V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, November 9, 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
Dulcie M. Mumpower

Mark K. Reeter, County Administrator
Lucy E. Phillips Bright, County Attorney
Mark W. Seamon, Accounting/Purchasing Manager
Sandra M. Hatfield, CPS, Administrative Supervisor

ABSENT:

John B. Roberts, Sr.

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1 **Call to Order**

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

2 **Invocation and Pledge of Allegiance – Joe W. Derting**

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

3 **Approval of Agenda**

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve the Agenda, amending it to separate the text of Agenda Item No. 5 to read as follows:

a. Public Hearing Pursuant to §15.2-1800(B) of the 1950 Code of Virginia, as amended, Pertaining to the Proposed Sale of Approximately 0.01 Acres of Real Property Associated With the Former Hamilton Elementary School (Mendota Community Center) to the Virginia Department of Transportation

b. Request to Purchase Right-of-Way for Purpose of Widening State Secondary Route 802

Prior to a vote being taken, the following comments were made:

Mr. Reeter presented a request from Morgan McClure Motorsports for a continuation of the public hearing (Agenda Item No. 6) scheduled for this meeting to an indefinite time period, stating it was received late this date.

Mr. Mathews commented to the Chairman that he has remarks to make, expressing the point that although the Board may amend the Agenda, he would like to make his remarks public at the time the item is heard. He pointed out that counsel for MMM presented a request at a late hour, and that the Supervisors have expended time in preparation for the hearing. He expressed his view that Agenda Item No. 6 should remain on the Agenda.

Ms. Bright commented it is the Board's decision whether or not to grant the continuance request by Morgan McClure Motorsports. She made the Board Members aware that Charlie Jessee on behalf of G. C. Brown requested a continuance of this public hearing approximately two weeks ago because of some difficulty in Mr. Brown attending meeting. She explained that due to a possible misunderstanding on her part, and since the meeting notice had already been published, she told Mr. Brown without first consulting the Board that the Board would not grant the continuance. Ms. Bright suggested that the Agenda Item remain for consideration of the Morgan McClure Motorsports request for a continuance and that if a decision is made to continue the public hearing that there be no further discussion and, if the continuance is denied that the Board proceed to consider the issue.

Mr. Osborne recited his motion clarifying that it included amending Item 5.a and 5.b only, leaving Item No. 6 on the agenda as is.

Discussion ensued with Chairman Derting recalling in past cases the Board has granted a petitioner's request to delay a matter scheduled on the Agenda for two or three months, however, he stated the request to delay was not presented immediately preceding the time the Board was scheduled to hear it. Mr. Derting commented that although this has been the past practice of the Board to grant continuances when requested by the applicants, the Board is not bound to that practice by policy.

Mrs. Mumpower called for the question.

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

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

Mr. Derting asked that the record reflect Mr. Roberts is out of town for medical reasons and is unable to be at this meeting.

4 **Approval of Minutes**

The following action was taken on approval of the Minutes:

a. **Regular Meeting of October 12, 1999**

On motion of Mr. Ingle, second by Mr. Osborne, it was resolved to approve the Minutes of October 12, 1999 with the following changes:

Page 9422, Paragraph 3:

Correct the paragraph to read: "Mr. Mathews requested Ms. Freeman to research Ms. Bumgardner's building permit."

Page 9429, Agenda Item 13.a, Paragraph 1

Change paragraph to reflect , "… State Route 700, Appaloosa Road, ½ mile north of its connection with State Route 614."

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

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

b. **Recessed Meeting of October 21, 1999**

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to approve the Minutes of October 21, 1999 as presented.

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

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

c. **Regular Meeting of October 26, 1999**

On motion of Mrs. Mumpower, second by Mr. Barker, it was resolved to approve the Minutes of the regular meeting of October 26, 1999 as presented.

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

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

5 a. **Public Hearing Pursuant to §15.2-1800(B) of the 1950 Code of Virginia, as amended, Pertaining to the Proposed Sale of Approximately 0.01 Acres of Real Property Associated With the Former Hamilton Elementary School (Mendota Community Center) to the Virginia Department of Transportation**

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to proposed sale of approximately 0.01 acres of real property associated with the former Hamilton Elementary School to the Virginia Department of Transportation.

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

b. **Request to Purchase Right-of-Way for Purpose of Widening State Secondary Route 802**

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to grant a deed to the Virginia Department of Transportation to approximately 0.01 acres of County Property in the Tyler Magisterial District which represents an unused portion of the track of land on which the Mendota Community Center is located which is intended to be used to widen a section of SR 802, State Project 0802-095-213.C501, and further, it was resolved to accept from Virginia Department of Transportation the payment of $100.00 as the fair market value for this land..

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

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

6 **Continuation of Public Hearing: Morgan McClure Motorsports, Inc. request for a special use permit to construct and operate a convenience store/gas station as an accessory use associated with the permitted use by Morgan-McClure Motorsports on property located on the east side of State Route 704 at the corner of the entrance to the Washington County Industrial Park, Section II in an M-1 (Industrial, Limited) Zone, Harrison Magisterial District**

Mr. Derting opened the public hearing explaining it is a continuation of a public hearing and invited comments both in support of and in opposition to application by Morgan McClure Motorsports, Inc. request for a special use permit to construct and operate a convenience store/gas station as an accessory use associated with the permitted use by Morgan-McClure Motorsports on property located on the east side of State Route 704 at the corner of the entrance to the Washington County Industrial Park, Section II in an M-1 zone.

Discussion ensued among the Supervisors requesting to hear from Mr. Chip Barker as to the reason for the late notice requesting a continuance of the public hearing.

Chip Barker, Corporate Counsel for Morgan McClure Motorsports, advised the Board that MMM was informed this morning that there is a letter from an attorney in Abingdon circulating to all the members of the Board raising a challenge to MMM's request for a special use permit. He referenced the Board's reaction to the threat of possible legal actions concerning this request at the October meeting, and the Board's action at that meeting to continue the public hearing. He reported the letter being circulated contains inaccurate information and further that a Supervisor has stated that the information in this letter will be considered. He stated MMM and counsel need time to prepare to defend what was presented to them today. Mr. Barker explained Larry McClure is unable to be present at this meeting. Mr. Barker stated he was told that as a professional courtesy, a request for continuance would be granted. He explained he came to the offices to discuss the request with Mr. Reeter this morning, and Mr. Reeter was not in the office. He stated he did discuss the request with Ms. Freeman and was told that as a matter of courtesy, if a request for continuance were requested by the party seeking a special use permit, that it would be granted. Mr. Barker urged the Supervisors consideration in granting a continuance in order to prepare a defense showing that what MMM is requesting is legal, and is done in many counties in Virginia. Mr. Barker stated MMM has a viable project that is a revenue generating project for the County and would like additional time to prepare information for an accurate presentation and debate.

In response to Mr. Mathews inquiry about Mr. McClure and the reason he was not present for the hearing, Mr. Chip Barker responded Mr. Larry McClure is at the shop working on a race car ready in preparation to leave 9:00 p.m. this evening.

Mr. Barker stated he spoke to two supervisors this date who stated a continuance would be granted.

Chairman Derting expressed his view that the request for a continuance should be considered on the basis that the Board has granted past requests for continuances in other cases.

Mr. Charlie Jessee addressed the Supervisors expressing his point that Morgan McClure Motorsports is present by their counsel. He expressed opposition to the stated request to continue the public hearing indefinitely stating he knows nothing about a letter being circulated. He emphasized there was a lengthy discussion at the October 12, 1999 meeting prior to the Supervisors taking action to continue the public hearing to this date. He reminded the Supervisors that the hearing was advertised and notice was given for this evening's meeting, and that there are witnesses present who have made sacrifices to be here and are ready to give testimony. He pointed out that he asked the County Attorney two weeks ago if the public hearing could be postponed because of an out of town commitment that Mr. Brown had scheduled. He stated the request was turned down. He commented his witnesses asked for the same piece of land to do exactly what Morgan McClure Motorsports is proposing to do and were declined the opportunity. He expressed his view it would not be fair to continue the hearing, urging the Supervisors to hold the public hearing. He stated his office called the County Office at 4:00 p.m. this date and confirmed the public hearing was still on the Agenda.

Mr. Chip Barker called the Board's attention to his handing a letter to Mrs. Hatfield at 3:15 p.m. this date.

With regard to references to a telephone call to the County Offices today, Ms. Bright pointed out, for the record, the County's response that the issue is on the Agenda tonight is accurate, it is being discussed and the Board has not made a decision as to whether it would be continued.

During deliberations, it was pointed out to Mr. Jessee that only the Board of Supervisors could make the decision to continue a public hearing, therefore, a staff member could not grant or deny a request.

Mr. Ingle asked Mr. Barker when he would be prepared to come back to the Board if a continuance were granted. Mr. Barker responded he would come back at the Board's pleasure, but that he was seeking an indefinite postponement of the Board's consideration of the MMM application. In his comments, Mr. Ingle stated he was one of the Supervisors with whom Mr. Barker spoke; however, he stated that a continuance of the public hearing was not discussed.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to grant Morgan McClure Motorsports request to continue indefinitely the scheduled public hearing for a special use permit to construct and operate a convenience store/gas station as an accessory use associated with the permitted use by Morgan-McClure Motorsports on property located on the east side of State Route 704 at the corner of the entrance to the Washington County Industrial Park, Section II in an M-1 zone.

During discussion of the motion, Mr. Mathews confirmed that Mr. Larry McClure contacted him and asked for his opinion. Mr. Mathews told Mr. Barker that he would not reveal to Mr. McClure how he would vote on the special use permit prior to hearing both sides of the issue. In his comments, Mr. Mathews reviewed Washington County Code Section 66-572(2) as it pertains to the Morgan McClure Motorsports application for a special use permit to construct and operate a race car theme convenience store on County property zoned M-1 limited. He stated that the primary use of the property is for the manufacture, construction, and design of race cars, which is authorized as automobile assembling. He said that Washington County Code Section 66-572(23) allows retail sales with a special use permit as an accessory use to the permitted use. He continued, the retail sales must be a product produced by or associated with the permitted use. He stated that this

subsection was previously applied to allow the MMM operation of a museum and souvenir shop based on the race car theme and is located within the main building used for MMM's race car design and construction. He stated the proposed convenience store would be located in a separate building with a separate parking lot.

Mr. Mathews commented Code Section 66-572(23) requires retail sales to be both accessory to the permitted use of products (produced by or associated with the permitted use). He pointed out that the permitted use originally obtained by MMM in the M-1 zone is the manufacture, construction and design of racing cars. He stated hair products, food, non-competitive gasoline, among items listed in the proposed merchandise list, have nothing to do with the manufacture, construction and design of race cars.

In his comments to Supervisors relative to possible litigation, Mr. Mathews cited the court case, City Council vs. Harrell, 236 VA.99.

Mr. Mathews concluded his comments cautioning that the Board must guard and protect the integrity of each of the industrial parks which are zoned M-1. He stated issuance of special use permits for retail sales, etc. will greatly reduce the salability of our remaining industrial acreage. He stated Washington County is committed to a large indebtedness for industrial parks and a shell building. He urged the Supervisors not to issue a special use permit to MMM in the industrial park. He stated by opening the door to one convenience store in an M-1 zone, the Board is establishing a precedent.

Ms. Bright pointed out for the record that the MMM Museum is housed in a separate building from their manufacturing facility. Mr. Mathews acknowledged the correction.

For purposes of clarification and closure, Chairman Derting explained the procedure in tabling versus continuing the public hearing.

Supervisors expressed their displeasure for the late request to continue the public hearing; however, it was acknowledged again that the Board has acted favorably in past requests from permit applicants to grant continuations.

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

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

Chairman Derting expressed his appreciation to all that were in attendance for the public hearing and apologized to the audience for any inconvenience caused by the continuance of the public hearing to a future date. He stated if the public hearing is rescheduled, an effort will be made to schedule it for a date that is convenient to all parties concerned.

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7 **Virginia Highlands Community College Annual Report (Dr. D. Wilkin, President)**

President Wilkin, Virginia Highlands Community College, appeared before the Board to present the College Annual Report. Dr. Wilkin called attention to the President's Message and the College Vision Statement.

Dr. Wilkin expressed his appreciation to the Board of Supervisors for their continued support.

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8 **Request for Funds, Children's Advocacy Center (Kay Kovacs, Executive Director)**

Ms. Rana Duncan-Daston, President, Children's Advocacy Board of Directors, and Kay Kovacs, Executive Director, Children's Advocacy Center, appeared before the Board of Supervisors. Present in the audience and introduced were members of the CAC Board of Directors.

In their presentation, Ms. Duncan-Daston and Ms. Kovacs reviewed the current case load and fund raising progress of the Children's Advocacy Center. They apprised the Board of their efforts to locate a site for a new Center and plans to build a facility on 2 acres of property donated by Bristol Virginia Utilities Board. Presented were preliminary drawings of the CAC building and preliminary cost estimates.

Ms. Duncan-Daston and Ms. Kovacs spoke of the capital campaign underway to raise funds for the new building and their efforts to secure funding from the City of Bristol, Virginia. They requested the Board of Supervisors to consider making a contribution in the amount of $75,000 toward the building project.

Discussion ensued with Mrs. Mumpower suggesting that the Board of Supervisors consider the request of Children's Advocacy Center in the amount of $75,000 and proposing that a portion of the funds be appropriated from this budget year and that the remainder of the funds be projected in the budget for FY 2000-01.

On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to allocate $35,000 earmarked for the Children's Advocacy Center building project to be disbursed upon request at the time of construction of a new facility, and further, it was resolved in preparing the FY 2000-2001 County Budget that an amount of $40,000 be set aside for the Children's Advocacy Center building project..

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

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

9 **Consideration of Approval of Sale of 19' x 150' of Real Property to Mr. & Mrs. David Hayden by Request of Washington County School Board, John S. Battle High School Property (Ronnie Walls, Director of Administration, Washington County School Board)**

Mr. Ron Walls, Director of Administration, was present to request permission to sell a parcel of land located on the east side and below the parking lot at John S. Battle High School.

On motion of Mrs. Mumpower, second by Mr. Osborne, it was resolved to authorize the Washington County School Board to sell a section of property 19' x 149.97' to Mr. & Mrs. David Lee Hayden for the amount of $2,958 to solve an encroachment problem, pending approval of the Certificate of Partial Satisfaction by the Attorney General's Office, pursuant to a public hearing held by the Washington County School Board on October 18, 1999 at the Washington County School Board Office.

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

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

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.

10 **Recess**

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to make a recess.

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

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

11 **Consideration of Resolution of Support for State Scenic ByWay Designation for US Highways 58 and 91 (Bob McKinney, U. S. Forest Service)**

Mr. Robert McKinney, U. S. Forest Service, addressed the Supervisors concerning a joint venture with the Department of Conservation & Recreation and the Virginia Department of Transportation. He requested approval of a resolution designating certain scenic highways under the Commonwealth Transportation Board as eligible for inclusion in the Scenic Highway and Virginia Byway Program. Mr. McKinney stated designation of Virginia Highway 91, SR 600 and US Highway 58 as scenic byways will enhance economic development and tourism.

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

RESOLUTION NO. 99-29
DESIGNATION OF VIRGINIA STATE HIGHWAY 91, VIRGINIA SECONDARY ROUTES 600 AND 603 AND USS HIGHWAY 58 AS MOUNT ROGERS SCENIC BYWAY

WHEREAS, in accordance with Commonwealth Transportation Board procedures for designation of a highway or highways as a Virginia Scenic Byway, it is necessary prior to any such designation to secure the endorsement of any county or city through which the Byway will pass;

NOW, THEREFORE, BE IT RESOLVLED by the Board of Supervisors of Washington County, Virginia that it does hereby support establishment of the Mount Rogers Scenic Byway, specifically described as Virginia State Highway 91 between Interstate 81 south to its intersection

with US Highway 58 at Damascus; US Highway 58 from Damascus eastward to its intersection with Virginia State Secondary Route 603 west of Konnarock; and Virginia State Secondary Route 603 from this intersection to its intersection with Virginia State Highway 16 at Troutdale. Also included in this designation if Virginia Secondary Route 600 from its intersection with Virginia Secondary Route 603 at Konnarock southward to its intersection with US Highway 58 at the Whitetop Post Office.

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

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

12 **Consideration of Resolution Concerning Regional Jail Project**

Mr. Bill King, Thompson & Litton, addressed the Board of Supervisors reviewing key points to be considered relative to operating a regional jail facility.

On motion of Mr. Ingle, second by Mr. Mathews, it was resolved to adopt the following resolution requesting the Senate to enact legislation giving Washington County an opportunity to develop a regional jail:

RESOLUTION 99-30

REQUEST FOR LEGISLATIVE EXEMPTION FROM MORATORIUM ON STATE REIMBURSEMENT OF COSTS ASSOCIATED WITH CONSTRUCTION OF NEW REGIONAL JAIL FACILTIES

WHEREAS, the County of Washington, Virginia owns and operates an existing jail facility, and

WHEREAS, the cost of operating the jail is significant, and

WHEREAS, the County must consider additional capital and operational costs at the existing jail facility in the future to address such issues as overcrowding via building expansions, Americans with Disabilities Act compliance, Uniform Statewide Building Code compliance, and Virginia Department of Corrections (VDOC) requirements, and

WHEREAS, the future costs of addressing the above needed jail improvements is known to be significant, and

WHEREAS, many Virginia counties, cities and towns have cost effectively addressed their jail needs via the economies of scale realized by participating in several regional jail projects funded by the Commonwealth of Virginia at a level equal to 50% of approved eligible project development costs, and

WHEREAS, the capital costs of future jail improvements at the Washington County Jail must be borne solely by Washington County taxpayers along with a significant portion of jail operational expenses, and

WHEREAS, the Commonwealth of Virginia currently has legislation in place that imposes a moratorium on state funding for regional jail developmental costs, and

WHEREAS, the provision of 50% funding by the Commonwealth of Virginia on developmental costs for other regional jail projects has been vitally important to the establishment of regional partnerships between local governments and the overall cost effectiveness of regional jail projects, and

WHEREAS, the Commonwealth of Virginia has required localities participating in regional jail projects for potential 50% funding to prepare and obtain VDOC approval on a Community Based Corrections Plan (CBCP) and Planning Study to order to define the need, scope, and cost of a regional jail project, and

WHEREAS, the County desires to consider the option of a regional jail project with neighboring counties by initiating the required state planning process assuming that applicable legislation can be enacted in the upcoming General Assembly session that would exempt the County from the moratorium thereby enabling future state funding of a regional jail project if the required planning process reveals the need for a project and VDOC approval is obtained, and

WHEREAS, the County understands that even if an exemption from the moratorium is provided by the General Assembly, Washington County and those participating neighboring counties must still obtain VDOC approval on all required planning documents and the approval of the General Assembly before any actual funding could be allocated to a future regional jail project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Washington County, Virginia that it hereby respectfully requests Virginia State Senator William Wampler to introduce legislation in behalf of Washington County in the upcoming General Assembly session that would provide an exemption from the moratorium for Washington County and those participating neighboring counties such that the required planning process can move forward with the potential for future 50% state funding of the approved eligible developmental costs on a regional jail project.

BE IT FURTHER RESOLVED that this request is made solely for the purpose of maintaining the future option to pursue a regional jail project if the results of the CBCP and Planning Study indicate economic viability of a regional jail, and subject to further consideration and actions by the Board of Supervisors of Washington County and other neighboring counties.

BE IT FURTHER RESOLVED that all regional General Assembly Delegates and Senators support Senator William Wampler in this effort, and that the County Administrator forward copies of this Resolution to all such representatives and neighboring counties accordingly.

During discussion of the resolution, Mr. Barker expressed his view he is unable to support the resolution for the following reasons: the new sheriff doesn't have complete control; privatization; location.

Supervisors expressed support for a regional jail stating it would provide better service, better operation, and would cost less tax dollars to build and operate.

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

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

13 **Consideration of Resolution Endorsing Expanded Passenger Rail Services aka Trans-Dominion Express**

Received communication from Sheryl F. Carter, Transportation Planner, Mount Rogers Planning District Commission, requesting the Board of Supervisors to endorse expanded Passenger Rail Service. She reported the proposed Trans-Dominion Express will cross the Commonwealth, connecting central and southwestern Virginia with Richmond, Northern Virginia, and Washington, D. C.

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

RESOLUTION NO. 99-31

RESOLUTION ENCOURAGING THE IMPLEMENTATION OF PASSENGER RAIL SERVICE FROM BRISTOL, VIRGINIA TO RICHMOND, VIRGINIA, AND WASHINGTON, D.C.

WHEREAS, the feasibility of expanded passenger rail service from the Washington, D.C., and Richmond, Virginia, areas to Bristol, Virginia, has been studied and documented by the Virginia Department of Rail and Public Transportation; and

WHEREAS, this passenger rail service would provide an attractive transportation alternative that could lead to improved economic, tourism, environmental, and other social benefits for Washington County, Virginia and its citizens; and

WHEREAS, the Washington County, Virginia Board of Supervisors believes this passenger rail service is both cost-effective and consistent with a well-planned, multi-modal transportation system in the Commonwealth of Virginia;

NOW, THEREFORE, BE IT RESOLVED that Washington County, Virginia Board of Supervisors reaffirms its support and endorsement for the provision of passenger rail service from the Washington, D.C., and Richmond, Virginia, areas to Bristol, Virginia; and

BE IT FURTHER RESOLVED that the Washington County, Virginia Board of Supervisors encourages the implementation of this rail service and pledges its assistance to the Commonwealth of Virginia in implementing said service.

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

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

14 **Consideration of Board Appointment, At Large, Highlands Community Services Board, To Fill Vacancy Due To Resignation of Lisa J. Leonard**

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to appoint Kathy Maggio to the Highlands Community Services Board, At Large, to fill the unexpired term of Lisa J. Leonard to be effective immediately to June 30, 2001.

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

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

15 **County Administrator Comments**

The following action was taken on County Administrator Comments:

a. **Consideration of Approval of New GIS Assistant/General Services Sign Technician Position**

Mrs. Nadine Culberson, Data Processing Manager, expressed her appreciation for the technical assistance Mr. Frank Canter has authorized to help her department with transitioning to GIS. She recommended the Board of Supervisors appoint him to serve on the GIS Committee. Additionally, she recommended the Board of Supervisors create a full time position of GIS Asssistant/General Services Sign Technician. Lastly, Ms. Culberson recommended the Board of Supervisors create a full time department head position of GIS Manager.

On motion of Mrs. Mumpower, second by Mr. Osborne, it was resolved to appoint Mr. Frank Canter to the GIS Committee as a permanent member; further it was resolved to create the following full time positions: GIS Manager at the salary range of $50,000 - $55,000, and GIS Assistant/Sign Technician at the salary range of $19,000 - $22,500; further, it was resolved to authorize the employment of these positions prior to the end of the FY 1999-2000.

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

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

b. **Commonwealth of Virginia Thanksgiving Holiday Schedule**

Received communication from Governor James Gilmore announcing the Thanksgiving Holiday schedule for state employees.

On motion of Mr. Barker, second by Mr. Ingle, it was resolved to follow the State holiday schedule and authorize the County Offices to close at Noon on Wednesday, November 24, 1999.

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

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

16 **County Attorney Comments**

There were no reports.

17 **Consent Agenda**

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

a. ***Payment of Bills, October 1999***
b. ***Supplemental Appropriation, Commonwealth Attorney, $18,000, FD #01 Dept. #22100***

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

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

18 **Board Member Reports**

The following Board Member reports were given:

Mrs. Mumpower reported the John Battle High School Floriculture Team recently competed in the National FFA competitions. She stated the team won the Gold Award and were named 13th in the Nation. She requested that the Board present the Team with a plaque in recognition of their achievement.

Mr. Osborne inquired about the status of the Meadowview Parking Ordinance and urged the Supervisors to proceed with holding the public hearing.

Mr. Barker introduced Harry Fields to the Board of Supervisors stating he is a member of Goodson Kinderhook. He explained his reason for being present is to see how County government works.

Mr. Barker inquired about getting more incidental construction road money. Mr. Barker's question was directed to the Transportation Advisory Committee.

Mr. Barker announced he will propose two water projects for discussion at the November 23, 1999 Board Meeting.

Mr. Barker proposed the Supervisors complete the County Administrator's evaluation at the November 23, 1999 meeting.

Mr. Mathews commented on his inquiry relative to a report given to the Supervisors concerning the feasibility study for City/County Social Services consolidation. Referring to the Minutes of January 26, 1999, he pointed out the motion to authorize a joint study also included the Health Department. He expressed concern that the feasibility study included the Department of Social Services only. Mr. Reeter was asked to determine the reason the health department was omitted from the report.

Chairman Derting reported on the VACo Annual Meeting he attended.

19 **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.

Lacy Love: Employment of Linda Jackson, County Planner, evaluation of County Administrator.

Patrick Mannix: Board of Supervisor salary increase; election results.

20 **Recess to Wednesday, November 17, 1999, 5:30 p.m. for the purpose of meeting jointly with Abingdon Town Council Regarding Courthouse Parking Study Report, Conference Room No. 1**

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to recess to Wednesday, November 17, 1999, 5:30 p.m. to meet with Abingdon Town Council to receive the Courthouse area parking needs assessment report.

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

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

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Joe W. Derting, Chairman