V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, September 22, 1998, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

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

Mark K. Reeter, County Administrator
John A. Martin, County Attorney
Mark W. Seamon, Accounting/Purchasing Manager
Sandra M. Hatfield, CPS, Administrative Supervisor

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1 **Call to Order**

The meeting was called to order by Mr. Bobby D. Ingle, Chairman of the Board, who welcomed everyone in attendance.

2 **Invocation and Pledge of Allegiance - Jackson Barker**

Mr. Jackson Barker gave the Invocation and led in the Pledge of Allegiance.

3 **Approval of the Agenda**

On motion of Mr. Derting, second by Mr. Osborne, it was resolved to approve the Agenda with the following changes:

Delete:

6. Judy Vermillion, E911 Address Change Concern and Zoning Issue

Add:

11 Endorsement of Resolution by Washington County Chamber of Commerce re Donation of American Electric Power Building

14.b Annual Legislators Dinner, December 1, 1998, 6:00 p.m.

18 Executive Session Pursuant to '2.1-344.a (5) for the purpose of discussion concerning a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made of the business=or industry=s interest in locating or expanding its facilities in the community.

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

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

4 **Approval of Minutes**

The following action was taken on approval of Minutes:

a. **Minutes of Recessed Meeting of September 8, 1998**

On motion of Mrs. Mumpower, second by Mr. Roberts, it was resolved to approve the Minutes of the recessed meeting of September 8, 1998 as presented.

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

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

Mr. Ingle was not present at the meeting of September 8, 1998.

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b. **Minutes of Regular Meeting of September 8, 1998**

On motion of Mr. Derting, second by Mr. Barker, it was resolved to approve the Minutes of the regular meeting of September 8, 1998 with the following corrections:

Page 9003, Agenda Item 6.f, Special Use Permit for Coy D. Taylor

Mr. Barker raised a question as to the accuracy and reference to A... Putt-Putt golf course ...@ asking if the reference should not be *miniature golf* instead. In researching the original application for a special use permit, Mr. Coy D. Taylor=s request is to construct and operate a golf driving range and Putt-Putt golf course. The Minutes were left unchanged.

Page 9004, Agenda Item 7, Paragraph 13:

Change ARobinette Gap (614) and Wooten Gap (623) Roads@ to Barnrock Road (614).

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

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

Mr. Ingle was not present at the meeting of September 8, 1998.

5 **Consideration of Contracts with Browning-Ferris Industries:**

a. **Transportation and Disposal**
b. **Proposed Addendum**

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve Municipal Solid Waste Disposal Agreement with BFI Waste Systems of North America, Incorporation for the transportation and disposal of solid waste from the Transfer Station to the regional Landfill for a period of six years effective October 12, 1998; further, it was resolved to approve the following disposal rates: Years one, two and three - $20.99 per ton; Years four, five and six - adjustment according to CPI South Formula set forth in Exhibit

B,not to exceed 2% of the previous year=s service fee; further still, it was resolved to approve the following transportation rates: Year one: $6.00 per ton based on an average tractor-trailer weight of 22 tons; Years two, three, four, five and six: rate adjustment according to CPI South Formula set forth in Exhibit A.

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

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

6 **Consideration of County Matching Funds for Cardiac Defibulator, Goodson-Kinderhook Volunteer Fire Department (Chief Mark Moore, Bradley Davis, Goodson-Kinderhook Volunteer Fire Department)**

Present to address the Supervisors were Mark Moore, Chief, and Fred Lewis, Member, Goodson-Kinderhook Volunteer Fire Department.

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to appropriate $6,747 from reserves for contingency to Goodson-Kinderhook Volunteer Fire Department for the purchase of defibrillators through matching grant funds awarded from Department of Health, Office of Emergency Services, Rescue Squad Assistance Fund Program.

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

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

Mr. Barker praised the Fire Department for their work.

7 **Appointment of Joint Courthouse Parking Study Committee - Six Members**

Discussion ensued relative to having specific representation from the County on the Joint Courthouse Parking Study Committee. There was consensus agreement expressed to place this item on the October 13, 1998 meeting agenda.

8 **Appointment to Washington County School Board Early Retirement Incentive Program Committee**

On motion of Mr. Mathews, second by Mr. Barker, it was resolved to appoint John B. Roberts, Sr., Mark Seamon, and Sandra Hatfield to the Washington County School Board Early Retirement Incentive Program Committee.

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

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

9 **Consideration of Appointment, Holston River Soil & Water Conservation District Board of Directors, January 1, 1999 to December 31, 2002, 3 Year Term**

On motion of Mr. Osborne, second by Mr. Derting, it was resolved to endorse the action of the Holston River Soil & Water District Conservation Board to appoint Mr. Dave Johnson to the Board of Directors to be effective January 1, 1999.

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

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

10 **Appointment to Board of Building Code of Appeals, Monroe District: Appointment of Prince Coleman expires September 30, 1998**

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to reappoint Prince Coleman to the Board of Building Code of Appeals representing the Monroe Magisterial District for a four year term effective September 30, 1998 to September 30, 2002.

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

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

11 **Endorsement of Resolution by Washington County Chamber of Commerce re Donation of American Electric Power Building**

On motion of Mr. Osborne, second by Mrs. Mumpower, it was resolved to endorse Resolution of Washington County Chamber of Commerce requesting American Electric Power to consider the donation of the AEP Building located on Main Street, Abingdon, Virginia to Washington County; further, it was resolved to proceed with negotiating long-term lease arrangements with the Washington County Chamber of Commerce, the Washington County Industrial Development Authority, and the Washington County Historical Society for their business operations to be housed in the AEP Building.

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

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

12 **Recess**

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

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

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

13 **Citizen Comments**

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

Patrick Mannix appeared before the Supervisors. He read from a paper making personal attacks on the Sheriff. Mr. Ingle asked Mr. Mannix to stop his personal attacks. Mr. Mannix continued to read. Mr. Ingle suggested the Supervisors take a brief recess.

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to take a brief recess.

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

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

The Supervisors reconvened in session. Mr. Ingle stated he would continue the public hearing and issued a warning to Mr. Mannix that he will not allow personal attacks. Mr. Mannix responded he would continue to read from the same paper. Mr. Ingle again warned Mr. Mannix not to make personal attacks at which point he then asked the deputies to remove Mr. Mannix from the meeting. The Deputies removed Mr. Mannix.

14 **County Administrator Comments**

a. **Consideration of Voting Delegate, Annual Meeting of Virginia Association of Counties, November 10, 1998**

On motion of Mr. Derting, second by Mr. Roberts, it was resolved to appoint Mr. Ingle and Ms. Christianne E. Parker as voting delegates at the Annual Meeting of the Virginia Association of Counties, November 10, 1998.

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

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

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b. **Annual Legislators Dinner, December 1, 1998, 6:00 p.m.**

There was consensus agreement to hold the annual dinner meeting with legislators on Tuesday, December 1, 1998, 6:00 p.m., at the William King Regional Arts Center.

Mr. Reeter advised the Supervisors that the County received $14,400 in grant funds for the Recycling and Litter Prevention Program.

Mr. Reeter reported Linda Jackson recently received her Virginia Contract Officer certification.

15 **County Attorney Reports** There were no reports.

16 **Consent Agenda**

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

a. **Supplemental Appropriations:**
   - **i. Solid Waste Department, $16,999.48;**
   - **ii. Public Library, $5,000 (New Line Item); $2,500 (Line Item 73900-9010); $2,687.10 (Line Item 73400-5890)**
   - **iii. Central Dispatch, Communication Equipment, $7,661.80;**
   - **iv. Clerk of Circuit Court, Loose Papers Grant Closeout, $3,908.32**

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

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

17 **Board Member Reports**

Joe Derting briefly reported on the Virginia Department of Transportation hearings on Route 58 that he and two other Supervisors attended. Discussion ensued.

John Roberts reported concerns were raised relative to the speed limit on Route 58 beyond the Water Treatment Plant. There was consensus agreement to request the Virginia Department of Transportation to conduct a speed and traffic study on Route 58 east toward Damascus off Interstate-81 at Exit 19 past Watauga Road with the hope that VDOT will extend the 45 MPH speed limit.

Kenneth G. Mathews inquired about the reason Washington County has joined the Bristol VA-TN Chamber of Commerce and the benefits the County receives for their membership. Additionally, he asked the reason Bristol VA-TN Chamber is not a member of the Washington County Chamber of Commerce. Messrs. Reeter and Ingle explained the County=s membership in the Bristol VA-TN Chamber of Commerce allows our participation in the First Friday Business Briefings, and provides one more avenue in which to speak about legislative concerns.

Bobby D. Ingle expressed the appreciation of he and his family to the Board of Supervisors and staff for their support during the illness and passing away of his father, Lloyd Ingle.

18 **Executive Session Pursuant to '2.1-344.a (5) for the purpose of discussion concerning a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made of the business= or industry=s interest in locating or expanding its facilities in the community**

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to go into Executive Session Pursuant to '2.1-344.a (5) for the purpose of discussion concerning a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made of the business= or industry=s interest in locating or expanding its facilities in the community.

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

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

On motion of Mr. Osborne, second by Mr. Derting, 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. Ingle	***Aye***	***Mrs. Mumpower***	***Aye***	***Mr. Mathews***	***Aye***
Mr. Derting	***Aye***	***Mr. Osborne***	***Aye***	***Mr. Roberts***	***Aye***
Mr. Barker	***Aye***				

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

WHEREAS, the Washington County, Virginia 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, Virginia Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Washington County, Virginia 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, Virginia Board of Supervisors.

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

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

19 Adjournment

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

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

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

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Bobby D. Ingle, Chairman