

VIRGINIA:

At a meeting of the Washington County Board of Supervisors held Tuesday, March 28, 2000, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

Joe W. Derting, Chairman
 John B. Roberts, Sr., Vice Chairman
 Bobby D. Ingle
 Phillip B. McCall
 Anthony S. Rector
 Dulcie M. Mumpower
 Jack H. Barker

Mark K. Reeter, County Administrator
 Lucy E. Phillips Bright, 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 opened the meeting welcoming everyone in attendance.

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2. **Invocation and Pledge of Allegiance – Phillip B. McCall**

Mr. McCall 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. Rector, it was resolved to approve the Agenda with the following additions:

7. *a CDBG Application for Community Development Venture Capital Project (Rob Goldsmith, Executive Director, People, Inc.)*
17. *Consideration of Comprehensive Rezoning, Bristol-Washington County Industrial Park (Christianne E. Parker, Assistant County Administrator)*
22. *Closed Meeting pursuant to Section 2.1-344(a)(7) of the 1950 Code of Virginia, as amended, for consultation with legal counsel pertaining to probable litigation, where such consultation in opening meeting would adversely affect the negotiating or litigating posture of the public body*

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

4

Approval of Minutes of March 8, 2000

On motion of Mr. Rector, second by Mr. Barker, it was resolved to approve the Minutes of the regular meeting of March 8, 2000 with the following corrections:

Page 9573, Agenda Item 5.a, Paragraph 3:

“... In response to Mr. Barker’s inquiry, Mr. Gopel stated the motel would be a single franchise operation.”

Page 9577, Agenda Item 6.a, Paragraph 4:

“Mr. Barker stated his concern about the proposed ordinance stating that Washington County is largely a rural county with residences spread out over large areas ...”

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

5

Presentation of Certificates of Commendation**a. John S. Battle High School Academic Team**

Mr. Ingle and Mrs. Mumpower presented certificates to the following students from the John S. Battle High School Academic Team:

	<i>Stephen Moore, Captain</i>	
<i>Michael Fleenor</i>	<i>Bethany Ingle</i>	<i>Brandon Leonard</i>
<i>Travis Meade</i>	<i>Andrew Mullins</i>	<i>Jasmine Roberts</i>
<i>Rachel Shaffer</i>		<i>Sara Statzer</i>
	<i>Randy Smith, Coach</i>	
	<i>Nancy Parker, Coach</i>	

b. Resolution of Appreciation, William H. Hutton, General Services Supervisor, For 17 Years of Service Upon Occasion of His Retirement

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

Resolution No. 2000-08

WHEREAS, William H. Hutton has been employed by the County of Washington, Virginia since October 5, 1983 and after seventeen years of dedicated service announced his retirement effective April 1, 2000; and

WHEREAS, William H. Hutton has served the Citizens and the Governing Body of the County of Washington in an exemplary manner beginning with his employment as Maintenance/Custodial Worker and completing fifteen years as General Services Supervisor; and

WHEREAS, during the course of William H. Hutton’s employment he served in a supervisory capacity demanding a great deal of priority decision making and responsibility; and

WHEREAS, William H. Hutton braved inclement and severe weather conditions to clear snow and perform other necessary clean-up operations to make it possible for employees and citizens to conduct business at the many government offices;

WHEREAS, throughout his employment, William H. Hutton has maintained an extraordinary and superior attendance record serving as a role model and inspiration to all employees; and

WHEREAS, William H. Hutton is a Craftsman by trade and has always served his fellow workers and the citizens of Washington County with diligence, a ready smile and projected a “no problem” philosophy to all tasks he performed; and

WHEREAS, William H. Hutton has carried out his responsibilities with utmost care, professionalism and dedication, which earned him the admiration and respect of friends and colleagues;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Virginia Board of Supervisors hereby adopts this resolution and presents this Certificate of Appreciation to William H. Hutton in recognition of his faithful service to Washington County and his contributions to its Citizens during his course of employment; and

BE IT FURTHER RESOLVED that the Washington County Virginia Board of Supervisors expresses their best wishes to William H. Hutton for many years of happiness during his retirement.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

Mr. Derting presented the above resolution and plaque to William H. Hutton conveying the Supervisors appreciation to him for his dedicated and loyal service to the citizens and government of Washington County.

6 **Presentation of Revenue Projections for FY 2000-2001 (Mark W. Seamon, Accounting/Purchasing Manager; Fred Parker, Treasurer; Melvin Ritchie, Commissioner of Revenue)**

Messrs. Fred Parker, Treasurer, Melvin Ritchie, Commissioner of Revenue, and Mark W. Seamon, appeared before the Board of Supervisors to present the revenue projections in detail for FY 2000-2001. In the presentation, Mr. Parker presented a report on sales tax revenue for the years 1994-95 to 1999-2000.

During the review of Account 14010, Fines and Forfeitures, Mr. Parker suggested the Board of Supervisors encourage Virginia Association of Counties to support legislative changes that would permit increasing the fine assessment from \$2.00 to \$3.00. Other discussions of potential revenue sources included consideration of a tax on cell phones, incorporating a merchants capital tax and business and professional license tax.

7

**Discussion of Application for CDBG Funds for Poor Valley Water Project
(Dave Barrett, Deputy Director, Mount Rogers Planning District Commission)**

Mr. Dave Barrett, Deputy Director, Mount Rogers Planning District Commission, appeared before the Board of Supervisors to give a status report on an application for CDBG Funds for the Poor Valley Water Project. Mr. Barrett summarized the work of the Planning District Commission staff did in the Brumley Gap Community to determine eligibility for a grant project. He reviewed the scope of the survey and reported the results of the neighborhood canvassing. Mr. Barrett stated the survey revealed that income levels made the application weak for a source of funds to do the project. Mr. Barrett commented the community has demonstrated there is a need for a waterline.

Mr. Barrett suggested that the Board of Supervisors pursue funds through other sources and proposed they work jointly with the Washington County Service Authority for other sources of grant and low interest loan funding. He reported the Service Authority is scheduled to receive funds from the Virginia State Safe Drinking Water Act.

Mr. Ingle thanked Mr. Barrett, the Planning District interns who worked on collecting data, and the committee members for their efforts in behalf of the Brumley Gap Community. In his comments, Mr. Ingle reported meeting recently with the Service Authority and officials from Russell County to discuss a potential regional project of bringing water from the top of Brumley Mountain, down Route 19, stating it will serve Hidden Valley and the Brumley Gap Communities. He stated Russell County officials are checking to see if water sources from the Town of Lebanon are adequate.

Mr. Ingle reported the Service Authority is reapplying for funds from the Virginia Safe Drinking Water Act in June, 2000. Additionally, he reported he will meet with Congressman Boucher to discuss low interest money and grant funds.

a. **CDBG Application for Community Development Venture Capital Project
(Rob Goldsmith, Executive Director, People, Inc.)**

Mr. Rob Goldsmith, Executive Director, People Incorporated, appeared before the Board of Supervisors requesting their support to sponsor an application to the Virginia Department of Housing & Community Development Block Grant Fund for funding in the amount of \$100,000. He explained that these grant funds will be used to develop People Incorporated's new Appalachian community venture capital program fund. This fund will provide access to capital for small local business owners who are ready to expand their business. Additionally, he stated the grant is tied to the employment of residents of Southwest Virginia. Mr. Goldsmith stated that loans would be made to business owners who cannot obtain regular conventional type loans.

In soliciting the Board of Supervisor's support, Mr. Goldsmith stated the grant application requires a public hearing which should be scheduled soon in order to meet the application deadline.

On motion of Mr. Barker, second by Mr. Rector, it was resolved to advertise a public hearing on April 11, 2000 soliciting public comment on People Incorporated's application to the Virginia Department of Housing & Community Development Block Grant Fund to establish a venture capital program fund for small businesses in Southwest Virginia.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

8 **Recess**

On motion of Mr. Ingle, second by Mr. Roberts, 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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

9 **Sheriff's Office Request for Authorization to Participate in Restitution and Inmate Development (RAID) Program (Sheriff Fred Newman; Major Terry; Julette Reynolds, CEO, RAID, International)**

Sheriff Fred Newman appeared before the Board of Supervisors requesting authorization to participate in Restitution and Inmate Development Program which is designed to assist victims of crime in the recovery of restitution, court costs and child support.

Present was Julette Reynolds, CEO, Raid International, L.C. who responded to questions from the Board relative to the RAID consulting agreement.

On motion of Mrs. Mumpower, second by Mr. Rector, it was resolved to authorize the Washington County Sheriff's Office to enter into an agreement with Restitution and Inmate Development to operate a pro-active work release and home incarceration program specializing in the collection of delinquent child support, and further it was resolved to authorize the County Administrator to execute the agreement between the County and RAID.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

10 **Consideration of County Employee Health Insurance Plan for FY 2000-2001 (Jim Rector, Director of Personnel, Washington County Public Schools)**

Mr. Jim Rector, Director, Personnel Administrator, Washington County School Board, and Member of the Washington County Health Insurance Committee, appeared before the Board of Supervisors to present proposed rates for health

insurance benefits for FY 2000-2001. In addition, Mr. Rector presented the Health Insurance Committee's recommendation for health care benefits.

Mr. Rector gave an overview of the various health insurance plans that the Committee considered and the associated premiums. In his remarks, he commented committee representatives met with John Deere to discuss their health care plan, and reported the Committee's concern was there is a lack of physician participation in the local area and, therefore, could not recommend it be considered.

Mr. Rector stated he has discussed with County officials using a portion of the Local Choice stock money to buy down the premiums. There is a recommendation under consideration to use \$158,688 of the Local Choice stock money to lower the proposed rate increase from 10.7% to 7.4%.

Mr. Rector presented the Health Insurance Committee recommendation to stay with the Local Choice and provide employees with the option of Key Advantage and Cost Alliance with Dental, and use \$158,688 of the Local Choice stock money to buy down the premiums.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to recommend to the Washington County School Board that they proceed with the recommendation of the Health Insurance Committee to contract with Local Choice to give employees the option of choosing the health care plans Key Advantage and Cost Alliance with Dental, and further, it was resolved to endorse a contract for Washington County Social Services and Washington County government employees for FY 2000-2001 using \$158,688 of the Local Choice stock funds to lower the proposed percentage premium rate increase.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Nay</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>	<i>Mr. Rector</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.

11 **Consideration of Purchase of New Roll-off Trucks for Department of Solid Waste (Coy Martin, Solid Waste Manager)**

Mr. Coy Martin, Solid Waste Manager, appeared before the Board of Supervisors requesting authorization to replace three 1993 model roll-off trucks before the end of the fiscal year at a cost of approximately \$177,000.

On motion of Mr. Rector, second by Mr. Roberts, it was resolved to advertise purchase of three 2000 year model roll-off trucks for the Solid Waste Department, and further it was resolved to transfer \$75,000 from Line Item 8235, Capital Reserve Funds, and \$100,000 from Line Item 8226, Remediation Costs – Landfill to Line Item 94520/8228, Trucks & Heavy Equipment, further still, it was resolved to authorize disposition of the present three 1993 Volvo roll-off trucks by trade-in as part of the new truck purchase.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

12 **Consideration of Establishing County Early Retirement Plan Committee for Calendar Year 2000**

On motion of Mr. Barker, second by Mr. Rector, it was resolved to authorize the County Personnel Committee to study an early retirement plan for County employees.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

13 **Consideration of October 15, 1999 Requests by Constellation Power, Inc. re Proposed Wolf Hills Energy Project**

Mr. Reeter conveyed request of Constellation Power, Inc. to consider the following incentives regarding their proposed Wolf Hills Energy Project to be located in the Bristol/Washington County Industrial Park:

- Waiver of connection fee associated with County water system;
- Provide physical interconnection from Wolf Hills Plant to County water system;
- Provide physical interconnection from Wolf Hills plant to City sewer system.
- Provide Constellation Power with the right of way, at no charge, over, across, or under any County owned property traversed by the project gas and electric line interconnections;
- Waiver of all building permit fees;
- Grant an access easement over the existing access road into the waste transfer station;
- Grant temporary access to the property directly east of the transfer station for construction parking and laydown.

Discussion ensued. Messrs. Derting and Ingle reported speaking to the Service Authority which has taken the position they will not reduce the connection fee. Mr. Reeter reported that the Service Authority has agreed to accept an appropriation or a series of appropriations totalling \$250,000 from the Board of Supervisors that would go toward improving the Bristol-Washington County Industrial Park's water system in consideration of payment of that connection fee on Constellation Power's part. He stated the County could do it either in a one lump sum appropriation or take as many as three fiscal years to pay that fee.

Mr. Ingle explained that the Service Authority has in place a policy based on estimated usage. Constellation Power, he stated, would be a peak generating facility and the days they would operate, they would be a large water user, operating approximately 60-75 days per year. He reported meeting with the Service Authority, requesting a waiver of the fee. Mr. Ingle expressed his view that a large connection fee would be a detriment to recruitment of potential new industries.

Mr. Reeter pointed out the Washington County Service Authority has yet to agree to pay and provide for the physical interconnection from the peaking plant to the County water system. He did state that the Bristol Virginia Utility Board has agreed to provide the physical interconnection from the peaking plant to the city sewer system. Once BVUB has put their agreement in writing, Mr. Reeter stated it can be presented to Constellation Power as an incentive. With regard to the waiver of permit fees, Mr. Reeter stated the County cannot reduce building permit fees, however, the County can agree to a reimbursement of the fees by reducing the amount of purchase price of the property and require that that reduction be passed on to Constellation Power. Concerning the temporary access easement into the Transfer Station, he stated the County can facilitate the request without problem.

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to grant the following requests of Constellation Power, Inc. concerning their proposed Wolf Hills Energy Project

- *Waiver of connection fee associated with County water system;*
- *Provide physical interconnection from Wolf Hills Plant to County water system;*
- *Provide physical interconnection from Wolf Hills plant to City sewer system on the condition that Bristol Virginia Utility Board approves the physical interconnection from Wolf Hills plant to the City sewer connection:*
- *Provide Constellation Power with the right of way, at no charge, over, across, or under any County owned property traversed by the project gas and electric line interconnections;*
- *Grant an access easement over the existing access road into the waste transfer station;*
- *Grant temporary access to the property directly east of the transfer station for construction parking and laydown.*

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

14 **Consideration of Cimino Report on County Fire Protection Services (Tony Rector)**

Mr. Rector reported meeting with the Firemen’s Association which requested the Cimino Report on County Fire Protection Services be reviewed. Mr. Rector offered to serve on a committee to meet with them and discuss the report, and suggested that the Board appoint a second Board Member.

On motion of Mr. Ingle, second by Mr. McCall, it was resolved to appoint Mr. Rector and Mr. Barker to an Emergency Services Committee of the Washington County Fireman’s Association effective immediately that will study the Cimino Report as it relates to Fire and Rescue services in Washington County.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

15 **Consideration of Appointment to Virginia Highlands Community College Board of Trustees (Expired Term of Mrs. Harriet DeBose)**

On motion of Mr. Roberts, second by Mrs. Mumpower, it was resolved to appoint Ms. Pauline B. Gotham to serve a four year term on the Virginia Highlands Community College Board of Trustees effective July 1, 2000 and extending to June 30, 2004.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

16 **Records Disposal:**

The following action was taken on disposal of records:

- a. **Old Payroll, Accounting, Purchasing Records**
- b. **Personnel Records**

On motion of Mr. Rector, second by Mr. McCall, it was resolved to authorize disposal of the following records:

*Old Payroll, Accounting, Purchasing Records dated FY 1994;
Personnel Records dated FY 1981 to FY 1997.*

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

It is noted that these records have been retained for the scheduled retention period, required audits have been completed, and no pending or ongoing litigation involving these records is known to exist.

17 **County Administrator Comments**

- a. **Consideration of Comprehensive Rezoning, Bristol-Washington County Industrial Park (Christianne E. Parker, Assistant County Administrator)**

Christianne E. Parker addressed the Supervisors stating she presented a proposal to the Planning Commission for consideration of rezoning approximately 494 acres between Route 1717 and Route 11, Astor Road and the Norfolk Southern Railroad Mainline. Ms. Parker explained with a new industrial access road, access to industrial size infrastructure, rail and perhaps in the future a new interstate interchange, this area has potential for industrial development. She stated rezoning land between Bristol-Washington County Industrial Park and the former Westinghouse Property would enhance the marketability of the new industrial park and make state tax incentives available to businesses who consider locating in this area.

Discussion ensued. Mr. McCall suggested a buffer zone be placed between the Bristol-Washington County Industrial Park and Highway 11 so that the Industrial Park itself does not come to Highway 11.

Mrs. Mumpower suggested the County work with Virginia Department of Transportation to see if the new industrial access road does not interfere with the planning for the Highlands Community Services Board building.

On motion of Mr. McCall, second by Mr. Rector, it was resolved to authorize the County staff to proceed with plans for rezoning approximately 494 acres of land located between Route 1717, Route 11, Astor Road and the Norfolk Southern Railroad Mainline that includes a buffer zone separating the industrial park and Route 11.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

(Mr. Ingle left the Board table.)

18 **County Attorney Comments**

There were no reports or comments.

19 **Consent Agenda**

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

- a. ***Request for Budgetary Line Item Transfer of Funds, Legal Services (12200/5530, 5510, 3150, 6012)***
- b. ***Transfer From Reserve for Contingency***
 :: Legal Services, \$7,000 (#12200/3150)
 :: Compensation of Leave (#91410/5890), \$10,000
- c. ***Supplemental Appropriation, WCSO, COPS More Grant, \$6,000 (FD# 01/22100)***
- d. ***Line Item Transfer, Circuit Court Judge, \$400 (\$200.00: Dept. 21100/5530; \$200: 21100/6012)***

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. McCall</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>	<i>Mrs. Mumpower</i>	<i>Aye</i>

(Mr. Ingle returned to the Board table.)

20 **Board Member Reports**

Mr. Barker reflected on revenue suggestions made by Treasurer Fred Parker and commented that the Supervisors might want to consider cell phone tax as a revenue source.

Mr. Derting gave a status report on a recent meeting he attended on the small business incubator project, and commented briefly on recent economic development activity in Washington County.

22 **Closed Meeting pursuant to Section 2.1-344(a)(7) of the 1950 Code of Virginia, as amended, for consultation with legal counsel pertaining to probable litigation, where such consultation in opening meeting would adversely affect the negotiating or litigating posture of the public body**

On motion of Mr. Roberts, second by Mr. Barker, it was resolved to enter a closed meeting to discuss with legal counsel a matter relating to probable litigation involving Washington County. The purpose of this closed meeting is to discuss status and legal strategy. This closed meeting is allowed by Section 2.1-344(A)(7) of the 1950 Code of Virginia, as amended, for consultation with legal counsel pertaining to probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

Invited into the closed meeting were the following persons: Cathie Freeman, Zoning/Subdivision Official, Bill Cole, Building Official, Melvin Ritchie, Commissioner of Revenue, the County Administrator and County Attorney.

On motion of Mr. Rector, second by Mr. McCall, it was resolved to come out of the closed meeting.

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

Mr. Derting read the following statement:

The Washington County, Virginia, Board of Supervisors now reconvenes in open meeting. At this time, any member of the Washington County, Virginia, Board of Supervisors who believes that there was a departure from the requirements of the Virginia Freedom of Information Act for the conduct of a closed meeting, please state your belief, indicating the substance of the departure that, in your judgment, has taken place.

There being no statement of departure, on motion of Mr. Roberts, second by Mr. Barker, it was resolved to adopt the following certification:

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

21 **Citizen Comments**

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

Patrick Mannix addressed the Supervisors on the following topics: close session statement, school board budget and conference expenses.



23 **Adjournment**

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

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. McCall</i>	<i>Aye</i>	<i>Mr. Rector</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>				

Joe W. Derting, Chairman