boards, authorities and commissions as would be involved in the implementation of a County capital improvements program.

THAT a CIP Information Committee be formed at such time as is practical to prepare recommendations concerning public information, participation and public support for the County capital improvements program, the membership of this Committee to be determined upon its formation.

THAT these committees organize themselves in a manner their members deem appropriate for their specific tasks and to meet in open session on a regular basis in pursuit of these tasks.

THAT these committees may solicit additional members as deemed necessary or beneficial, and may seek the advice of professional consultants and others with prior approval from such boards, authorities or commissions as would be requested to cover the cost of such services, and in compliance with state and local procurement requirements.

THAT these committees interact with each other as necessary, sharing such information and recommendations as would affect the respective tasks of each.

THAT these committees prepare and present their recommendations to the various boards, authorities and commissions of the County for endorsement, approval and/or action as expediently as possible.

BE IT FURTHER RESOLVED that the following appointments are made pursuant to these recommendations:

CIP Development Committee: Mr. Osborne, Mr. Ingle, Mr. Reeter plus others.

CIP Finance Committee: Mr. Derting, County Administrator plus others.

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				

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16. Citizen Comments

There were no citizen comments for this meeting.

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

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17. County Administrator Comments

The following action was taken on County Administrator comments:

a. Resolution on Route 1717

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

WHEREAS, Virginia State Secondary Route 1717 (Industrial Park Road) is the only access linking U.S. Highway 11 and Interstate 81 to the Bristol-Washington County Industrial Park, and

WHEREAS, State Route 1717 is a two-lane, non-limited access road with considerable additional traffic generated by abutting and adjoining residential developments, and

WHEREAS, the volume of traffic borne by State Route 1717 from both residential and Park-related sources has led to concerns over the safety and utility of State Route 1717 as the Park's only immediate access to U.S. Highway 11 and Interstate 81, and

WHEREAS, industries located in the Bristol-Washington County Industrial Park have on numerous occasions requested that a new access road be constructed so as to provide additional immediate access to the Park;

NOW THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Washington County, Virginia, that it hereby supports the construction of a new access road linking the Bristol-Washington County Industrial Park with U.S. Highway 11 and Interstate 81.

BE IT FURTHER RESOLVED that the Board of Supervisors directs the County Administrator to forward this Resolution to the Commonwealth Transportation Board and Virginia Department of Transportation, and request these agencies respond as to how such a road may be incorporated into transportation planning 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				

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b. State Budget Hearing, December 28, 1994

Mr. Bentley inquired if any of the Supervisors would be able to attend the State Budget Hearing in Richlands on December 28, 1994. None of the Supervisors were able to attend and no action was taken on this item.

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c. Availability of Properties, U.S. Route 19

On motion of Mr. Mathews, second by Mr. Ingle, it was resolved to appoint a committee consisting of Dr. Craig Smith of the Washington County Health Department, Frank Canter, Mr. Ingle, and Mark Reeter to study a proposed site on Route 19 for the Washington County Health Department and Mr. Reeter is to chair the committee.

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				

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d. Virginia Association of Counties Virginia Municipal League Legislative Day, February 9, 1994, Richmond, VA

No action was taken on this item for attendance.

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e. Communications

The following communications were received:

Interoffice Communications:

:Note from Personnel Administrator to County Administrator regarding no tice that Barry Proctor will be unable to attend meeting of 12-27-94 to receive plaque. :Memo to County employees from Personnel Administrator regarding meeting with Fidelity Assurance representative.

Federal, State and Local Representatives: :Letter from Jerry W. Kilgore, Secretary of Public Safety regarding funding for Offices on Youth for FY 1995-96. :Letter from Robert E. Martinez, Secretary of Transportation, Commonwealth of Virginia regarding Virginia Connections. :Letter to Sheriff Mitchell from Bruce W. Haynes, Executive Secretary of the Compensation Board regarding denial of request for two step pay increase. :Letter to Sheriff Mitchell from Bruce E. Haynes, Executive Secretary of the Compensation Board regarding office data processing equipment. :Letter from Howard R. Freeland, CPG, Department of Environmental Quality, regarding groundwater monitoring program for Washington County Landfill. :Letter to Bert Mullins, Washington County Service Authority, from Allen R. Hammer, Department of Health regarding water system in Washington County. :Letter from Joseph P. Johnson, Jr., House of Delegates, regarding Legislative Dinner on December 15, 1994 at the Swiss Inn.

General Correspondence:

:Letter from Pixie A. Hamilton, Virginia District Chief of United States Department of the Interior, regarding a geological survey. :Regulations Update from Department of Environmental Quality effective November 1994. :Memorandum from Appalachian Regional Recycling Consortium regarding current status of Regional Tire Shredding Program, Phase 1 and 2. :Letter from Mike Guy, Executive Director of District Three Governmental Cooperative regarding Abingdon Nutrition Site. :Letter from Lynn K. Croy, Draper Aden Associates, regarding Gas Remediation Plan at Washington County Landfill. :Letter from William Newcomb, Draper Aden Associates, regarding Groundwater Monitoring Status in Virginia for Washington County Landfill. :News Release from Tri-Cities Regional Airport, TN-VA regarding name change. :Letter from Tom R. Davenport regarding views and comments in lieu of completed County survey. :Letter from James D. Campbell, Executive Director of VACo regarding minutes of November 13, 1994 business meeting. :Letter from William A. Allen, Virginia Cooperative Extension, regarding Governor Allen's Executive Order Thirty-Eight (38). :Notice from Virginia Association of Counties regarding conference information from VACo's 60th Annual Meeting. :Notice from VACo regarding 1995 Legislative Program. :Memorandum from Ellen Davenport from VACo regarding Governor Allen's budget proposal, budget public hearings.
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f. Reminders
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g. Topographic Survey 2.115 Acre Tract, Stanley Street, Proposed Social Services Building

On motion of Mr. Ingle, second by Mr. Mathews, it was resolved to authorize the payment of not more than $500.00,from Department 94590 account 5640, to Addison Surveyors for a topographic survey of the Stanley Street proposed site required by Farmers Home Administration for the Social Services Building funding application.

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				

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18. County Attorney's Reports

Mr. Lyle had no reports for this meeting.
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19. Consent Agenda:

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

a. Cancellation of general fund check #032811 payable to National Institute of Justice in the amount of $13.00.

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				

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20. Board Member Reports

Mr. Barker invited the Supervisors to attend two public hearings in his district on Thursday, January 5, 1995 at Mendota Community Center and Thursday, January 12, 1994 at Valley Institute School at 7:00 p.m. Present will be Mr. Barker, Sheriff Mitchell, Steve Buston with VDOT, and Billy Brooks from the School Board.

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Mrs. Mumpower commented to the Supervisors regarding the fire protection in the area where the new Wal-Mart complex is currently being constructed. Mrs. Mumpower felt that the appropriate fire trucks and equipment should be in place and in the area and prepared to handle emergencies. Mr. Parris stated that he and Mary Fraysier are to meet with Paul Spangler, Bristol City Manager, to discuss this problem.

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Mr. Osborne commented to the Board that he would like to proceed with appointing Mr. Derting and Mr. Bentley to the CIP Finance Committee. By consensus, the Board was in agreement with these appointments.
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21. Adjournment

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to adjourn to the next regular meeting of the Washington County Board of Supervisors, scheduled for Tuesday, January 10, 1995.

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				

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James T. Osborne, Chairman

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