

VIRGINIA:

At a meeting of the Washington County Board of Supervisors held Tuesday, March 23, 1999, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

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

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

1. Call to Order

The meeting was called to order by Mr. Joe W. Derting, Chairman of the Board, who welcomed everyone in attendance.

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2. Invocation and Pledge of Allegiance – Kenneth G. Mathews

Mr. Mathews gave the Invocation and led in the Pledge of Allegiance.

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3. Approval of Agenda

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to approve the Agenda with the following amendments:

Amend to Read As Follows:

- 6. *Approval of Bond Sale Agreement and Rescheduling of Public Hearing Pursuant to §15.2-2606 of the 1950 Code of Virginia, as amended, in the Issuance of Not to Exceed \$1,400,000 General Obligation Bonds of the County for Capital Improvements for School Purposes Including Assisting in the Financing Construction and Renovation, Upgrade, Refurbishment, Addition, Equipping and Furnishing Specific School Board Properties and adoption of Bond Sale Resolution to April 13, 1999 (Ronnie Walls, Director of Administration, Washington County School Board)***

Add

19.d Invitation to Tour New River Valley Regional Jail, Dublin, VA, April 2, 1999, LENOWISCO Planning District Commission

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

4 **Approval of Minutes of March 9, 1999**

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to approve the Minutes of March 9, 1999 with the following corrections:

Pages 9166, Agenda Item 16.b

Change Agenda Item to read “Comments on Proposed Trail in Benhams/Mendota Area” (Lisa Leonard)

Page 9174, Agenda Item 16.b:

Change styling and text of agenda item as follows:

b. Comments on Proposed Trail in Benhams/Mendota Area (Lisa Leonard)

“Mrs. Lisa Leonard ... addressed the Board of Supervisors about reinstatement of a proposal to create a bicycle trail running on the old railroad bed from Bristol to Hiltons, Va...”

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

5 **Public Hearing Pursuant to §33.1-151 of the 1950 Code of Virginia Regarding a Request for Abandonment of a Portion of State Secondary Route 728 by the U. S. Forest Service**

Mr. Steve Buston, Resident Engineer, addressed the Board of Supervisors explaining the reason for the road abandonment is for recreational purposes. In his comments, Mr. Buston conveyed Virginia Department of Transportation’s support for the Mount Rogers National Recreation Area’s request, and reviewed VDOT’s procedure for closing the road. Mr. Buston stated there will be a turn-around at the bridge and parking spaces will be provided.

Mr.Derting opened the public hearing and invited comments both in support of and in opposition to request for abandonment of a portion of State Secondary Route 728 by the U. S. Forest Service.

Cecil Thomas, Wildlife Biologist, U. S. Forest Service, spoke in support of abandoning a portion of SR 728 explaining the intention of the U.S. Forest Service is to separate wheelchair and road traffic. He described the approach to the fishing streams, as well as the mobility impaired ramps to be installed. During the discussions, Mr. Thomas pointed out that U. S. Forest Service does not plan on changing the fishing regulations for that area, that it is artificial lure/no bait throughout that section of stream.

Ken Fritz, resident of Damascus and owner of Cowboys Market, addressed the Supervisors opposing the abandonment of a portion of SR 728 and, as a side issue, protested the fishing restrictions being placed on various streams. He expressed his view that the road should be left open for the general public to use to get to the stream. Further, he stated the Town of Damascus depends on tourism and community development. He stated closing Creek Junction to the general public and restricting its use to handicapped fishermen only discourages people from coming into the community.

Mr. Fritz, in his comments, pointed out that 8 miles of the 22 miles of streams have been closed to accommodate fly fishermen in Washington County.

Messrs. Thomas and Buston responded to Mr. Fritz' statements and to questions from the Board of Supervisors.

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

Discussion ensued with Supervisors encouraging Mr. Fritz to discuss issues relative to the closing of streams and restricting fishing with the U. S. Forest Service, explaining that these matters are unrelated to the public hearing on abandonment of a portion of SR 728.

On motion of Mr. Roberts, second by Mr. Osborne, it was resolved to approve proposal to abandon a portion of State Route 728, and further, it was resolved to adopt the following Resolution No. 99-10, forwarding it to the Virginia Department of Transportation for their action:

RESOLUTION NO. 99-10

WHEREAS, a public notice was posted as prescribed under §33.1-151 of the 1950 Code of Virginia announcing a public hearing to received comments concerning abandoning the section of road described below from the secondary system of state highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road, and

WHEREAS, after considering all evidence available, this Board is satisfied that no public necessity exists for the continuance of the section of Secondary Route 728, beginning 95 miles from the intersection of Secondary Route 728 and U.S. Highway 58 to the terminus of Secondary Route 728, a distance of 0.50 miles, and hereby deems that section of road is no longer necessary as part of the Secondary System of State Highways.

NOW, THEREFORE, be it RESOLVED by the Board of Supervisors of Washington County, Virginia that it abandons the above described section of road and removes it from the secondary system of state highways pursuant to §33.1-151 of the 1950 Code of Virginia.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Abingdon Area Resident Engineer of the Virginia Department of Transportation.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

6 *Approval of Bond Sale Agreement and Rescheduling of Public Hearing Pursuant to §15.2-2606 of the 1950 Code of Virginia, as amended, in the Issuance of Not to Exceed \$1,400,000 General Obligation Bonds of the County for Capital Improvements for School Purposes Including Assisting in the Financing Construction and Renovation, Upgrade, Refurbishment, Addition, Equipping and Furnishing Specific School Board Properties and adoption of Bond Sale Resolution to April 13, 1999 (Ronnie Walls, Director of Administration, Washington County School Board)*

Mr. Ron Walls, Director of Administration, Washington County School Board, addressed the Supervisors. He explained, at the recommendation of Bond Counsel, he is requesting the public hearing and Bond Resolution be rescheduled to the April 13, 1999 meeting of the Board of Supervisors. Mr. Walls recommended the Board of Supervisors approve the Bond Sale Agreement and attached documents as submitted.

On motion of Mr. Roberts, second by Mr. Osborne, it was resolved to reschedule the public hearing on the issuance of not to exceed \$1,400,000 General Obligation Bonds of the County for Capital Improvements for School Purposes to April 13, 1999, and further, it was resolved to approve the Bond Sale Agreement between Washington County School Board and the Virginia Public School Authority to purchase general obligation school bonds, and further still, it was resolved to authorize the County Administrator to sign the Bond Sale Agreement that includes the following Bond Projects:

Carpet Replacement; Estimated Cost \$350,000

- Damascus Middle School – Replacing carpet installed 1980-81;*
- Greendale Elementary School – Replacing carpet installed 1979;*
- Wallace Middle School – Replacing carpet installed 1971 (new wing);*
- Rhea Valley Elementary School – Replacing carpet installed 1980-1981;*

Freezers; Estimated Cost \$120,000

- Abingdon High School – old/small;*
- Meadowview Elementary – small;*
- E. B. Stanley Middle School – small;*

Serving the fast-food type item and our additional breakfast program, presents a major storage problem.

The amount of \$40,000 has been subtracted from the original request for Watauga Elementary School. We will be able to fund an addition to the existing freezer from literary funds secured for the addition. This freezer addition at Watauga Elementary School will allow us to have the capacity for additional students.

Cafeteria Equipment; Estimated Cost \$145,800

Much of the kitchen equipment in the schools is 30+ years old. In some schools, one unit of equipment can replace two older units. There are tilting units in two high schools. Units for the other two have been included. This list was prepared by the cafeteria managers and Mrs. Sandra

Darden, Supervisor of Food Service. This upgrade will have our kitchens in good working order for the next 10+ years.

Upgrade Older Restrooms; Estimated Cost \$197,455

Wallace Middle School restrooms in the older section needs upgrading. Some other schools need floors replaced and cracked wall tiles replaced.

Door Replacement; Estimated Cost \$100,000

Change out damaged or deteriorated exterior doors, frames, and closures at the four high schools and some of the other schools.

Refurbish Existing Canopies; Estimated Cost \$234,450

The decking on older canopies has rusted on the bottom. In some cases, holes have rusted through. Due to this condition we are painting these canopies on a 2-3 year schedule. This decking has deteriorated and could be dangerous to work on for roof work. These canopies have built up roofs on metal decking We plan to remove the roof system, retain existing steel frame, and install a maintenance-free metal roof.

<i>Abingdon High School</i>	<i>1715 sq. ft.</i>	<i>\$42,875.00</i>
<i>John S. Battle High School</i>	<i>1715 sq. ft.</i>	<i>\$42,875.00</i>
<i>Holston High School</i>	<i>1184 sq. ft.</i>	<i>\$29,600.00</i>
<i>Abingdon Elementary School</i>	<i>1365 sq. ft.</i>	<i>\$34,125.00</i>
<i>High Point Elementary School</i>	<i>1455 sq. ft.</i>	<i>\$36,375.00</i>
<i>Glade Spring Middle School</i>	<i>1177 sq. ft.</i>	<i>\$29,425.00</i>
<i>Valley Institute Elementary School</i>	<i>767 sq. ft.</i>	<i>\$19,175.00</i>

New Addition to Existing Canopies; Estimated Cost \$79,975

An extension to existing canopies – We load a large number of buses simultaneously at Abingdon Elementary and High Point Elementary. The existing canopy (will need new metal roof) needs to be extended approximately 80 feet.

<i>Abingdon Elementary School</i>	<i>1275 sq. ft.</i>	<i>\$31,875.00</i>
<i>High Point Elementary</i>	<i>1185 sq. ft.</i>	<i>\$29,625.00</i>
<i>Glade Spring Middle School</i>	<i>107 sq. ft.</i>	<i>\$ 2,675.00</i>
<i>Valley Institute Elementary</i>	<i>632 sq. ft.</i>	<i>\$15,800.00</i>

New Canopies; Estimated Cost \$93,075

At Abingdon High School we have the physically handicapped students' classroom in the Agriculture Building and a canopy is needed. At Patrick Henry High School and John S. Battle High School canopy need to be added between the Agriculture Building and main building. The need for a canopy was investigated at Holston High School and because of the nearness t the school and the area between the Agriculture Building and main building being used for a driveway, the school administration is not requesting a canopy at this location.

<i>John S. Battle High School</i>	<i>1422 sq. ft.</i>	<i>\$35,550</i>
<i>Patrick Henry High School</i>	<i>698 sq. ft.</i>	<i>\$17,450</i>
<i>Abingdon High School</i>	<i>1603 sq. ft.</i>	<i>\$40,075</i>

<i>Cost: Total of all Projects</i>	<i>\$1,320,755</i>
<i>Architect's Fee of 6%</i>	<i>79,245</i>

Grand Total of Requested Funding**\$1,400,000*****The vote on this motion was as follows: (7-0)***

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

Mr. Barker filed a disclaimer disclosing he has a personal interest in certain aspects of the Washington County Budget related to appropriations to the Washington County School Board; that he is an employee of the Washington County School Board and appropriations to the Board could indirectly affect his position, salary, employment benefits, etc.; that he is a member of a group of employees which is affected by the amount of the appropriation to the Washington County School Board; and, that he can participate in this transaction fairly, objectively and in the public interest.

7 **Update on Washington County Service Authority (Dr. David Dawson, General Manager)**

Dr. David Dawson, General Manager, Washington County Service Authority, appeared before the Supervisors to present the current status of work on waterline extensions as well as projects and system upgrades.

Dr. Dawson distributed copies of the Washington County Service Authority prioritized Capital Project List for the years 1999 to 2006 for sewer/water projects. He responded to questions from the Board.

Supervisors encouraged Dr. Dawson to prepare a press release on the capital project list emphasizing strongly that the information contained on the list is important for the general public to have. Dr. Dawson and the Board of Commissioners were commended for their efforts to develop a long range planning strategy for future sewer and water projects.

Dr. Dawson and Mr. Ingle commented on negotiations currently underway with the Town of Saltville to serve people of Brumley Gap with water. Mr. Ingle commented the County is looking at making application for future Community Development Block Grant funds for the project.

In other projects, Dr. Dawson reported that cleanup at the Glade Spring collection system is pending. The West Central Project, between exits 7 and 10, began one month ago and is proceeding well. With regard to the Washington County Industrial Park Wastewater Treatment Plant, there has been no decision about taking control of the operation. He stated discussions continue regarding changing over the permit from the City of Bristol to Washington County Service Authority. He reported the Damascus Wastewater Plant and collection has funding. Dr. Dawson reported the Service Authority is proceeding with the application process to Rural Development for funding the High Meadows Collection System project, and expect to begin work in November. Dr. Dawson reported the Service Authority is proceeding with \$466,000 upgrade at the Hall Creek Wastewater Treatment Plant.

Pending concerns of the Washington County Service Authority relate to distribution of service bills; addressing Y2K compliance; addressing clean air act regulations; risk management plan; purchase of Glade Spring's water system, and efforts to decrease the total amount of lost water in Glade Spring.

8. **Recess**

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

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				



9 **Request for Supplemental Appropriation, Washington County Fair Association (Kenneth Reynolds, President)**

Received communication from Burley Tobacco Festival & Farm Show, Inc. requesting release of funds to the Tobacco Festival for capital improvements at the Washington County Fairgrounds.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to appropriate \$50,000 from reserves for contingencies to the Burley Tobacco Festival & Farm Show, Inc. for Phase I capital improvements at the Washington County Fairgrounds

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

It was noted that this appropriation of \$50,000 fulfills the request of the Burley Tobacco Festival & Farm Show, Inc. for \$100,000 in order to make capital improvements at the Washington County Fairgrounds.



10 **Update on Countywide Transit System, District III Governmental Cooperative (Mike Guy, Director)**

Mr. Jack Blevins, District III Cooperative, addressed the Board giving a status report on the Washington County Transit System ridership from October 1998 to February 1999. He stated the number of riders are increasing steadily. He stated District III has been able to offer services to every part of the County. Mr. Blevins responded to questions from the Board regarding funding sources and anticipated future state funding.

Mr. Barker commended Messrs. Blevins and Guy for their efforts to serve the County citizens with transit service.

Mr. Blevins introduced Virginia Hicks who is serving as the Transportation Director of District III Cooperative Transit System.



11 **Presentation re Pet Overpopulation in Washington County (Lynn McDowell)**

Lynn McDowell, resident of Washington County, Virginia, addressed the Supervisors with concerns of pet overpopulation in Washington County, the increasing numbers of animals being euthanized, and the burden on the taxpayers.

Ms. McDowell offered suggestions for the Supervisors to consider that could have a positive impact in the County. She also suggested funding sources. Ms. McDowell proposed implementation of an early-age sterilization program for every animal processed through the Shelter with costs coming from animal licensing fees or "animal friendly" license plates. Additionally, she suggested contracting with a Veterinarian to spay/neuter animals taken into the shelter, and raising adoption fees to cover the cost of sterilization fees. She presented a petition with 372 signatures encouraging the Board of Supervisors to take positive action to address concerns of overpopulation of dogs and cats, and cost of impounding and euthanizing animals.

Maria Bralley presented statistics on the numbers of dogs and cats processed through the shelter from 1991 to 1998 that were strays, seized, brought in by owners, reclaimed by owners, adopted and euthanized. She asked the Supervisors to consider the concerns expressed and implementing positive programs to address these concerns. Ms. Bralley recognized people in the audience who were present to show their support.

Discussion ensued. Mrs. Mumpower suggested the Board discuss some of the options suggested during the budget work sessions. She expressed her concern that the C. C. Porter Animal Shelter is without a FAX machine and suggested one be installed to assist the staff in operating in a more responsive manner to the public.

Mr. Ingle requested Ms. Bralley to gather information on the number of animals involved in a spay/neuter program for one year so that the cost could be factored into the budget.

Mr. McDowell, speaking from the audience, expressed concern there is no enforcement provisions relative to spaying or neutering animals in the Shelter's adoption policy.

12 **Consideration OF Designation OF New River/Mount Rogers Private Industry Council (PIC) Service Area AS "Workforce Reinvestment Area" (Ronnie Martin, Executive Director, New River/Mount Rogers PIC)**

Mr. Ronnie Martin, Executive Director, Private Industry Council, appeared before the Board of Supervisors to explain the effect of the Workforce Investment Act of 1998 on the New River/Mount Rogers Private Industry Council operations.

Mr. Martin explained jurisdictions comprising planning districts 3 and 4 have been implementing employment and training activities under the Job Training Partnerships Act through the New River/Mount Rogers Policy Board and the New River/Mount Rogers Private Industry Council. He stated the desire of the New River/Mount Rogers Private Industry Council is to retain the same service area and to function as the local Workforce Investment Board under provisions of the Workforce Investment Act.

On motion of Mrs. Mumpower, second by Mr. Barker, it was resolved to designate the Mount Rogers Planning District Commission and New River Valley Planning District Commission as service areas to operate under provisions of the Workforce Investment Act of 1998; further, it was resolved to appoint the New River/Mount Rogers Private Industry Council as the Workforce Investment Board for the Local Workforce Investment Area.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

13 **Request for Supplemental Appropriation, Clerk of Circuit Court (Kathy Crane)**

Mrs. Kathy Crane, Clerk of Circuit Court, appeared before the Supervisors to request a supplemental appropriation in the amount of \$22,000 to complete the purchase of an automated land records management system from Business Information Systems. Present with Mrs. Crane was Jerry Richardson, owner of Business Information Systems, and salesman Randy Boyd.

Discussion ensued relative to Washington County’s Procurement Policy and the requirement for bids for purchases over \$10,000. Supervisors requested that Mrs. Crane work with the Data Processing Manager to develop a bid specification for an automated records management system, and request proposals be submitted.

Discussion ensued with Supervisors requesting an opinion from the County Attorney. Mr. Martin advised that because the system may fall under such special technical services, it may be treated differently, however, he would research the question of whether a bid specification is required in order to purchase the system, and report back to the Board of Supervisors.

Board Members expressed their desire that the request for a supplemental appropriation be accompanied by bidding documents.

14 **Consideration of New Proposal Concerning Sanitary Sewer Service to Mock Hollow Community (Toby Boian, Damascus Circuit Town Manager)**

Toby Boian, Circuit Town Manager, Town of Damascus, addressed the Supervisors relative to the Mock Hollow Sewer Project presenting new information that the sewer can be installed at lower costs than originally estimated. He stated at his request, two local contractors visited the site and submitted preliminary bids based on the Engineer’s materials list. He reported averaging the two bids and stated the total project could proceed for a cost of \$110,000.00. He commented on the various funding sources available. Additionally, he explained the Washington County Service Authority has agreed to assist the project with inspections during the construction phase.

In response to previously expressed concerns of the Board, Mr. Boian stated there is no new information available on Route 58, however, Virginia Department of Transportation officials have informed him that it is estimated the project will be 7-10 years into the future, or it may miss the community. He stated, if Route 58 improvements go through the Mock Hollow Community, Virginia Department of Transportation is responsible for repairs.

Mr. Roberts expressed continued interest in proceeding with the sewer project in Mock Hollow commenting on new information he received that the Town of Damascus wishes to pursue getting estimated costs from local (bonded) contractors using the preliminary engineering report from the engineering firm.

Mr. Roberts addressed a question that was raised about the procedure for revisiting a motion that was defeated. He stated, after research by the County Attorney, the proposal being considered is for sewer and makes it different from the proposal previously submitted and defeated on January 26, 1999 by a vote of 3-4, with Mr. Roberts voting in the minority.

Mr. Mathews' commented Mr. Roberts has communicated with him relative to the Mock Hollow proposal. He stated he pointed out to Mr. Roberts that procedurally, and in accordance with the adopted By-Laws, a previously defeated issue cannot be revisited unless a person who voted in the majority raises it.

Mr. Martin confirmed that the By-Laws read that the same or substantively similar issue cannot be brought up again unless by one of the majority voters. He stated that the Board's task is to define what is "the same or substantively similar" issue. Further, he stated if the Board does not consider the proposal as the same or substantively similar issue, then the Board is free to move forward to address that question.

Mr. Ingle commented he voted in the majority, against the proposal. He stated he agrees that the improvements to Mock Hollow are necessary, however, he was opposed to spending \$80,000 per house stating it involved too much of the tax payer dollars. He stated he agrees there is a need to bring sewer into the community, and is not opposed to the current proposal. Further, he stated he can support Washington County appropriating \$100,000 towards the project, thus allowing the Town of Damascus to proceed with securing additional funding through Southeast Rural Community Assistance Project, Inc., U.S. Forest Service, and Department of Housing and Community Development.

Mrs. Mumpower expressed her view that there is a need in the Mock Hollow community for sewer and that she can support the current proposal. She stated, adding the dollar amount is different and is not the same as the previous proposal that was discussed and voted upon.

The County Administrator was asked to factor the amount of \$110,000 into the FY 1999-2000 budget.

With the following motion, Mr. Martin stated that the policy question has been answered.

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to adopt the following Resolution No. 99-11:

RESOLUTION NO. 99-11

Mock Hollow Comprehensive Community Development

WHEREAS, the Virginia Department of Housing and Community Development is accepting proposals from local governments within the Commonwealth for Community Development Block Grants (CDBG); and

WHEREAS, the Washington County, Virginia Board of Supervisors considers Mock Hollow Comprehensive Community Development Project to be a priority community development need; and

WHEREAS, Washington County and the Town of Damascus will enter into a partnership to address the needs of the Mock Hollow Community;

WHEREAS, Washington County, Virginia Board of Supervisors and the Damascus Town Council has agreed to jointly address the needs of the Mock Hollow Community

THEREFORE, BE IT RESOLVED that the Washington County, Virginia Board of Supervisors hereby agrees to budget \$110,000 to be used to construct a sewer line in the Mock Hollow Community in conjunction with a Community Development Block Grant totaling approximately \$1,000,000 to be submitted by the Town of Damascus entitled Mock Hollow Comprehensive Community Development Project.

BE IT FURTHER RESOVED that the Washington County, Virginia Board of Supervisors does hereby authorize the County Administrator to complete and sign required assurances related to the applications for funds to implement this project.

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

<i>Mr. Derting</i>	<i>Nay</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Nay</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

15 **Washington County Office on Youth (Ernie Braganza, Director)**

Mr. Ernie Braganza, Director, Office on Youth, was present to address the following agenda items:

a. **Request for Line-Item Transfer, Salary Adjustment for Youth/Recreation Assistant**

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to transfer \$750 from funds in Office on Youth Special Projects, Line Item 5881, to Office on Youth Compensation for Youth Assistant, Line Item 1130.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Nay</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Nay</i>				

b. **Request For Board of Supervisors to Participate in Success by 6 Coalition**

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to endorse the United Way’s project, Success By 6, and Office on Youth participation in this project; further, it was resolved to appoint Jack Barker to represent Washington County on the Success By Six Coalition.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

c. **Resolution Declaring April as Child Abuse Prevention Month and Recognizing County’s CPS Workers**

On motion of Mrs. Mumpower, second by Mr. Roberts, it was resolved to adopt the following Proclamation declaring April, 1999 as “Child Abuse Prevention Month” in Washington County, Virginia:

PROCLAMATION

WHEREAS, the incidence of child abuse and neglect have reached alarming proportions in Virginia where 10,269 cases of child abuse and neglect were founded in fiscal year 1997, 34 in Washington County; and

WHEREAS, most child abuse and neglect CAN be prevented if families are given the support and education which they need; and

WHEREAS, Virginia and Washington County face a continuing need to support innovative programs to prevent child abuse and assist parents and family members when child abuse occurs; and

WHEREAS, Congress has expressed its commitment in seeking and applying solutions in this problem by establishing April as Child Abuse Prevention Month nationwide; and

WHEREAS, in Washington County, the Multi-Agency Council to Prevent Child Abuse is developing programs to raise the community’s awareness of the problem of child abuse and how to counter the problem; and

WHEREAS, in Washington County we have dedicated individuals and organizations who work daily to counter the problems of child abuse and neglect and to help parents obtain the assistance they need; and

WHEREAS, it is vital that we join forces to reach attention upon the problem of child abuse and neglect in Virginia and Washington County; and

NOW, THEREFORE, BE IT RESOLVED, that Washington County Board of Supervisors do hereby proclaim the month of April, 1999 as CHILD ABUSE PREVENTION MONTH in Washington County, and call upon our citizens to observe the month with appropriate programs, ceremonies, and activities.

BE IT FURTHER RESOLVED, that the Washington County Board of Supervisors commend the County’s Protective Service staff who help protect the well being of our children and commend the volunteers of the Multi-Agency Council for developing programs that strengthen families and educate parents.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

d. Appointment to Youth Services Citizen Board

On motion of Mr. Barker, second by Mr. Roberts, it was resolved to appoint John C. Lydzinski, 11th grade student at Abingdon High School, to the Youth Services Citizen Board to be effective immediately to June

30, 2000.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

16 **Request to Virginia Department of Transportation for Feasibility Study for Route 91 Improvement from Kelly Site to Exit 29 (Christianne E. Parker, Assistant County Administrator)**

Russell U. Owens, Chairman, Industrial Development Authority of Washington County, and Christianne E. Parker, Assistant County Administrator, addressed the Board of Supervisors relative to Route 91 improvements. Mr. Owens requested the Board of Supervisors to petition Virginia Department of Transportation to three lane Route 91 in the area of the Glade Highlands Industrial Park from I-81 to the entrance of the Industrial Park. He emphasized that this action would be a major advantage in attracting development in the Industrial Park. Additionally, Mr. Owens requested that construction on Route 91 be accelerated.

On motion of Mr. Osborne, second by Mr. Roberts,, it was resolved to request Virginia Department of Transportation to reconsider three laning Route 91 from Interstate 81 to the entrance of the Industrial Park for future industrial development at the Park, and further that the Virginia Department of Transportation accelerate their construction schedule for improvements to Route 91.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

17 **Request to Declare Surplus Vehicles (Frank Canter, General Services Manager)**

Received request to declare certain Sheriff’s Office vehicles as surplus. Mr. Canter also presented a list of pending vehicle requests.

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to declare the following vehicles from the Sheriff’s Office as surplus vehicles:

- 1994 Chevrolet Caprice VIN #932, 112,188 Miles*
- 1991 Chevrolet Caprice VIN #450, 95661 Miles*
- 1994 Chevrolet Caprice VIN #848, 123,657 Miles*

further, it was resolved to assign these vehicles to the following agencies:

- 1994 Chevrolet Caprice VIN #932, 112,188 Miles ~ Washington County School Board*
- 1991 Chevrolet Caprice VIN 3450, 95661 Miles ~ Town of Glade Spring*
- 1994 Chevrolet Caprice VIN #848, 123,657 Miles ~ Town of Glade Spring*

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

18 **Consideration of Appointment to Industrial Development Authority of Washington County, Madison District (C. B. Hale Appointment Expired January 27, 1999)**

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to reappoint Clarence B. "CB" Hale to represent the Madison Magisterial District on the Industrial Development Authority for a four year term effective immediately to January 28, 2003.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

19 **County Administrator Comments**

The following action was taken on County Administrator Comments:

a. **Request for Joint Board of Supervisors/School Board Meeting Concerning County Employee Health Insurance for FY 1999-2000 and Rescheduling of March 25, 1999 Revenue Projections Workshop Meeting**

Discussion ensued relative to meeting with the School Board for the purpose of discussing FY 1999-2000 health insurance benefit options for County employees.

There was consensus agreement to meet with the Washington County School Board on Monday, March 29, 1999, 7:00 p.m. at the School Board Offices to discuss health insurance benefit options. The Board of Supervisors will meet with the Treasurer and Commissioner of Revenue at 6:00 p.m. to receive a report on revenue projects for FY 1999-2000. Mr. Reeter pointed out that the Board would need to recess this meeting until May 29, 1999.

b. **Request for Administrative Leave Due to Medical Condition, Convenience Station Attendant, Ralph Phillips**

Received request from Ralph Phillips to be placed on Administrative Leave until Monday, May 17, 1999 for the purpose of medical treatments.

Discussion ensued relative to assisting Mr. Phillips. There was consensus agreement to appoint a committee consisting of John Martin, Mark Reeter, and Mark Seamon to consider a fair compensation for Mr. Phillips that would include, at minimum, compensation for his health insurance premiums. Further, there was consensus agreement to refer this issue to the Personnel Committee for consideration of revising the Personnel Policy, Administrative Leave provisions, addressing the subject of compensation, with the intent of assessing each request individually.

c. **Correspondence from People, Incorporated Concerning County Participation in CDBG Project for Individual Development Accounts**

Received communication from Welthy Soni, Director, BusinessStart, requesting the Board of Supervisors to reconsider their position and endorse BusinessStart application to CDBG for funding and participation in the Individual Development Act program.

A brief discussion ensued. There was no action taken on this request.

d. **Invitation to Tour New River Valley Regional Jail, Dublin, VA, April 2, 1999, LENOWISCO Planning District Commission.**

Received invitation from LENOWISCO Planning District Commission tour the New River Valley Regional Jail in Dublin, Virginia on Friday, April 2, 1999.

20 **County Attorney's Comments**

a. **Early Retirement Program Legal Opinion**

Mr. Martin reported he has received a response to the questions raised by the Board of Supervisors relative to the Early Retirement Program proposal, and commented the Supervisors are now in a position where they could consider the proposal. He stated if the Supervisors choose to approve participation in the program, all parties involved would be fully protected and there is legislation that speaks directly to it.

Mr. Mathews raised his concern about hourly vs. full time employees, pointing out that the County is required to guarantee participating employees with the Federal minimum wage. Discussion ensued and the question was raised about including employees working under the constitutional officers.

With regard to the question of the trust fund, Mr. Martin reported the fund does not require the Board of Supervisors to contract for future debt upon future Boards. He stated there is a requirement that the fund be supplemented in the event that annual proceeds fall beneath the level necessary to address fund obligations. Mr. Martin stated that this could be done on a "subject to appropriation" basis.

c. **Update ~ Board of Supervisors vs. Bevins Zoning Lawsuit**

Mr. Martin provided the Supervisors with a status report of the lawsuit between Washington County and Mr. Bevins. There was consensus agreement to authorize the County Attorney to enter into an agreement with Mr. Bevins endorsing the Order subject to community approval.

b. **Consideration of County Attorney Employment Arrangement**

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to employ John A. Martin as Interim County Attorney at the rate of \$35.00 per hour on an as needed basis until such time as a full time County Attorney is hired.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

21 **Consent Agenda**

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

- a. Transfer from Reserves for Contingencies, \$1,100 ~ Historical Markers Budget (Dept. #41200)

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

22 **Board Member Reports**

Mrs. Mumpower requested the Board of Supervisors recognize students from Washington County schools who are recent winners of the Odyssey of the Mind competition. In addition she stated she would like to recognize John Battle students who competed and won the Academic competition.

Mrs. Mumpower expressed her concern about the road condition on Hummingbird Road stating there is a large hole in the road. She asked the Board to request Virginia Department of Transportation to give the County a cost estimate for improving the road and taking it into the secondary road system.

On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to request Virginia Department of Transportation to do a cost study for repairs to Hummingbird Road, further, it was resolved to authorize the County Attorney to communicate with the Resident Engineer.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

Mrs. Mumpower inquired about the status of HB 2639, blighted property legislation. Mr. Reeter responded that the legislation is in effect. Mrs. Mumpower brought back to the Board her concern about property located on Island Road stating that the conditions have not improved and the problem has worsened. She urged the Supervisors to consider options available under HB 2639. Mr. Martin will research what action is possible under eminent domain, and will report back to the Board. Discussion ensued relative to public acquisition of property, and establishing a precedent for the County.

Mrs. Mumpower left the Board table.

Mr. Ingle reported receiving a petition from residents and users of the North Fork River Road (SR 611) from Tumbling Creek to the Smyth County Line, requesting improvements to 3 miles of the road.

On motion of Mr. Ingle, second by Barker, it was resolved to forward the petition and request to the Department of Transportation, with copies to the Transportation Advisory Committee, the Sheriff's Department, and Delegate Joseph Johnson requesting road improvements to approximately 3 miles of North Fork River Road from Smyth County Line to Tumbling Creek .

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. Mathews</i>	<i>Aye</i>	<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>

Mr. Barker expressed his appreciation to Mr. Martin for his service to the County and for his friendship during the Persian Gulf war.

Mr. Derting reported briefly about attending meetings recently on the Business Incubator project.

Mrs. Mumpower returned to the Board table.

23 **Citizen Comments**

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

Mr. Ingle left the Board table.

Patrick Mannix addressed the Supervisors on various topics.

24 **Executive Session Pursuant to §2.1-344(a)(5) of the 1950 Code of Virginia, as amended, for Discussion Concerning a Prospective 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. Barker, second by Mr. Osborne, it was resolved to go into Executive Session Pursuant to §2.1-344(a)(5) of the 1950 Code of Virginia, as amended, for Discussion Concerning a Prospective Business or Industry Where No Previous Announcement Has Been Made of the Business or Industry's Interest in Location or Expanding Its Facilities in the Community.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>	<i>Mr. Mathews</i>	<i>Aye</i>
<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>	<i>Mrs. Mumpower</i>	<i>Aye</i>

Messrs. Russell Owens, Mark Reeter, John Martin, and Ms. Christy Parker were invited to attend the executive session.

Supervisor Jack Barker left the meeting.

On motion of Mr. Ingle, second by Mr. Osborne, 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: (6-0)

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>	<i>Mr. Mathews</i>	<i>Aye</i>
<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>	<i>Mrs. Mumpower</i>	<i>Aye</i>

On motion of Mr. Ingle, 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: (6-0)

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>	<i>Mr. Mathews</i>	<i>Aye</i>
<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>	<i>Mrs. Mumpower</i>	<i>Aye</i>

25 **Adjournment/Recess**

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to recess to Monday, March 29, 1999, 6:00 p.m. Washington County School Board Administration Office for the purpose of receiving a report on projected FY 1999-2000 revenues.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>	<i>Mr. Mathews</i>	<i>Aye</i>
<i>Mr. Osborne</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>	<i>Mrs. Mumpower</i>	<i>Aye</i>