V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, February 13, 2001, 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

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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 – Jackson H. Barker**

Supervisor Jackson Barker gave the invocation. At the request of Mr. Barker, Boy Scout Troop 76 from Meadowview, Virginia led in the Pledge of Allegiance.

Supervisors expressed their appreciation to the Boy Scouts for attending the meeting. Supervisor Rector called attention to the fact that Troop 76 is working under Eagle Scout status and that their attendance is part of their citizenship work.

3 **Approval of Agenda**

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

Request from Mr. Steve Bowman to Withdraw this zoning matter from the Agenda:
6.d Edwin Wilson on behalf of Steve Bowman, Agent for Owner: Request to rezone approximately 0.831 acres of property located on the east side of State Route 19 near the intersection of State Route 19/ Route 766 from R-2 (Residential, General) to B-2 (Business, General), Harrison Magisterial District, B-91 Election District.

Additions to Agenda:
7.b Consideration of Appointments to the Small Business Incubator Board of Directors

11 Consideration of resolution Requesting Reimbursement of County Expenses in Participating With Southwest Virginia Regional Jail Task Force

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

4 **Approval of Minutes of January 23, 2001**

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to approve the Minutes of February 13, 2001, as presented.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

5 **Presentation of Certificates and Service Pins:**
:: Sandra M. Hatfield, 15 Years
:: Cathie Freeman, 20 Years

On behalf of the Board of Supervisors, County Administrator Mark Reeter and Chairman Joe Derting presented certificates and service pins to Cathie Freeman for 20 years of service to the County, and Sandra Hatfield for 15 years of service to the County.

6 **Planning & Zoning Public Hearings**

The following action was taken on Planning & Zoning Public Hearings:

a. ***Irvin Wyatt*: Request to rezone approximately one acre of property located on the south side of State Route 11 near the intersection of State Route 735/11 from R-2 (Residential, General) to A-2 (Agricultural, General), Monroe Magisterial District**.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Irvin Wyatt to rezone approximately one acre of property located on the south side of State Route 11 near the intersection of State Route 735/11 from R-2 (Residential, General) to A-2 (Agricultural, General), Monroe Magisterial District.

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

On motion of Mr. Rector, second by Mr. Roberts, it was resolved to follow the recommendation of the Planning Commission and deny request to rezone approximately one acre of property located on the south side of State Route 11 near the intersection of State Route 735/11 from R-2 (Residential, General) to A-2 (Agricultural, General), Monroe Magisterial District.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

b. ***Farmers Warehouse, Incorporated*: Request to rezone approximately 28.42 acres of property located on the east side of State Route 704 near the intersection of State Route 704/Route 11 from A-2 (Agricultural, General) to M-1 (Industrial, Limited), Monroe Magisterial District, A-91 Election District.**

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Farmers Warehouse, Incorporated rezone approximately 28.42 acres of property located on the east side of State Route 704 near the intersection of State Route 704/Route 11 from A-2 (Agricultural, General) to M-1 (Industrial, Limited), Monroe Magisterial District, **A-91 Election District.**

Michael Cozart, Secretary/Treasurer, Farmer's Warehouse, addressed the Supervisors explaining the property was purchased for the purpose of constructing a warehouse for storage and distribution of food and raw materials.

Sam Ryburn, owner of property across the state route from the proposed warehouse facility, addressed the Supervisors. He expressed opposition to an industrial park being located across from his property. He stated the proposed storage and distribution facility should be located in an existing industrial park.

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

On motion of Mr. McCall, second by Mr. Barker, it was resolved to follow the recommendation of the Planning Commission and approve request to rezone 28.42 acres of property owned by Farmers Warehouse, Incorporated located on the east side of State Route 704 near the intersection of State Route 704/Route 11 from A-2 (Agricultural, General) to M-1 (industrial, Limited), Monroe Magisterial District, A-91.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

c. ***Cecil Keene*: Request to rezone approximately 1.3 acres of property located on the east side of State Route 663 near the intersection of State Route 678/663 from SR (Shoreland Recreation) to A-2 (Agricultural, General), Madison Magisterial District**.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Cecil Keene to rezone approximately 1.3 acres of property located on the east side of State Route 663 near the intersection of State Route 678/663 from SR (Shoreland Recreation) to A-2 (Agricultural, General), Madison Magisterial District.

Lee Garrett, owner of property joining Mr. Keene, spoke in opposition to a placing a trailer on the property stating it will devalue surrounding properties.

Buddy Slagle, expressed his opposition to Mr. Keene placing a single wide mobile home on the property.

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

On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to follow the recommendation of the Planning Commission and deny request of Cecil Keene to rezone approximately 1.3 acres of property located on the east side of State Route 663 near the intersection of State Route 678/663 from SR (Shoreland Recreation) to A-2 (Agricultural, General), Madison Magisterial District.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

d. ***Edwin Wilson on behalf of Steve Bowman, Agent for Owner*: Request to rezone approximately 0.831 acres of property located on the east side of State Route 19 near the intersection of State Route 19/ Route 766 from R-2 (Residential, General) to B-2 (Business, General), Harrison Magisterial District, B-91 Election District.**

Received communication from Steve Bowman, Sales Associate, The Mahaffey Agency, requesting the rezoning application of Edwin Wilson on behalf of Steve Bowman, Agent for Owner, be withdrawn.

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to honor request of Steve Bowman and withdraw request to rezone approximately 0.831 acres of property located on the east side of State Route 19 near the intersection of State Route 19/ Route 766 from R-2 (Residential, General) to B-2 (Business, General), Harrison Magisterial District, B-91 Election District.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

7:50 7.a **Consideration of Request to Adjust Current Tax Rate Applied to Motor Homes (Supervisor Bobby D. Ingle)**

Received communication and signed petition concerning the personal property tax rate currently assessed on motor homes and calling attention to SB 115 in which a separate classification of personal property was established for motor homes allowing the local governing body to set a rate below the general class of tangible personal property and at a rate different than camping trailers.

The petitioners requested that a tax rate commensurate with the rate applied to second home residences be established for motor homes in Washington County.

Supervisor Ingle proposed the Board of Supervisors review the current tangible personal property tax rate applied to motor homes, and suggested that a study committee be formed to consider the request of the petitioners.

A brief discussion ensued.

On motion of Mr. McCall, second by Mrs. Mumpower, it was resolved to appoint Commissioner of Revenue, Melvin Ritchie; Treasurer, Fred Parker; Supervisor, Bobby D. Ingle;

Accounting/Purchasing Manager, Mark W. Seamon to study the manner in which motor homes in Washington County, Virginia are taxed and consider the possibility of making a change in the tax rate.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

7.b **Consideration of Appointments to the Small Business Incubator Board of Directors**

On motion of Mrs. Mumpower, second by Mr. Rector, it was resolved to appoint the following Washington County representatives to serve on the Board of the Small Business Incubator Center which is being developed by the Town of Abingdon, the City of Bristol, Va, and Washington County:

Rachael Fowlkes
Supervisor Bobby D. Ingle
Sam Berry

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

8 **Recess**

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

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

9 **Consideration of Resolution Regarding HUD Section 8 Annual Contributions Contract (Rob Goldsmith, Executive Director, People, Incorporated)**

Mr. Rob Goldsmith, Executive Director, and Jamie Gross, Director of Housing, People Incorporated, addressed the Board of Supervisors requesting support of resolution that transfers Housing and Urban Development payments from the state agency to People Incorporated in an effort to expedite transmitting rent payments to landowners.

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

RESOLUTION NO. 2001-04

***WHEREAS**, the U. S. Department of Housing and Urban Development ("HUD") has consented or will consent to the transfer of the ANNUAL CONTRIBUTIONS CONTRACT(S) dated November 22, 2000 and designated as number(s) VA901; and,*

***WHEREAS**, such transfer requires the Transferee to agree to certain conditions; and*

***WHEREAS**, as Transferee, we desire to agree to the aforesaid conditions.*

***NOW, THEREFORE, BE IT RESOLVED** that the Washington County, Virginia Board of Supervisors agrees that the funds authorized by the transfer will be used for the same purposes as originally intended; that is, to provide eligible families with the Housing Choice Vouchers (CFR 24 part 982) and/or Moderate Rehabilitation (Code of Federal Regulations (CFR) 24 part 882; that the same population as originally intended (CFR 24 part 882 and 982) will be served; and that the vouchers will be used in Washington County, Virginia, as originally intended.*

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

10 **Consideration of Solid Waste Hauler Permit Application for E. Luke Greene Company for permit period September 1, 2000 through August 31, 2001**

On motion of Mr. Ingle, second by Mr. McCall, it was resolved to approve Solid Waste Hauling Permit for E. Luke Greene Company, Inc. to operate in Washington County for the period September 1, 2000 to August 31, 2001, and further it was resolved that this approval is contingent upon vehicle inspection.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

11 **Consideration of resolution Requesting Reimbursement of County Expenses in Participating With Southwest Virginia Regional Jail Task Force**

County Administrator, Mark Reeter, reported Thompson & Litton would like to make a presentation to the Board of Supervisors on the Southwest Virginia Regional Jail project at the February 27, 2001 meeting, at 5:00 p.m.

Mr. Reeter reported Thompson & Litton will submit the Community Based Corrections Plan and Planning Study to the Virginia Department of Corrections by March 1, 2001, and is requesting approval of the resolution requesting reimbursement of county expenses of 50% of eligible costs for the construction of a regional jail system service Southwest Virginia.

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

RESOLUTION NO. 2001-03

WHEREAS, the standards for planning, design, construction and reimbursement of local correctional facilities, effective July 1, 1994, require in Section 2.1, Submission Schedule and Method, that a resolution be submitted to the Board of Corrections requesting reimbursement for eligible project costs; and

WHEREAS, the Counties of Buchanan, Dickenson, Lee, Russell, Scott, Smyth, Washington, Wise, and the City of Norton, which comprise the Southwest Virginia Regional Jail Task Force, have submitted a community-based corrections plan to the Virginia Department of Corrections (VDOC) for a regional jail system, as required by the standards, and have also submitted the required planning study to VDOC detailing the financial and operational responsibilities among the participating localities; and

WHEREAS, the participating localities are eligible for reimbursement of eligible project costs pursuant to Section 53.1-82 of the Code of Virginia (1950) as amended.

NOW, THEREFORE, BE IT RESOLVED by Washington County, Virginia Board of Supervisors that formal request is hereby made to VDOC for the reimbursement of 50% of all eligible project costs relative to the construction of a regional jail system serving the localities as identified in the community-based corrections plan and the planning study to be submitted to the Board of Corrections pursuant to Section 53, 1-82 of the Code of Virginia (1950), as amended.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

12 **Consideration of Appointment of Redistricting Review Committee, Madison and Monroe Magisterial Districts**

On motion of Mr. Barker, second by Mr. Roberts, it was resolved to appoint the following individuals to the Redistricting Review Committee:

Dr. Tom Morris, President
Emory & Henry College
Representing Monroe Magisterial District

Mr. Kenneth Reynolds
Representing Madison Magisterial District

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

13 **Consideration of Appointment to Youth Services Citizen Board, Ashley Gilliam, Student Representative, Term February 1 to June 30, 2001**

On motion of Mr. Rector, second by Mr. Barker, it was resolved to appoint Ashley Gilliam of Patrick Henry High School to the Washington County Youth Services Citizen Board for the Term February 2001 to June 30, 2001.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

14 **Consideration of Appointments to Boards and Commissions:**

a. **Industrial Development Authority:**
:: **Term of Teddy E. "Ted" Cox, Wilson Magisterial District, Expires February 14, 2001**

Mrs. Mumpower requested that action on appointment of Wilson District representative on the Industrial Development Authority be postponed to February 27, 2001.

b. **Washington County Planning Commission**
:: **Resignation of C. Randall Lowe, Harrison Magisterial District (Term expires June 30, 2001)**

On motion of Mr. McCall, second by Mr. Rector, it was resolved to appoint Joe Hutton to the Washington County Planning Commission representing the Harrison Magisterial District to fill the unexpired term of C. Randall Lowe for a term to be effective February 13, 2001 to June 30, 2001.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

c. **Washington County Public Library Board of Trustees**
:: **Term of J. Shannon Nunley, Tyler Magisterial District (Term expires June 30, 2001)**

Mr. Barker requested appointment to Library Board be postponed to February 27, 2001.

15 **County Administrator Comments**

a. **Select Meeting Date for Joint Board of Supervisors and School Board Meeting and Reschedule Date for Presentation of FY 2002 Revenue Estimates**

The following dates have been established for meetings with the Washington County School Board relative to the FY 2002 School Board Budget:

March 1, 2001, 4:00 p.m.
Meeting of the Budget Review Committee

b. **Request for Administrative Leave, Kimberly Cullup, Solid Waste Assistant**

On motion of Mrs. Mumpower, second by Mr. Rector, it was resolved to approve administrative leave, without pay, for Kim Cullop beginning February 1, 2001 through April 2, 2001.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

16 **County Attorney Comments**

a. **VML/VACo AEP Steering Committee Assessment for Electric Service**

Received communication from VML/VACo concerning AEP contract negotiations to reduce electric rates beginning July 1, 2000 to June 30, 2002. Also received was the VML/VACo AEP Steering Committee Assessment for Washington County in the amount of $4,432.00.

On motion of Mr. Roberts second by Mrs. Mumpower, it was resolved to approve VML/VACo AEP Steering Committee Assessment for 2000 Assessment in the amount of $4,432.00.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

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b. Final Order, Katherine Clark and Glade Spring Citizens for Sustainable Development v. Washington County Board of Supervisors, Mark Reeter, County Administrator and Lambert Oil Company

Received communication from County Attorney reporting a Final Order will be entered in the case of Katherine Clark, et al. v. Washington County.

Ms. Bright expressed her appreciation to County staff and representatives of Blue Ridge Appraisers for their assistance with the preparation of this case for trial, and expressed appreciation to the County Administrator for his testimony as a witness for the Petitioner.

17 **Consent Agenda**

On motion of Mr. Ingle, second by Mr. Barker, it was resolved to approve the following Consent Agenda items:

a. Payment of Bills, January 2001
b. Supplemental Appropriation, V-Stop Grant Program, $29,662.00
c. Cancelled Checks:

::	0093784	Braganza, Ernest	$ 9.15
::	0093810	Henry Schein	$ 555.17
::	0094332	Brown's Welding	$ 18.00
::	0094453	United Cities Gas	$ 2,677.89
::	0094582	WC Life Saving Crew	$ 3,568.08
::	0094688	Abingdon Paint	$ 23.56
::	0094940	Alltel	$ 2,657.02
::	0110666	Ronald D. Jessup, DMD	$ 676.00

d. Refund, Building Permit No. 14672, Benjamin Hucks, $255.00
e. Supplemental Appropriation, $475,168.00, Washington County School Bd:

::	A. Linwood Holton Governor's School	$443,000.00
::	State ISAEP Program (GED)	$ 24,168.00
::	Learn and Serve Virginia, K-12 Subgrant Award	$ 8,000.00

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

Mr. Derting	*Aye*	*Mr. Roberts*	*Aye*	*Mr. McCall*	*Aye*
Mr. Ingle	*Aye*	*Mr. Rector*	*Aye*	*Mrs. Mumpower*	*Aye*
Mr. Barker	*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.

17 **Board Member Reports**

The following Board Member Reports were given:

Mrs. Mumpower stated she has received calls relative to concern over road safety at Campbell's Chapel.

Mr. Rector expressed his appreciation to the Board of Supervisors for their expressions of sympathy in the loss of his Mother.

18 **Citizen Comments**

At this time, Chairman Derting invited comments from citizens on items that do not appear on the Agenda.

Patrick Mannix addressed the Board of Supervisors.

19 **Recess to Tuesday, February 27, 2001, 5:00 p.m., Conference Room No. 1, for the purpose of hearing a presentation on the Southwest Virginia Regional Jail Project**

On motion of Mr. Barker, second by Mr. Rector, it was resolved to recess the meeting to Tuesday, February 27, 2001, 5:00 p.m., Conference Room No. 1, to hear a presentation on the Southwest Virginia Regional Jail project.

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

Mr. Derting	***Aye***	***Mr. Roberts***	***Aye***	***Mr. McCall***	***Aye***
Mr. Ingle	***Aye***	***Mr. Rector***	***Aye***	***Mrs. Mumpower***	***Aye***
Mr. Barker	***Aye***				

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Joe W. Derting, Chairman