

VIRGINIA:

At a meeting of the Washington County Board of Supervisors held Tuesday, June 27, 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
- Jack H. Barker
- 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

- 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 – John B. Roberts, Sr.**

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



- 3. **Approval of Agenda**

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

6.a High Meadows Sewer Project

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

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



- 4. **Approval of Minutes:**

The following action was taken on approval of minutes:

a. Regular Meeting of May 23, 2000

Action on approving the Minutes of May 23, 2000 was postponed until July 11, 2000.

b. Recessed Meeting of June 6, 2000

On motion of Mr. Barker, second by Mr. Rector, it was resolved to approve the Minutes of June 6, 2000 adding the names of the Supervisors associated with the 7-0 vote:

Page 9737, Agenda Item 7, Adjournment:

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

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

The vote on this motion to approve the Minutes of the Recessed Meeting of June 6, 2000 was as follows: (7-0)

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

c. Regular Meeting of June 13, 2000

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to approve the minutes of the regular meeting of June 13, 2000 as presented.

The vote on the motion to approve the Minutes of the regular meeting of June 13, 2000 was as follows: (7-0)

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

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5 Presentation of Plaque – Joe T. Phipps

Chairman Joe Derting presented Councilman Joe T. Phipps with a plaque in appreciation of his 28 years of public service on the Abingdon Town Council serving terms as Councilman, Vice Mayor and Mayor.

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6 Planning & Zoning Public Hearings

a. **Request for Special Use Permit**

Morgan-McClure Motorsports, Inc.: Request for a Special Use Permit to construct and operate a retail sales as an accessory use of products associated with 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 and invited comments both in support of and in opposition to application for a special use permit filed by Morgan McClure Motorsports, Inc.

Wayne Austin, counsel representing Morgan McClure Motorsports, Inc., appeared before the Board of Supervisors. He spoke on behalf of Morgan McClure Motorsports' request for a special use permit. He explained the intended use is retail sales in a convenience store to be located on the property that is adjacent to the museum property, at the exit where Morgan McClure Motorsports is located. He stated he has provided each Supervisor with information considered to be the key benefits the County would achieve by approving the special use permit as an accessory use to MMM.

Mr. Austin explained the facility would be a Nascar theme gas and convenience station. He stated he has a copy of the financial plan showing the amount of expected property and sales tax revenue the business could generate, and the number of jobs that would be created. Mr. Austin emphasized that the intended use is the best use, and only use, that this tract of property could be used for. He stated the convenience store would be called the official pit stop of Nascar, would use the Union 76 brand of fuel, would have predominantly items that are featured products from companies associated with Nascar and that would be sold in the convenience store. He stated the convenience store/gas station would be beneficial and appropriate to the County because it is the highest and best use of the property.

Mr. Austin pointed out that this request for a special use permit has been reviewed by the Planning Commission and referred to the Board of Supervisors with the Planning Commission's recommendation for approval. Additionally, he stated, because the property is located in the industrial park, the intended use has been considered by the Industrial Development Authority in light of the restrictive covenants on the property that were imposed by the Industrial Development Authority when it conveyed the land to MMM. He reported that the Industrial Development Authority has considered this matter on several occasions and joins the Planning Commission in recommending approval of the special use permit.

Mr. Austin reported there are several employees from Morgan McClure Motorsports in attendance, as well as MMM Corporate Counsel, and are available to respond to questions from the Board concerning the request for a special use permit.

Mr. Charlie Jessee, spoke on behalf of G. C. Brown, a resident of Cedarville, and a proprietor of a convenience store, Browns Pantry, located on Enterprise Road and Highway 11.

Mr. Jessee referenced the November 9, 1999 meeting wherein then Supervisor Kenneth Mathews elaborated on points contained in a report from the County Attorney. He stated his view that Mr. Mathews' comments left no room for doubt that the requested action was ultra vires, contrary to the best interest of Washington County, and unlawful to put a convenience store in an industrial park. Mr. Jessee stated to sell the items as proposed has nothing to do with race car driving, that items such as air fresheners, pens, pencils, notepads, watches, yard signs, oil and gas, funnels, washer fluid, anti-freeze are related to cars but not race related. Other items, he stated, that will be sold is milk, candy, ice, groceries and dairy products, and these

have nothing to do with racing or a race theme. He stated that when the special use permit came before the Industrial Development Authority, it was planned that MMM would sell RaceTrak branded gas, however, now he stated, it is Union 76 gasoline that will be sold and is not a Nascar theme. He stated the intended use is not an industrial use or permitted use, and is a violation of the permitted uses in an industrial park.

Mr. Jessee stated Mr. Mathews, in his remarks on November 9, 1999, emphasized that to allow the special use permit would defeat the purpose of the five industrial parks in Washington County. He stated Mr. Mathews took great exception to the fact that an attempt had been made to influence his vote and coerce his vote. He emphasized that no one on the Board of Supervisors has been contacted by him on behalf of his client, G. C. Brown, and stated he trusted that that has not happened on behalf of Morgan McClure Motorsports.

Patrick Mannix speaking to the Supervisors referenced comments made by Mr. Kenneth Mathews on November 9, 1999. He stated new information has not been presented and expressed his surprise that the minutes of the November 9, 1999 meeting were not included in the Board of Supervisors meeting materials. He alleged the request of MMM to have a Nascar theme convenience station is a way of getting around the Comprehensive Plan. He stated his view that granting the special use permit to MMM would be a violation of the County's own Comprehensive Plan and will be illegal. He expressed opposition to granting the special use permit.

Greg Quesenberry, Vice President, Quesenberry Oil Corporation, headquartered in Abingdon, VA addressed the Supervisors. He stated he operates and supplies eight convenience stores in Washington County. He commented convenience stores sell gasoline, beer, cigarettes, and snack foods. He expressed his view that that allowing a convenience market/gas station in the industrial park compromises the integrity of the industrial park and is against the letter and spirit of the code. He stated the land is heavily subsidized by taxpayer dollars, and if the convenience market/gas station were allowed in the industrial park, it would create an inequity for businessmen such as he who must pay full market price to purchase a comparable site. He expressed his support for the comments that Mr. Mathews made at the November 9, 2000 meeting.

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

Mr. Derting opened discussions for comments from the Supervisors.

Mr. Ingle acknowledged former Supervisor Kenneth Mathews' comments from November 9, 2000. He stated he has spoken to Mr. Larry McClure about his request for a special use permit in years past commenting that the property is in an excellent location for a convenience store. He stated, however, he has concerns about the price of the property that MMM purchased from the Industrial Development Authority for \$5,000, pointing out the property was purchased at a reduced price and commenting that developed property with water, sewer, gas and other amenities is normally \$20,000 to \$30,000 per acre. Mr. Ingle stated if industrial property is going to be used for retail commercial operations, the land along the interchange in Washington County is valued at approximately \$175,000 to \$250,000 per acre. He stated that opening up the industrial parks to retail and commercial establishments sets a precedent that would be difficult to overcome. He expressed his view that the retail sales is not related to the primary use of building race cars, and therefore is not an accessory use related to manufacturing. He referenced Mr. Quesenberry's comments agreeing that the land is subsidized by the taxpayers of Washington County and, therefore, provides MMM with an unfair advantage to operate a retail or commercial business at taxpayers expense. He stated, for these reasons he cannot support a special use permit for MMM.

Mr. McCall expressed his agreement, in part, to some of Mr. Ingle's comments, but he stated that his overall opinion was different. He stated that MMM has obtained support for their

special use permit from just about all the industries in the area surrounding the industrial park. He added, they received the endorsement of the Chamber of Commerce, the Industrial Development Authority, and the Planning Commission. Mr. McCall stated he has gone on record opposing industrial parks butting up against major roads because a buffer or business zone is needed. He stated he has reviewed the zoning ordinance pertaining to industrial zones and there are allowances the Board of Supervisors has made in the industrial zone which is not associated with industry, citing veterinarian offices, dog and cat hospitals, kennels with in the airport zone. He concluded, there are mobile home parks and a museum in the industrial zone and these do not relate to industry. He stated he does not understand how MMM’s request for a special use permit as an accessory use in the industrial park would affect a business located away from the interstate, on Lee Highway. He expressed his view that the industrial park should be zoned business; however, he stated it is not. Mr. McCall pointed out that with other uses allowed in the industrial zone, an association could be made for the MMM race theme convenience market/gas station and their museum.

Mr. Ingle responded to Mr. McCall’s statements explaining his agreement that road frontage property should be commercial and not industrial if there is a major thoroughfare. He stated that the road did not exist at the time the property was zoned industrial, and was not an oversight by the Industrial Development Authority or Board of Supervisors, adding it was just industrial land that the road went through to make access in and out of the park.

In his comments, Chairman Derting pointed out that the Board of Supervisors appoints the Planning Commission and usually follows the recommendation of the Planning Commission. He stated the Planning Commission recommended approval of the special use permit twice, the Industrial Development Authority approved the use of the property twice, and there are letters of support from almost every industry in the Park. With regard to the value of the property, he stated the retail value of the property is not one of the factors to be considered by the Board of Supervisors in making a land-use decision. He pointed out that the Industrial Development Authority is the entity who sold the property. He stated MMM employs 60-70 people in Washington County.

On motion of Mr. McCall, second by Mr. Barker, it was resolved to approve the Special Use Permit for Morgan-McClure Motorsports, Inc. to construct and operate a retail sales as an accessory use of products associated with 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

The vote on this motion was as follows: (4-3)

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

a. **High Meadows Subdivision Sewer Project**

Mrs. Dulcie Mumpower reported meeting at High Point School with residents of the High Meadows Subdivision concerning the sewer project. In her report she commented on the residents’ questions and concerns about the proposed sewer connection fee. She reported there are people living in that community who are on fixed incomes and the connection fee would create a hardship.

Mrs. Mumpower explained that Dr. Dawson, General Manager, Washington County Service Authority is in the process of putting together a proposal in order to make the project viable, and will be submitting a recommendation to the Board of Supervisors.

Patrick Mannix addressed the Supervisors stating he attended the May 15, 2000 meeting of the Washington County Service Authority. He stated he questioned the Service Authority and their reason that residents on Sinking Creek Road were paid \$6.00 per foot for the sewer line easement on their property, and were connected to the system for a fee of \$50.00. He expressed his view there is money in the County budget and suggested the Supervisors give it to the taxpayers in the form of a grant to pay for the sewer connection fee. He stated the Service Authority is proposing to charge residents of High Meadow a connection fee of \$2,100 plus a monthly service charge. In addition, he stated the Service Authority wants the property owners to give them easements, stating the Service Authority already has the easements they are not using. He again asked the Supervisors to pay for the sewer system.

Judy McKee, resident, addressed the Supervisors on behalf of the residents of High Meadow on fixed income and over-age disabled, requested the Supervisors help with the sewer project.

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- 7 **a. Consideration to Reduce County’s Appropriation to Virginia Cooperative Extension (Chairman Don Quesenberry; Treasurer Richard Rhea)**
 - b. Formation of Agriculture Advisory Board (Phil Blevins, Extension Agent, Virginia Cooperative Extension)**

Messrs. Quesenberry, Rhea and Blevins did not appear at the Board of Supervisors meeting to address these two Agenda Items. It was determined later there was a mix-up in communication and they will appear at a later date.

8 **Recess** There was no recess

9 **Consideration of Mutual Aid Agreement with the City of Bristol, Virginia (Sheriff Fred Newman)**

Sheriff Fred Newman and Bristol, Virginia Chief of Police William Price were present to request approval of a mutual aid agreement for the two jurisdictions.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to approve Reciprocal Agreement of Cooperation between Washington County and Bristol, Virginia Police Department effective upon enactment by governing bodies of both jurisdictions, and shall remain in effect until rescinded by formal action of the governing body of either jurisdiction.

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

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

10 **Consideration of Financial Assistance for Purchase of State Baseball Championship Rings for John S. Battle High School Varsity Baseball Team**

Ms. Mary Worley and Pam Davis, John S. Battle High School parents, addressed the Supervisors requesting financial assistance to purchase State Championship Rings for the Trojan Baseball Team upon the State Championship on Saturday, June 10, 2000.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to appropriate \$4,780 from Reserves for Contingency to pay for State Championship rings.

Discussion ensued relative to fund raising efforts. The Supervisors encouraged the John Battle High School parents to pursue their fund raising efforts and to request the Washington County School Board to make a contribution toward the purchase of the Championship rings. This discussion led to the above motion being modified as follows:

On amended motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to appropriate \$2,390 from reserves for contingency to John Battle High School to be used toward the purchase of State Championship Rings for the Trojan Baseball Team, and further, it was resolved to encourage the team parents to approach the Washington County School Board with a request for funds to help with the purchase of the State Championship Rings.

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

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

11 **Consideration of New River Highlands RC & D Council Appointments:**

- a. Water Quality Watershed Resource Committee
- b. Agriculture Resource Committee
- c. Human Resource Committee
- d. Tourism and Recreation Resource Committee

Discussion of appointing representatives to committees of New River Highlands RC & D Council ensued. There was consensus agreement to take no action at this time.

12 **Consideration of Appointments to Boards and Commissions (Terms Expire June 30, 2000):**

- a. Washington County Park Authority
 - :: Jack Barker, At Large

Discussion ensued relative to the importance of having an eight member board rather than seven members on the Washington County Park Authority. This brief discussion resulted in consensus agreement to leave the "At Large" appointment vacant for the present time.

- b. Recreation Advisory Committee
 - :: Michael D. Overstreet, Madison District
 - :: Eleanor Hutton, At Large

On motion of Mrs. Mumpower, second by Mr. Rector, it was resolved to appoint Eleanor Hutton to represent Madison District, and Chip Barker as an At-Large Member to the Recreation Advisory Board, each serving four year terms of office, to be effective July 1, 2000 to June 30, 2004.

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

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

13 **County Administrator Comments**

- a. **Consideration of Authorizing County Offices to Close Monday, July 3, 2000 to Coincide With State Holiday Schedule**

On motion of Mrs. Mumpower, second by Mr. Roberts, it was resolved to declare Monday, July 3, 2000 as a holiday for all County employees.

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

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

- b. **Update on Revenue Sharing Agreement With Smyth County (Christianne E. Parker)**

Ms. Christianne E. Parker, Assistant County Administrator, reported the Draft Revenue Sharing Agreement for the Smyth County/Washington County Joint Industrial Park is being reviewed and will be presented to the Board of Supervisors for review on July 11, 2000.

Ms. Parker reported that the County Attorneys for Smyth and Washington Counties are working on a draft ordinance for the Joint Industrial Park. She explained the Board of Supervisors for both jurisdictions will need to establish a regional authority and appoint a member to the Authority. Ms. Parker stated a public hearing will be required suggesting that it be held in August.

Ms. Parker reported she and Ms. Sally Morgan, Economic Development Director of Smyth County, will plan to present a notice requesting proposals for architectural/engineering services for the Glade-Highlands Industrial Park Shell Building at the July 11, 2000 meeting.

14 **County Attorney Comments**

Ms. Lucy Bright, County Attorney, reported Cooney Cable Co. is seeking a franchise agreement to operate in Washington County. She stated the franchise agreement requires the Board of Supervisors to hold a public hearing.

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to advertise a public hearing for public comment on a proposed franchise agreement for Cooney Cable to operate in Jefferson Magisterial District of Washington County.

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

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

Ms. Bright requested a closed meeting for later in the Board Meeting.



15 **Consent Agenda**

On motion of Mrs. Mumpower, second by Mr. Rector, it was resolved to approve the following consent agenda items:

- a. **Cancelled Checks:**
 - :: **0094685, Abingdon Family Practice, \$70.00, Duplicate Payment**
 - :: **0094802, Abingdon Glass/Mirror, \$675.00, Duplicate Payment**
- b. **Supplemental Appropriation, \$28,150, Personnel Services, Local Choice Program**

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

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



16 **Board Member Reports**

The following Board Member Reports were given:

Mr. Bobby Ingle reported that the fencing at the Mendota Convenience Station is too close to the road and asked that Virginia Department of Transportation post a traffic sign indicating the area as heavy traffic.

Mr. Tony Rector acknowledged letter of appreciation from Ellen Wallace, Class of 2000 for the Scholarship she received from the Board of Supervisors.

On motion of Mr. Roberts, second by Mr. Barker, it was resolved to add the Town of Damascus and the Washington County Public Library to the surplus list to receive County vehicles.

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

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

Mr. Derting gave a status report on the Southwest Virginia Regional Jail Task Force activities stating eight counties have contributed financially to develop a study. He reported Thompson & Litton has been awarded the design contract, and that the design proposal will be submitted to

the Department of Corrections for final approval. He stated the project cannot be considered for funding until the 2002 session of the General Assembly.



17 Closed Meeting Pursuant to Virginia Code §2.1-344(A)(7) for consultation with the County Attorney regarding Katherine Clark and Glade Spring Citizens for Sustainable Development v. Washington County Board of Supervisors, set for non-jury trial on July 10, 2000 before the Circuit Court of Washington County, Judge Dow Owens, presiding

On motion of Mr. Roberts, second by Mr. Ingle, it was resolved to enter a closed meeting to discuss with legal counsel the lawsuit, Katherine Clark and Glade Spring Citizens for Sustainable Development versus Washington County Board of Supervisors pursuant to Virginia Code §2.1-344(A)(7).

The vote on this motion was as follows: (5-0-2)

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

Messrs. McCall and Rector abstained from voting and attending the closed meeting because they were not serving as members of the Board of Supervisors at the time the case was filed in court.

At 9:00 p.m. Mr. Rector left the meeting.

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

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

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

Chairman Derting read the following statement:

The Washington County, Virginia, Board of Supervisors now reconvenes in open meeting. At this time, any participant in the closed meeting who believes that there was a departure from the requirements of the Virginia Freedom of Information Act during the conduct of the closed meeting, please state the substances of the departure that you believe has taken place.

Hearing no such statements, on motion of Mr. Roberts, second by Mr. Barker, it was resolved to adopt the following certification:

WHEREAS, the Washington County, Virginia, Board of Supervisors convened a closed meeting on this date after an affirmative vote and in accordance with the Virginia Freedom of Information Act; and

WHEREAS, the Virginia Freedom of Information Act requires a certification by the members of the Board that the closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, be it resolved that each member certifies,

- (i) only public business matters lawfully exempted from opening meeting requirements and*
- (ii) only such public business matters as identified in the motion by which the closed meeting was convened*

were heard, discussed, or considered in the closed meeting.

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

<i>Mr. Derting</i>	<i>Aye</i>	<i>Mr. Roberts</i>	<i>Aye</i>	<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Abstain</i>	<i>Mrs. Mumpower</i>	<i>Aye</i>	<i>Mr. Barker</i>	<i>Aye</i>

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18 **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 concerning matters related to the Sheriff’s Office.

Lacy Love addressed the Supervisors raising a question about the Building Official’s responsibility to see that mobile homes are hooked up properly.

Mr. Love stated there was a fire in a house that was not inspected. He stated he reported it to the Building Official and the County Administrator in April and the trailer is still there.

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19 **Adjournment**

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

Joe W. Derting, Chairman