V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, September 23, 1997, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

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

Mark K. Reeter, County Administrator
John A. Martin, County Attorney
Mark W. Seamon, Accounting/Purchasing Manager
Cecile M. Rosenbaum, Personnel Services Manager

ABSENT:

Maurice H. Parris
Sandra M. Hatfield, CPS, Administrative Assistant

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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 - Jackson Barker**

Mr. Barker gave the Invocation and led in the Pledge of Allegiance and asked for a moment of silence for Bobby Jessee and Bob Wilson, two county employees who passed away.

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3. **Approval of the Agenda**

On motion of Mr. Ingle, second by Mr. Derting, it was resolved to approve the agenda with the following amendment:

8.a. Request for Approval Authorizing Fred Parker, Treasurer, to establish two new bank accounts for the Department of Social Services.

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

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

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4. **Approval of Minutes of the Regular Meeting of September 9, 1997**

On motion of Mr. Barker, second Mrs. Mumpower, it was resolved to approve the minutes of the regular meeting of September 9, 1997 as written.

The vote on this motion was as follows: (5-0-1)

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

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5. **Public Hearing to Consider Ordinance to Amend Chapter 58, Article II, Division of the 1997 Code of Washington County, Virginia to provide for the payment of all separate classifications of tangible personal property taxes levied in Washington County, Virginia.**

Mr. Osborne opened the public hearing and invited comments both in support and opposition to the proposed ordinance.

Mr. Fred Parker, Treasurer, addressed the Supervisors in favor of the ordinance stating that there is a need to clarify when taxes on separate classifications of personal property are due and payable.

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

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

AN ORDINANCE TO AMEND CHAPTER 58, ARTICLE II, DIVISION 2 OF THE 1997 CODE OF WASHINGTON COUNTY, VIRGINIA TO PROVIDE FOR THE PAYMENT OF ALL SEPARATE CLASSIFICATIONS OF TANGIBLE PERSONAL PROPERTY TAXES LEVIED IN WASHINGTON COUNTY, VIRGINIA

ORDINANCE NUMBER 97-_____

WHEREAS, '58.1-3506 B. of the 1950 Code of Virginia provides for the establishment of general and separate classifications of tangible personal property; and

WHEREAS, the Treasurer of Washington County is responsible for the collection of all taxes on personal property as may be set forth by the Washington County Board of Supervisors by resolution or by ordinance; and

WHEREAS, there exists a need to clarify when the tax on such separate classifications is due and payable; to set out provisions concerning the forfeiture of separate classification status and to require the payment of such taxes in the amount as may be otherwise prescribed under the general class of tangible personal property ; and

WHEREAS, the Washington County Board of Supervisors considers such provisions necessary for the orderly and economic collection of such taxes, this being in the interest of the County and its citizens,

NOW, THEREFORE, pursuant to '58.1-3506 B. of the 1950 Code of Virginia, as amended, be it ENACTED by the Board of Supervisors of Washington County, Virginia:

1. That the Code of the County of Washington, Virginia, is hereby amended by adding a section,

to be numbered 58.53, which said section to read as follows:

Sec. 58-53 Separate classifications of personal property; when due.

Effective the 1998 tax year, the tax on all items of personal property declared by the board of supervisors to be a separate class of property constituting a classification for taxation separate from other classifications of tangible personal property, whether by resolution of the board of supervisors or by ordinance, shall be due and payable on the date prescribed for the payment of tangible personal property taxes of the general class. If not paid by the date prescribed, the separate classification shall be forfeited for the tax year and the amount of tax as may be established for such property under the general class of tangible personal property, plus penalty and interest, if any, shall be due and payable. The separate classification shall be reestablished for the subsequent tax year upon full payment of the amount owed.

2. That should any section or provision of this ordinance be decided to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or the Washington County Code.

3. That this ordinance shall become effective upon its adoption for the tax year set forth herein.

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

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

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6. **Virginia Highlands Airport Commission Resolution to Appoint a Special Group to Study Personal Property Tax on Aircraft and Submit its Recommendations for Tax on Aircraft to the Board of Supervisors.**

Mr. Tom Phillips, Chairman of the Virginia Highlands Airport Commission, made a presentation before the Board on the matter of the County=s present personal property tax rates levied on aircraft located at Virginia Highlands Airport. He stated that the County=s tax rate was not competitive with surrounding airports and was a disincentive to persons and companies with aircraft to lease hanger space or tie-down sites at the Airport. The Airport Commission had recently adopted a resolution recommending the formation of a committee to study this issue.

Upon motion of Mrs. Mumpower, second by Mr. Barker, it was resolved to accept the recommendation of the Virginia Highlands Airport Commission and form a select committee of the Board of Supervisors for the purpose of studying the personal property tax on aircraft and to submit its recommendations for the tax on aircraft to the Board of Supervisors. This committee is to be composed of Mr. Bobby Ingle as the Board of Supervisors= representative, County Treasurer Fred Parker, Commissioner of Revenue Melvin Ritchie, and a representative from the Virginia Highlands Airport Commission. Other committee members may be selected by the above.

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

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

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7. Request for Approval of Line-Item Transfer, Office of Commonwealth Attorney $198.20 to Legal Services

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to table the request of the Commonwealth Attorney for a line item transfer of $198.20 to Legal Services until the County Attorney determines if the Board is obligated to approve the request.

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

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

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8. **Resolution on Signatures Required on Accounts Payable and Warrants Checks for Social Services**

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

IT IS HEREBY RESOLVED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA that all Department of Social Services accounts payable and warrant checks require the signatures of the Department of Social Services Board Chairman, the Director of Social Services, and the County Treasurer.

IT IS HEREBY ADDITIONALLY RESOLVED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA that signature plates can be used for the signatures of the Department of Social Services Board Chairman, the Director of Social Services, and the County Treasurer; and further the member of the Department of Social Services Board which has the most service experience on the Board becomes acting Chairman when no appointments for Chairman and Vice-Chairman have been made.

IT IS HEREBY ADDITIONALLY RESOLVED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA that all persons authorized to sign Department of Social Services checks are to be properly bonded.

IT IS HEREBY ADDITIONALLY RESOLVED BY THE WASHINGTON COUNTY BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA that the individuals holding any of the positions heretofore mentioned are authorized to sign Department of Social Services checks under the guidelines as established heretofore; and further that this resolution shall remain in effect until such time as the Washington County Board of Supervisors shall deem it necessary to change.

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

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

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8.a. **Request for Approval Authorizing Fred Parker, Treasurer, to establish two new bank accounts for the Department of Social Services.**

On motion of Mrs. Mumpower, second by Mr. Mathews, it was resolved to approve the authorization for Fred Parker, Treasurer, to establish two new bank accounts for the Department of Social Services to be titled Washington County Department of Social Services, For SSI Recipients, Collective Dedicated Funds Account and Washington County Department of Social Services, For SSI/SS/and Other Funds, Collective Funds Account.

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

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

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9. **Award of Construction Bid, Washington County Industrial Park Sewer Project (Bill King, Thompson & Litton)**

Mr. Bill King, Vice President for Project Management for Thompson & Litton addressed the board regarding the bids for the Industrial Park Sewer Project. The bid documentation showed that Central Builders, Inc. was the low bidder and Mr. King recommended that the Board award Central Builders the Construction bid. He also stated that Central would be subcontracting most of the work out to a local construction company, Cherokee Construction.

On motion of Mr. Mathews, second by Mr. Derting, it was resolved to award the construction bid for the Washington County Industrial Park Sewer Project to Central Builders, Inc. for a development cost of $253,476.00.

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

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

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10. **Consideration of Addendum to Voluntary Settlement Agreement and Joint Letter to Understanding Between City of Bristol and Washington County, Clear Creek Development.**

Mr. Osborne discussed the matter of the proposed Addendum to Voluntary Settlement Agreement and Joint Letter of Understanding as prepared by the City of Bristol, Virginia concerning the Clear Creek development. He reviewed two additional proposals to be considered for incorporation into the agreement:

1. That all future annexations by the City of Bristol be accomplished only through mutual approval of the affected property owners, the Board of Supervisors and Bristol City Council. With such mutual approval, all revenue derived by the City from the annexed area shall be permanently shared on an equal (50%/50%) basis between the County and City at the City-s rate of taxation. The shared revenue shall not include sewer user fees, which shall be wholly that of the Bristol Virginia Utilities Board.

2. Any future annexations requiring the extension of sewer collection lines by the Bristol Virginia Utilities Board would be cost-shared via negotiation between the Washington County Service Authority and Bristol Virginia Utilities Board, with the cost-sharing arrangement subject to final approval by the Bristol City Council and Board of Supervisors.

The Board by consensus agreed to forward the proposals submitted by Mr. Osborne to the City of Bristol for consideration. It was agreed that Mr. Ingle and Mr. Derting should present these proposals to City officials.

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11. **Recess**

On motion of Mr. Ingle, second Mr. Mathews, it was resolved to take a brief recess.

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

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

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Mr. Mathews and Mr. Seamon did not return to the meeting.

12. **Citizen Comments**

At this time, Mr. Osborne asked Mr. Ingle to read the rules for citizen comments, and invited comments from citizens on items that do not appear on the Agenda.

Pat Mannix addressed the board regarding Sheriff Hayter.

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13. **County Administrator Comments**

Mr. Reeter reminded the Supervisors of the passing of longtime county Chief Animal Control Officer, Bobby G. Jessee on September 21, 1997. In response, Mr. Ingle asked that Mr. Reeter prepare a plaque for presentation to Mr. Jessee's wife at a future meeting.

Mr. Reeter also reported that Maria Bralley, Animal Shelter Assistant, had been awarded the Animal Control Officer of the year by the Bristol Humane Society. Ms. Bralley will be honored at a luncheon in Bristol on October 27, 1997.

The Supervisors also received other correspondence for their review.

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14. **County Attorney Reports**

There were no items to report.

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15. **Consent Agenda**

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

a. Request for Revenue Refunds
$100.00 - Community Crime Prevention Grant
$128.25 - Damages from Wilson Trucking
b. Washington County School Board- Mount Rogers Regional Adult Program
c. Emergency Services - $1,017.51 Recovered costs to county=s general fund
d. Accounts Payable checks for cancellation

The vote on this motion was as follows: (5-0)

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

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16. **Board Member Reports**

Mr. Barker thanked Mr. Derting and Mr. Osborne for attending the Mendota Community Clinic groundbreaking ceremony.

Mr. Derting informed the board members that some citizens were at the County Administration Building earlier in the evening thinking there was a public hearing regarding secondary roads. There was no meeting scheduled and Mr. Derting suggested that another meeting be held so these citizens may have the opportunity to attend a secondary roads public hearing. Mr. Derting also commented on the tour of the Solid Waste Storage Facility in Bristol, Virginia and the Mendota Community Clinic groundbeaking ceremony.

Mr. Ingle informed the board that Carol Fields had resigned her position on the Youth Services Board. He inquired if the board position was appointed by district supervisor.

Mr. Osborne commented on the attendance at the ground breaking ceremony at the Mendota Clinic and the enthusiasm of the Mendota community citizens.

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17. **Adjournment**

On motion of Mr. Derting, second by Mr. Barker, it was resolved to adjourn the meeting.

The vote on this motion was as follows (5-0)

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

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James T. Osborne, Chairman