V I R G I N I A:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, September 25, 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
Dulcie M. Mumpower
Bobby D. Ingle
Phillip B. McCall
Anthony S. Rector
Jack H. Barker

Christianne E. Parker, Assistant County Administrator
Lucy E. Phillips Bright, County Attorney
Carol A. Dorton, Administrative Assistant

ABSENT:

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

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1 **Call to Order**

Chairman Derting called the meeting to order and welcomed everyone in attendance. He informed the Board that Christianne E. Parker, Assistant County Administrator is attending the meeting in Mr. Reeter's absence.

2 **Invocation and Pledge of Allegiance – Jack Barker**

Supervisor Barker gave the Invocation and led the Pledge of Allegiance.

3 **Approval of Agenda**

On motion of Mr. Rector, second by Mr. Roberts, the Board acted to approve the agenda with the following changes:

Delete Item 6: Animal Welfare Concerns (Jack Kestner) and replace with the following:

Item 6: Consideration of Request For Funding of Travel Expenses For John S. Battle State Champion Horticulture & Agriculture Teams To Attend National Competition

Item 7: Mendota Community Center (Citizen Group From Mendota)

Item 11: Consideration of Approval of Governor's Opportunity Fund/Tobacco Commission Opportunity Fund Performance Agreement for Bristol Compressors, Inc.

Item 13: Strike "Carroll Street" from this item

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***				

4a. **Approval of Minutes of Regular Meeting of September 11, 2001**

On motion of Mr. Ingle, second by Mr. McCall, the Board acted to approve the minutes of the regular meeting of September 11, 2001.

The vote on this motion was as follows: (6-0-1)

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

5 **Consideration of Resolution Condemning Terrorist Attack on September 11, 2001**

On motion of Mr. Ingle, second by Mr. Roberts, the Board acted to approve the following Resolution:

RESOLUTION NO. 24 CONDEMNING TERRORIST ATTACK ON SEPTEMBER 11, 2001

WHEREAS**,** on September 11, 2001, the United States was suddenly and brutally attacked by foreign terrorist, and;

WHEREAS**,** these terrorist hijacked and destroyed four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, and a third into the Pentagon, outside Washington, D.C., and;

WHEREAS**,** thousands of innocent Americans were killed and injured as a result of these attacks, including the passengers and crew of the four aircraft, workers in the World Trade Center and in the Pentagon, rescue workers, bystanders, and;

WHEREAS**,** these cowardly acts were by far the deadliest terrorist attacks ever launched against the United States, and, by targeting symbols of American strength and success, clearly were intended to intimidate our nation and weaken its resolve, and;

WHEREAS, these horrific events have affected all Americans. It is important that we carry on with the regular activities of our lives. Terrorism cannot be allowed to break the spirit of the American people, and the best way to show these cowards that they have truly failed is for the people of the United States and their counties to stand tall and proud,

THEREFORE BE IT RESOLVED, that the Board of Supervisors of Washington County, Virginia condemns the cowardly and deadly actions of these terrorist, and;

BE IT FURTHER RESOLVED, that the Board of Supervisors of Washington County, Virginia supports the President of the United States as he works with his national security team to defend against additional attacks and find the perpetrators to bring them to justice, and;

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***				

6 **Consideration of Request For Funding of Travel Expenses For John S. Battle State Champion Horticulture & Agriculture Teams To Attend National Competition**

Mr. Ingle addressed the Board stating that he had spoken with Coach Phil McCroskey, of John S. Battle High School and that the school wishes to amend their request of the County. In lieu of financial assistance for travel expenses, they ask that students who competed in the Future Farmers of America (FFA) State Competition held at Virginia Tech in June of this year be recognized for their accomplishments with County plaques. Two teams placed first and will compete in the national competition at the National F.F.A. Convention to be held in October in Louisville, Kentucky. The Floriculture Team placed second. Mr. Ingle submitted the list of the students to receive plaques and ask that they appear before the Board at a later date for recognition. It was the consensus of the Board to accept this request.

7 **Mendota Community Center Citizens Group**

Mr. John Bundy, attorney, appeared on behalf of certain residents of the community of Mendota. He also presented a petition signed by 80 people who sought greater access to the center's programs and to the facility. He asked for the help of the Board in addressing this problem. Discussion ensued among members of the Board, with differing opinions on the how to establish a committee and address the situation.

On motion of Mr. Barker, second by Mr. Rector, the Board acted to form a committee consisting of Mark Reeter, County Administrator; Lucy Bright, County Attorney; Jack Barker, Supervisor for the Tyler District; Frank Canter, General Services Manager for Washington County; and four members from the Mendota community, to study ways to improve the Community Center operations at Mendota, Virginia.

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

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

8 **Consideration of Funding for Hanger Lane Water Project**

Mr. Rector addressed the Board on the need for the Hanger Lane Water Project which will provide water for seven (7) new homes and adequate water pressure to two hundred-seven (207) existing homes in this area. He stated that he has committed $25,000 from his budget item allotted for water and sewer projects and asked the Board to commit an additional $18,500 needed to complete this project.

On motion of Mr. Rector, second by Mr. Barker, the Board acted to approve the request to commit $18,500 from Reserves for Contingencies, to be added to the $25,000 from Mr. Rector's budget item allocated for water and sewer projects, for completion of the Hanger Lane Water 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***				

9 **Consideration for Appointment to Washington County Industrial Development Authority to Fill Remaining Term of Ted E. Cox**

Mrs. Mumpower informed the Board that she had received a letter of resignation from Mr. Ted E. Cox from the Washington County Industrial Development Authority and made the nomination to appoint Mr. Pat Callebs to fill the remaining term of Mr. Cox.

On motion of Mrs. Mumpower, second by Mr. Ingle the Board acted to appoint Mr. Pat Callebs, of 12630 Chesterfield Lane, Bristol, Virginia 24202, to the Washington County Industrial Development Authority to fill the remaining term of Mr.Ted Cox, effective the first November 2001 meeting to February 14, 2005.

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 **Recess**

It was the consensus of the Board to skip recess at this time.

11 **Consideration of Approval of Governor's Opportunity Fund/Tobacco Commission Opportunity Fund Performance Agreement for Bristol Compressors, Inc**

Ms. Christianne Parker addressed the Board regarding the September 21, 2001 announcement by Governor James Gillmore III, of $1 million in grant funds awarded to Bristol Compressors, Inc. for a major expansion project. She stated that a Performance Agreement between the Board, the Washington County Industrial Development Authority, and Bristol Compressors, Inc. is required before these funds can be drawn down. She outlined the Performance Agreement that requires Bristol Compressors to create 350 new jobs and $45 million in new private investment within thirty (30) months or be required to return these funds. Upon

approval by the Board, this agreement will then go before the Industrial Development Authority at their next regular meeting of October 10th for their approval.

On motion of Mr. Ingle, second by Mr. Roberts, the Board acted to approve Performance Agreement between Washington County, Virginia Board of Supervisors, Washington County Industrial Development Authority and Bristol Compressors, Inc. for the purpose of acting as the fiscal agent and monitoring compliance for Governor's Opportunity Fund monies in the amount of $250,000, Tobacco Region Opportunity Fund monies in the amount of $500,000, and local match funds in the amount of $250,000 for the Bristol Compressors, Inc. expansion 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***				

12 **Consideration Of Request for Additional Funding for Abingdon Senior Citizens**

It was the consensus of the Board to postpone Agenda Item No. 12 to allow Mrs. Wirt time to arrive.

13 **Consideration of Resolution Requesting Incorporation of Flame Leaf Drive into the State System of Secondary Highways**

Mrs. Bright reminded the Board of past action taken regarding Flame Leaf Drive and stated the purposes of this Resolution.

On motion of Mumpower, second by Mr. Rector, the Board acted to adopt the following resolution as presented, to incorporate Flame Leaf Drive into the Virginia Department of Transportation's State System of Highways:

RESOLUTION NO. 25 REGARDING FLAME LEAF DRIVE IN THE WILSON MAGISTERIAL DISTRICT

WHEREAS, by Resolution adopted by this Washington County, Virginia, Board of Supervisors (Board) on November 28, 2000 (Resolution 2000-23), the Board found that a portion of Flame Leaf Drive, as described below, (Project Street) met the eligibility requirements stated in section 33.1-72.1(C) of the 1950 Code of Virginia, as amended, to participate in the process described in that section for the taking of streets into secondary system; and

WHEREAS, by Resolution 2000-23, the Board resolved to request the Virginia Department of Transportation (Department) to improve Project Street to the prescribed minimum standards, funding said improvements according to special assessment and advance pro rata payment by holders of speculative interests as allowed by section 33.1-72.1(C) of the 1950 Code of Virginia, as amended; and

WHEREAS**,** the Department honored the Board's request and accepted Project Street as eligible for the procedures prescribed by section 33.1-72.1(C) of the 1950 Code of Virginia, as amended; and by letter dated September 21, 2001 from the engineer of the Department, the Department reported to the Board, that such improvements have been completed and the Project

Street meets the standards required for acceptance into the secondary system of state highways, pursuant to section 33.1-72.1(C) of the 1950 Code of Virginia, as amended; and

WHEREAS**,** the Department reported that, as a result of its services in improving a portion of Flame Leaf Drive it incurred expenses in the total amount of $98,000, which is $143 more than the Department's final pre-project cost estimate of $97,857, which was used to determine the maximum amount to be assessed against Landowners; and

WHEREAS, by Resolution adopted on December 12, 2000 (Resolution 2000-26), the Board resolved that, upon payment to the Department of the expense for improvements to Project Portion, Washington County shall collect from owners of properties abutting Project Street (Landowners) a special assessment as described in detail in said Resolution; and

WHEREAS**,** such special assessments were properly recorded in the Washington County Office of the Circuit Court Clerk as required by section 33.1-72.1(C) of the 1950 Code of Virginia, as amended.

NOW, THEREFORE, BE IT RESOLVED, this Board requests that Project Street, as described by the following information, be added to the secondary system of state highways, pursuant to section 33.1-72.1(C) of the 1950 Code of Virginia, as amended:

Name of Project Street:	Flame Leaf Drive
From:	Old Dominion Road (S.R. 1712)
To:	Cul-de-sac near lot 19
Guaranteed Right-of-Way Width:	40 feet
Plat Date:	March 27, 1980 (Plat Book 20, Page 67)

AND;

BE IT FURTHER RESOLVED, that a certified copy of this resolution and county check for the total amount due from the County in accordance with the requirements of section 33.1-72.1(C) of the 1950 Code of Virginia, as amended, and in accordance with the Resolution 2000-26, be forwarded to the Resident Engineer of the Virginia Department of Transportation. Said certified check shall be in the amount $66,848, which includes the combined amounts of (1.) $31,152 to fund 50% of the Department's costs after deduction of the speculative interest pro rata share plus (2.) the advance pro rata payments received from the holders of speculative interests in the total amount of $35,553 plus (3) $143 from "Road Improvements, Other" County account for payment of the amount in excess of the estimated total cost of the project, based on the Department's final pre-project cost estimate of $97,857; and

BE IT FURTHER RESOLVED, the County Attorney shall direct the Treasurer of Washington County to initiate special assessments from Landowners, as stated in detail in Resolution 2000-26 adopted on December 12, 2000.

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***				

Mrs. Mumpower added that she would like to commend Mrs. Bright for the excellent job she did on this project.

14 **County Administrator Comments**

There were no comments.

15 **County Attorney Comments**

There were no comments.

16 **Consent Agenda**

On motion of Mr. Barker, second by Mr. McCall, the Board acted to approve the following Consent Agenda items as presented:

a. Request For Payment Of Remaining Balance of Funds-White's Mill Foundation in the amount of $18,750.00;
b. Cancelled Check No. 0116501 issued to Cynthia Wilson in the amount of $96.49
c. Supplemental Appropriation - $1,350.00 Forfeited Asset Sharing Fund
d. Supplemental Appropriation - $236.25 – Animal Control Department

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***				

17 **Board Member Reports**

Mr. Ingle informed the Board that Mr. Rick Boardwine, owner of Apache Towing & Recovery, in Glade Spring, Virginia, approached him concerning his Special Use Permit request. Due to his property being rezoned, he must have the permit in order for him to complete construction on a new building there. Mr. Ingle asked that the Board consider hearing his request at the next Board meeting, which would require a joint meeting with the Washington County Planning Commission.

On motion of Mr. Ingle, second by Mr. Rector, the Board acted to approve a joint meeting with the Washington County Planning Commission, to be held Tuesday, October 23, 2001 at 6:30 p.m. prior to the 7:00 p.m. recessed meeting, for the purpose of holding a public hearing on the request for Special Use Permit by Rick Boardwine, owner of Apache Towing & Recovery, 33638 Spring Hill Rd, Glade Spring, Virginia.

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***				

(Note: Since the September 25, 2001 meeting, the time of the joint meeting has been changed to 6:00 p.m.)

Mr. Ingle continued his report, stating that he had attended a pre-construction contract meeting for the Brumley Gap Project and that construction is to begin next week. A Ground breaking

ceremony is tentatively scheduled for either October 4th or October 5th, 2001. (Note: As of the date of this transcription, a date for the Ground Breaking Ceremony has not been set.)

Mr. Rector thanked the Board for their support of the Hanger Lane Project and requested more information on a "Just-In-Time Planning Grant" through DHCD.

Mr. Barker informed the Board of a "School Board Candidate's Forum" hosted by the Washington County Office on Youth to be held at 7:00 p.m., October 16, 2001, at Abingdon High School.

Mr. McCall thanked the Board and staff for all the support he received during the recent death of his mother.

18 **Citizen Comments**

Mr. Lacy Love addressed the Board on the Zoning Department.

Mr. Pat Mannix addressed the Board on signs placed in the County Administration Building.

Mr. Tom Whitaker addressed the Board on signs placed in the County Administration Building.

On motion of Mr. Roberts, second by Mr. Barker, the Board acted to take a ten-minute 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***				

Note: After returning from recess, the Board resumed with Item 12 that was postponed earlier.

12 **Consideration Of Request for Additional Funding for Abingdon Senior Citizens**

Mrs. Polly Wirt, Executive Director, Senior Services Inc. addressed the Board giving them an update on the construction of the new Senior Center and submitted pictures of the center's construction progress. She stated that rising costs have left approximately $200,000 needed for completion of the project and requested the Board for County funding assistance. Mr. McCall asked when this project began. Mrs. Wirt replied in 1985 when the land was purchased. Mr. Ingle informed Mrs. Wirt that to date the County has appropriated approximately $330,000 to the Center project, stating that this is approximately five times the amount given to other projects by the County. Mr. Barker commended Mrs. Wirt on her efforts as Director of the Center. Mr. Roberts made the suggestion that the financial committee of the Senior Services, Inc. should look to other fund raising possibilities within the private sector. Mr. Derting thanked Mrs. Wirt for her presentation.

19 **Adjournment**

On motion of Mr. Barker, second by Mr. Ingle, the Board acted to adjourn the meeting at 8:30 p.m.

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