V I R G I N I A:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, December 11, 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
Dulcie M. Mumpower
Jack H. Barker

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

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1 Call to Order

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

2 Invocation and Pledge of Allegiance – Tony Rector

Mr. Tony Rector gave the Invocation and led the Pledge of Allegiance.

3 Approval of Agenda

On motion of Mr. Rector, second by Mr. Ingle, it was resolved to approve the Agenda as presented.

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

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

4 Approval of Minutes

On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to approve the Minutes of the regular meeting of November 27, 2001 with the following corrections:

Page 12283, Agenda Item 3: ***Correct motion to read: "On motion of Mr. Ingle, second by Mrs. Mumpower, it was resolved to approve the agenda with the following additions: . . ."***

Page 12289, Agenda Item 8, Library Program Update, Paragraph 3: ***Correct sentence to read: "Ms. Parsons distributed pamphlets and brochures of the various programs and services available to patrons of the Library."***

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

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

5. Planning & Zoning Public Hearings

The following actions were taken on Planning & Zoning public hearings:

a. Larry W. and Dorothy L. Rouse, *Property Tax Map # 067A2-A-7, 7A*: Request to rezone approximately 2.70 acres of property located on the south side of State Route 797 near the intersection of State Route 797/Route 80 from R-2 (Residential, General) to V (Village), Monroe Magisterial District

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Larry W. and Dorothy L. Rouse to rezone approximately 2.70 acres of property located on the south side of State Route 797 near the intersection of State Route 797/Route 80 from R-2 (Residential, General to V (Village), Monroe Magisterial District.

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

On motion of Mr. Rector, second by Ms. Mumpower, it was resolved to approve the request by Larry W. and Dorothy L. Rouse to rezone approximately 2.70 acres of property located on the south side of State Route 797 near the intersection of State Route 797/Route 80 from R-2 (Residential, General) to V (Village), Monroe Magisterial District.

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

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

b. Nancy Payne, *Property Tax Map # 123-A-107 (a portion of):* Request to rezone approximately 4.3 acres of property located at the intersection of State Route 869 and Route 11 from B-2 (Business, General) to A-2 (Agricultural, General), Wilson Magisterial District

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Nancy Payne, to rezone approximately 4.3 acres of property located at the intersection

of State Route 869 and Route 11 from B-2 (Business, General) to A-2 (Agricultural, General), Wilson Magisterial District.

Nancy Payne addressed the Supervisors explaining that her plans are to build a two-car garage adjoining her house and to enclose the back porch.

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

On motion of Ms. Mumpower, second by Mr. Ingle, it was resolved to approve the request by Nancy Payne to rezone approximately 4.3 acres of property located at the intersection of State Route 869 and Route 11 from B-2 (Business, General) to A-2 (Agricultural, General), Wilson Magisterial District.

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

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

Requests for Special Use Permit:

c. Larry W. and Dorothy L. Rouse, ***Property Tax Map # 067A2-A-7, 7A*****: Request for a Special Use Permit to place a double wide manufactured home on property located on the south side of State Route 797 near the intersection of State Route 797/Route 80 in a V (Village) zone, Monroe Magisterial District**

Chairman Derting opened the public hearing and invited comments both in support of and in opposition to application for a Special Use Permit by Larry W. and Dorothy L. Rouse to place a double wide manufactured home on property located on the south side of State Route 797 near the intersection of State Route 797/Route 80 in a V (Village) zone, 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 approve the request by Larry W. and Dorothy L. Rouse for a Special Use Permit to place a double wide manufactured home on property located on the south side of State Route 797 near the intersection of State Route 797/Route 80 in a V (Village) zone, Monroe Magisterial District.

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

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

d. Byrd Properties, *Property Tax Map # 070A-6-13B:* Request for a Special Use Permit to construct multi-family dwelling units, more specifically apartments, on property located at the end of Bunker Hill Lane near the intersection of State Route 91/Route 1316 in a B-2 (Business, General) zone, Monroe Magisterial District

Chairman Derting opened the public hearing and invited comments both in support of and in opposition to application for a Special Use Permit application to construct multi-family dwelling units, more specifically apartments, on property located at the end of Bunker Hill Lane near the intersection of State Route 91/Route 1316 in a B-2 (Business, General) zone, Monroe Magisterial District**.**

Mr. Steve Roland addressed the Board explaining there is 17 apartment units currently located on the property and they would like to add an additional 12 units behind existing buildings.

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

On motion of Mr. Rector, second by Mr. Barker, it was resolved to grant a Special Use Permit to construct multi-family dwelling units, more specifically apartments, on property located at the end of Bunker Hill Lane near the intersection of State Route 91/Route 1316 in a B-2 (Business, General) zone, Monroe Magisterial District.

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

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

e. Margaret Hairston on behalf of George Storie, *Property Tax Map #067A-1-4*: Request for a special Use Permit to place a double wide manufactured home on property located on the north side of State Route 609 near the intersection of State Route 609/Route 738 in a V (Village) zone, Monroe Magisterial District

Chairman Derting opened the public hearing and invited comments both in support of and in opposition to application for a Special Use Permit application to place a double wide manufactured home on property located on the north side of State Route 609 near the intersection of State Route 609/Route 738 in a V (Village) zone, Monroe Magisterial District.

George and Robin Storie addressed the Board explaining they would like to place a doublewide manufactured home on the property for permanent residence.

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

On motion of Mr. Rector, second by Mr. McCall, it was resolved to grant a Special Use Permit to place a double wide manufactured home on property located on the north side of State Route 609 near the intersection of State Route 609/Route 738 in a V (Village) zone, Monroe Magisterial District.

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

Mr. Barker	***Aye***
Mr. Derting	***Aye***
Mr. Ingle	***Aye***
Mr. McCall	***Aye***

Mrs. Mumpower ***Aye***
Mr. Rector ***Aye***
Mr. Roberts ***Aye***

f. Steve Bowman on behalf of Bobby Moore, *Property Tax Map #105-7-7B*: Request for a Special Use Permit to construct and operate a public amusement facility, more specifically, a indoor rock climbing center located on the south side of Commerce Drive near the intersection of Commerce Drive and Cummings Street in a B-2 (Business, General) zone, Madison Magisterial District

Chairman Derting opened the public hearing and invited comments both in support of and in opposition to application for a Special Use Permit application to construct and operate a public amusement facility, more specifically, a indoor rock climbing center located on the south side of Commerce Drive near the intersection of Commerce Drive and Cummings Street in a B-2 (Business, General) zone, Madison Magisterial District.

Mr. Bobby Moore addressed the Board explaining that he would like to place an indoor rock climbing facility on this property. He stated his objective is to provide a ministry to target teenagers.

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

On motion of Mr. Roberts, seconded by Mr. Rector, it was resolved to grant a Special Use Permit to construct and operate a public amusement facility, more specifically, a indoor rock climbing center located on the south side of Commerce Drive near the intersection of Commerce Drive and Cummings Street in a B-2 (Business, General) zone, Madison Magisterial District.

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

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

g. Quality Properties C/O Mountain Empire Oil Company, *Property Tax Map #106-A-4C, 4E*: Request for a Special Use Permit to construct an addition to operate a convenience store and Subway restaurant on property located on the south side of State Route F-029 near the intersection of State Route F029/Route 11 in a B-2 (Business, General) zone, Madison Magisterial District

Chairman Derting opened the public hearing and invited comments both in support of and in opposition to application for a Special Use Permit application to construct an addition to operate a convenience store and Subway restaurant on property located on the south side of State Route F-029 near the intersection of State Route F029/Route 11 in a B-2 (Business, General) zone, Madison Magisterial District.

Mr. Matthew James and Mr. Billy Broyles addressed the Board explaining they would like to construct a 30 X 35 addition to the existing Subway Restaurant for the purposes of providing extra table space.

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

On motion of Mr. McCall, second by Ms. Mumpower, it was resolved to grant a Special Use Permit to construct an addition to operate a convenience store and Subway restaurant on property located on the south side of State Route F-029 near the intersection of State Route F029/Route 11 in a B-2 (Business, General) zone, Madison Magisterial District.

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

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

h. Cardinal Travel Center, ***Property Tax Map #069-A-45*****: Request for a Special Use Permit to construct an addition to the Petro Stopping Center, more specifically a tractor-truck and trailer repair and services shop and a tractor truck and trailer wash on property located on the east side of State Route 91 near the intersection of State Route 91/Route 11 in a B-2 (Business, General) zone, Monroe Magisterial District**

Chairman Derting opened the public hearing and invited comments both in support of and in opposition to application for a Special Use Permit application to construct an addition to the Petro Stopping Center, more specifically a tractor-truck and trailer repair and services shop and a tractor truck and trailer wash on property located on the east side of State Route 91 near the intersection of State Route 91/Route 11 in a B-2 (Business, General) zone, Monroe Magisterial District.

Mr. Nick Lambert addressed the Board explaining the proposed plan to construct a preventive maintenance service center for tractor-trailer repairs and to construct a truck washing facility on the existing site of Cardinal Travel Center.

In response to a question of the anticipated increase in trucking-related business, Mr. Lambert stated that currently there were not projections available.

In response to question concerning the additional parking spaces referenced in correspondence, Mr. Lambert explained that this space would be a stacking area for trucks. In further discussion of this issue Mr. Reeter clarified that additional parking is a permitted use by right in the B-2 district and that the proposed additional parking is not subject to the Special Use Permit request being presently considered.

Mr. John Carter addressed the Board voicing his opposition to the proposed addition to Cardinal Travel Center. He expressed concern about safety due to the increase in traffic on and around the exit.

Mr. Patrick Mannix addressed the Board explaining concerns about the runoff that would be created by the truck wash facility. He stated that he was in attendance at the Planning Commission meeting when this item was discussed and as a condition to their approved requested that this issue be taken to the Service Authority for guidance.

In response to Mr. Mannix, Mr. Ingle stated that the Planning Commission by a 6-1 vote placed a stipulation on their approval regarding the wastewater run-off. Mr. Reeter clarified that the Washington County Service Authority would consider whether to permit the truck wash to connect to the public sewer system, and may possibly require pretreatment of discharged wastewater from the truck wash as a condition of allowing connection to the sewer system.

In response to Supervisors concerns, Lucy Bright, County Attorney, explained that erosion and sediment run-off issues would be addressed during the building permit process.

The Supervisors expressed concern regarding increased traffic and safety. Mr. Rector commented that he had spoken with the Virginia Department of Transportation requesting that they consider two-laning the exit for better access and increased safety.

Mr. Rector stated opposition to this request because of the increased traffic congestion at the exit. Also, he commented that the traffic congestion could affect potential businesses that would consider the new industrial park.

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

On motion of Mr. Ingles, second by Mr. McCall it was resolved to follow the Planning Commission's recommendation to grant a Special Use Permit to construct an addition to the Petro Stopping Center, more specifically a tractor-truck and trailer repair and services shop and a tractor truck and trailer wash on property located on the east side of State Route 91 near the intersection of State Route 91/Route 11 in a B-2 (Business, General) zone, Monroe Magisterial District, with the stipulation that the Washington County Service Authority to approve the truck wash facility with regard to accepting wastewater discharge from the truck wash.

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

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

i. Sonny Wright on behalf of Highlands Log Structures, Inc., ***Property Tax Map #123C-2-21 thru 24 and 123-10-1*****: Request for a Special Use Permit to operate a wholesale, distribution and processing operation, more specifically, retail log structures with future office sales facilities on property located on the north side of State Route 11 near the intersection of State Route 11/Route 869 in a B-2 (Business, General) zone, Wilson Magisterial District.**

Chairman Derting opened the public hearing and invited comments both in support of and in opposition to application for a Special Use Permit application to operate a wholesale, distribution and processing operation, more specifically, retail log structures with future office sales facilities on property located on the north side of State Route 11 near the intersection of State Route 11/Route 869 in a B-2 (Business, General) zone, Wilson Magisterial District.

Mr. Sonny Wright addressed the Board explaining that he was speaking on behalf of Highlands Log Structures and that he was the landowner. He addressed some concerns that the Planning Commission had regarding hazardous materials. Mr. Wright reviewed the material safety data sheets and stated that none of the chemicals being used were found to be hazardous. He distributed these sheets for the Boards review.

Mr. Wright reviewed the events that had occurred regarding the operation of Highlands Log Structure on this site. He stated that Mr. Winston Johnson, owner of Highlands Log Structures, Inc. had investigated purchasing property across the U.S. Highway 11 from the existing business. Application for rezoning of property to B-2 was made January 30, 2001, to the Zoning Department. The Planning Commission considered the application on March 5, 2001 and sequentially approved it by a 7-0 vote. Mr. Wright

stated that on March 13, 2001, the Board of Supervisors voted to rezone the property for the purposes of log home construction and display. This is the same process being done at the current location across the road.

Responding to question regarding the original start date of the first log home, Mr. Wright stated May 2000. The first complaint from Mr. James Phelps, owner of Phelps Pottery, regarding the operation of this business was received in March 2001.

Mr. Reeter provided clarification on the events that had taken place prior to this request. He explained that the Planning Commission acted to recommend and the Board of Supervisors approved a rezoning of County Tax Map Parcel 123-10-1 to B-2 in January 2001, for the purpose of log home display and construction. This is not the same property presently being considered for the Special Use Permit. Mr. Denzel Arnold of Meade Reality on behalf of Highlands Log Structures originally requested the rezoning of Parcel 123-10-1 to B-2 at the time of the rezoning request it was the intent that Highlands Log Structures was either going relocate their business from the property on which they are currently operating or to expand their operations to the new site in addition to maintaining operations at the current site next to Phelps Pottery. Mr. Reeter stated that in June 2001, he sent a letter to Mr. Winston Johnson and to Mr. Herschal Robinette who at time was identified as the property owner of the site that is now owned by Sonny Wright. The letter stated that if the planned use of Parcel 123-10-1 is similar to the activities being complained of on Parcels 123C-21 thru 24 (which are parcels presently being requested for Special Use Permit) consistency with County Code Section 66-542-16 might be at issue. Mr. Reeter stated it would not be sufficient to merely rezone property to B-2, but a Special Use Permit would also be required for the log processing operations presently being conducted by Highlands Log Structures on Parcels 123C-21 thru 24.

Mrs. Lucy Bright explained that procedurally after a letter such as the one sent in June 2001, by the County Administrator wherein it informed the property owner of the need for a Special Use Permit and that they would have 30 days to file such an application. The application was made and signed by Mr. Herschal Robinette. Prior to the application be considered by the Planning Commission the County was made aware of an ownership dispute involving Parcels 123C-21 thru 24, and the application was administratively withdrawn. By subsequent correspondence of the County, the parties involved with the ownership dispute were given 60 days to resolve the dispute and re-submit a new application for Special Use Permit on behalf of Highland Log Structures, Inc. Mrs. Bright stated that the property dispute had been settled and the court awarded ownership of Parcels 123C-21 thru 24 to Mr. Sonny Wright. Mr. Wright filed the appropriate application for a Special Use Permit that is now being considered.

Mr. Winston Johnson addressed the Board explaining that when his business moved onto the current property the intent was not to begin operations. He stated that approximately nine months after operations began that Mr. Phelps approached him about problems associated with the operations being conducted on these parcels. Mr. Johnson stated that if the Special Use Permit were denied by the Board his business would be forced to close.

Responding to question regarding their original starting location prior to locating along U.S. Highway 11, Mr. Johnson stated the first log processing and assembly work began on a site along Black Hollow Road.

Mrs. Pamela Johnson, wife of Winston Johnson addressed the Board explaining that if the Special Use Permit was not approved her and her husband's business would be forced to close and file bankruptcy.

Mr. David Dodson addressed the Board explaining that he was an employee of Highlands Log Structures. He stated that he would be unemployed if the Special Use Permit were not approved.

Ms. Valena Parks addressed the Board commenting that she had been an employee of Highlands Log Structures for four years and that her husband was also an employee of this company. She stated that if the company were forced to close she and her husband would both be unemployed.

Mr. Ray Short addressed the Board stating that he had been an employee of Highlands Log Structure for a year and that he would be unemployed if the Special Use Permit were not approved.

Mr. David Scyphers, Legal Counsel for Mr. James Phelps, addressed the Board explaining that it was his legal opinion that the Board could not issue a Special Use Permit to Highlands Log Structures. He stated that the Highland Log Structures is a manufacturing operation and not processing and this type of business is not permitted in B-2 zone.

Mr. Scyphers distributed pictures of the operation that is taking place. He commented that in essence it is a sawmill operation. He reiterated again that such use is not permitted in a B-2 zone.

Mr. Scyphers also commented that if it were legal to operate such a business in a B-2 zone the Special Use Permit still should not be granted because of its adverse effects on existing neighboring businesses with the noise, runoff and sawdust. He stated that his client Mr. Phelps has filed lawsuits for nuisance against Highland Log Structures. Mr. Scyphers requested that the Board deny the Special Use Permit to Highlands Log Structures.

Mr. Lacy Love addressed the Board commenting that the smell and noise is disturbing to the customers at Hi-Lo Burger, which is located adjacent to Highlands Log Structures.

Mr. Patrick Mannix addressed the Board expressing his concerns about the longevity of this problem with Highlands Log Structures.

Ms. Nancy Payne addressed the Board commenting that her property is located near Highlands Log Structures and the business has not affected her property.

Mrs. Mumpower reported to the Board that she had received and investigated complaints regarding the noise. Mrs. Mumpower explained that Highlands Log Structures would be better suited in an industrial park and requested that the Board try to identify property for relocation.

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

Mrs. Mumpower made a motion to deny the issuance of a Special Use Permit to Highland Log Structures, Inc. The motion died for lack of second.

On motion of Mr. Barker, second by Mr. Ingle it was resolved to grant a Special Use Permit to operate a wholesale, distribution and processing operation, more specifically, retail log structures with future office sales facilities on property located on the north side of State Route 11 near the intersection of State Route 11/Route 869 in a B-2 (Business, General) zone, Wilson Magisterial District.

The vote on this motion was as follows: (4-2-1)

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

Mr. Rector stated his reasons for abstaining was because it was his opinion that the County had let the matter get out of control.

6 Recess

On motion of Mr. Ingle, second by Mr. Barker it was resolved to take a ten-minute recess.

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

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

7 Public Hearing on 2002 Community Development Block Grant Program

Mr. Tom Taylor addressed the Board prior to the opening of the public hearing to explain the 2002 Community Development Block Grant Program (CDBG) Design. He reviewed each requirement to be met prior to submission of the CDBG application. The application deadline is March 27, 2002.

He reviewed the level of funding Virginia received last year and stated there is slight decrease in funding for 2002.

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to 2002 Community Development Block Grant Program.

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

Mr. Reeter explained that Washington County has identified a CBDG project and is in the planning phase. He further explained that building sites are being identified for construction of homes for low to moderate-income families. Mr. Reeter stated that a second public hearing would be held in early spring at which the project will be specifically detailed.

8 a. Consideration of Sheriff's Office Request to Purchase Building for Evidence Storage Facility

Mr. Fred Newman, Sheriff of Washington County addressed the Board and requested that this Item be deleted from the Agenda and requested to move forward with Agenda Item 7b.

8 b. Consideration of Request for Supplemental Appropriation in the Amount of $5,000 for V-STOP Detective Position

Mr. Fred Newman, Sheriff of Washington County addressed the Board explaining that he had received notification from the Virginia Department of Criminal Justice Services that they would be implementing a 20% reduction in salary for the V-STOP detective position. The salary will be reduced from $25,000 to $20,000.

Mr. Newman introduced Robin Widener, the Coordinator for the Victim Witness Program. He stated she would answer questions the Board may have regarding the importance of the V-STOP detective position.

Ms. Widener addressed the Board expressing her support of the position. She explained that the Sheriff's deputies have many constraints with their schedules and do not have adequate time to follow-up on

domestic abuse complaints. Since the V-STOP detective position has been added the number of cases going to court have increased. Ms. Widener stated that in the year 2000 when the position was vacant the quality of cases declined.

In response to a question regarding County funding for the position when it was implemented in 1998, Mr. Newman stated that there was no County funding received. He explained this request for funding was being made at this time due to the reduction in the salary coming down from the State.

On motion of Mr. Ingle, second by Mr. Rector it was resolved to supplement the V-STOP grant with $5,000 of local funds for the purpose of supplementing the V-STOP detective's salary.

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

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

9 Presentation of Six-Year Plan for Secondary Roads in Washington County

Mr. Robert Hurt of the Virginia Department of Transportation addressed the Board requesting that they adopt a resolution to accept the Six-Year Secondary Road Plan as recommended by the Washington County Transportation Advisory Board. Mr. Hurt explained that the plan this year does not reflect deficit financing for reconstruction of State Route 622, Nordyke Road damaged by a slide that occurred in 1993. This is the first year since 1994 that Washington County will be able to use all of its Six-Year Plan funding for secondary road improvements.

Mr. Hurt thanked and recognized members of the Transportation Advisory Board. Also, Mr. Derting on behalf of the Board of Supervisors thanked the Advisory Board for their service.

On motion of Ms. Mumpower, second by Mr. Roberts, it was resolved to adopt the following resolution 2001-40:

RESOLUTION 2001-40
SIX-YEAR SECONDARY ROAD PLAN 2002-03

BE IT HEREBY RESOLVED, the Washington County, Virginia Board of Supervisors does hereby approve the FY 2002-03 to 2007-08 Virginia Department of Transportation Secondary System Six Year Plan for Washington County, Virginia and,

BE IT FURTHER RESOLVED, that the Washington County, Virginia Board of Supervisors approves the first year of the plan titled, Details of the Washington County, Virginia Secondary Construction Budget for July 1, 2002 through June 30, 2003.

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

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

Mr. Rector ***Aye***
Mr. Roberts ***Aye***

10 Spay-Neuter Committee Recommendation Concerning Use of County Funds by Animal Defense League of Washington County

Ms. Linda Fritsch, President of Animal Defense League (ADL) of Washington County, addressed the Board explaining the Committee had been meeting to review the status of the County Spay-Neuter Subsidy Program and to discuss future possibilities for additional activities to promote spaying/neutering of companion animals adopted from the County Animal Shelter. Ms. Fritsch further explained that the Committee had prepared a proposal for the use of the remaining $15,000.00 of the original $20,000.00 set aside by the Board of Supervisors in FY 1999-2000. The balance of the remaining County funds will be requested by the ADL as part of the FY-2002-03 County Operating Budget.

Ms. Fritsch reviewed the proposed use of the funds being requested. She stated that a portion of the funds would be used to develop an educational program at the Animal Shelter and for advertising, which would include newspaper articles and promotional brochures about the ADL and its purpose.

Ms. Fritsch stated that the ADL was originally formed in 1980 and was reinstated in November 1999 after some years of inactivity. The mission statement and by-laws of the organization is the prevention of cruelty to all animals, relief of suffering among animals and the extension of humane education.

Ms. Fritsch explained that the organizational goals were to raise the awareness level in Washington County of the problems of pet over-population, to support a spay/neuter program, to prepare education programs that can be taken to the schools to introduce proper pet care at an early level and to review the establishment of a private spay/neuter clinic.

On motion of Ms. Mumpower, second by Mr. McCall it was resolved to appropriate $7,500.00 in lump-sum from Budgetary Line Item 35100-5892, Spay/Neuter Program – Other Program Expenses to the Animal Defense League of Washington County, Inc. and to direct the Department of Accounting & Purchasing to forward the ADL a County Budget Request Form for FY 2002-03.

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

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

11 Consideration of Change in Ordinance Creating the Smyth-Washington Regional Industrial Facilities Authority

Mrs. Lucy Bright, County Attorney, addressed the Board requesting a public hearing be conducted during the second meeting in January 2002, on the proposed change in the Ordinance to create the Smyth-Washington Regional Industrial Facilities Authority. Mrs. Bright further explained that Smyth County would also be conducting a public hearing and be requested to approve the same ordinance.

On motion of Mr. Roberts, second by Mr. Rector, it was resolved to hold a public hearing as soon as is reasonable to receive comments both in support of and in opposition to the change in the ordinance creating the Smyth-Washington Regional Industrial Facilities Authority.

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

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

12 Consideration of Request to Retain Space on Fifth Floor of the Courthouse
a. Virginia Highlands Festival
b. Historical Society of Washington County, Inc.

Mrs. Kitty Henninger, President of the Historical Society of Washington County, Virginia, addressed the Board explaining that the Historical Society, the Black's Fort Chapter of the Daughters of the American Revolution, the Virginia Highlands Festival and the Abingdon Booklovers Club are requesting approval to retain storage space on the fifth floor of the Courthouse.

On motion of Mr. Ingle, second by Mr. Roberts it was resolved to allow the Historical Society of Washington County, VA to retain space on the fifth floor of the Courthouse for the purpose of storing records of the Historical Society of Washington County, VA, Black's Fort Chapter of the D.A.R., the Abingdon Book Lovers Club and the Highlands Festival, until such time Washington County would be in need of it.

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

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

13 Consideration of Request for Assistance From Historical Society of Washington County, Virginia, Inc. Associated With Moving Archival Records, Books and Papers from Courthouse to Train Station

Mrs. Kitty Henninger, President, Washington County Historical Society, addressed the Board explaining the Historical Society's request for financial assistance in the amount of $3,360 to be used to supplement the costs of moving to the Train Station.

Responding to a question regarding items that the moving company would haul, Mrs. Henninger explained they would move everything except the computers and a safe.

Responding to a question about the Town of Abingdon providing financial assistance to supplement the moving costs, Mrs. Henninger stated that to her knowledge the Town would not be providing financial assistance.

Mr. Ingle suggested that the request be tabled until the December 18, 2001 recessed meeting for the purposes of allowing time to contact the Town of Abingdon to request their financial assistance to supplement moving expenses.

On motion of Mr. Ingle, second by Mr. McCall, it was resolved to table this request until the December 18, 2001, recessed meeting to allow time to contact the Town of Abingdon for the purposes of requesting they provide financial assistance to the Washington County Historical Society to supplement the expenses incurred with moving to the Train Station.

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

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

14 Consideration of Awarding Bids/Contracts:

a. Bid for Food and Related Supplies for the Washington County Jail

Mr. Mark Seamon, Accounting & Purchasing Manager, addressed the Board presenting bids for food and related supplies from Institutional Distributors, Inc. ($82,421.58) and the IJ Company ($91,911.29). He stated this was an annual contract and recommended the Board enter into a contract with Institutional Distributors, Inc.

On motion of Mr. Barker second by Mr. Rector it was resolved to award the contract for Food and Related Supplies for the Washington County Jail to Institutional Distributors, Inc. in amount of $82,421.58.

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

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

b. Award Contract for Healthcare Consulting Services

Mr. Mark Seamon, County Accounting & Purchasing Manager, addressed the Board presenting a request from the Washington County Joint Health Insurance Committee to enter into a contract in the amount of $22,500.00 with Akridge Insurance Services for Healthcare Consulting Services.

Discussion ensued regarding this request. Mr. Barker stated that $13,500.00 of the request may not be used if the consulting company does not identify the need for a new healthcare program. Mr. Ingle questioned if the School Board would be sharing the costs for the consultant. Mr. Reeter commented that the School Board did not budget funds for this service.

On motion of Mr. Barker, second by Mr. Rector, it was resolved to award the contract for Healthcare Consulting Services to Akridge Insurance Services and to transfer $10,000.00 from Reserve for Contingencies to the Washington County Joint Health Insurance Committee line-item 11050-5906.

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

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

15 Consideration of Expiring Appointments:

The following action was taken on consideration of expiring appointments:

a. Board of Building Code of Appeals, January 13, 2002, Harry L. McKinney, Jr., Madison District

On motion of Mr. McCall, second by Mr. Roberts, it was resolved to reappoint Harry McKinney, Jr. to represent the Madison District on the Board of Building Code of Appeals for a four year term to be effective January 13, 2002 to January 13, 2006.

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

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

b. Board of Building Code of Appeals, January 13, 2002, R. Leon Denton, Tyler District

Mr. Barker requested that the expiring appointment of R Leon Denton, representing the Tyler District on the Board of Building Code of Appeals be tabled until a later meeting.

c. Transportation Advisory Board, Replacement of Henry Green, term expiring December 31, 2002

On motion of Mr. Ingle, second by Ms. Mumpower, it was resolved to appoint Frank Stophel to fill the unexpired term of Henry Green, to represent the Jefferson District on the Transportation Advisory Committee to be effective immediately and expire December 31, 2002.

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

Mr. Barker	***Aye***
Mr. Derting	***Aye***
Mr. Ingle	***Aye***

Mr. McCall ***Aye***
Mrs. Mumpower ***Aye***
Mr. Rector ***Aye***
Mr. Roberts ***Aye***

16 <u>County Administrator Comments</u>

The following action was taken on County Administrator comments:

a. <u>Draft Board By-laws, General Policies and Operating Procedures for Calendar Year 2002</u>

Mr. Reeter requested the Board to review the operating calendar for 2002 and advise him of any conflicts. He also requested that the Board review the By-Laws, General Policies and Operating Procedures and be prepared to approve the documents at the January 8, 2002.

b. <u>Holiday Office Schedule</u>

Mr. Reeter reported that County offices would be closed December 24 and 25 in observance of the Christmas holiday and December 31 and January 1 in observance of the New Year's holiday.

c. <u>2002-2004 Composite Index Figures</u>

Mr. Reeter presented correspondence from the Commonwealth of Virginia's Superintendent of Public Instruction giving composite index figures for the new biennium. Mr. Reeter reported that Washington County's index figure is currently .3532, which means the County pays 35% of public education. In the new biennium the County's index drops to .3484, which means the County may see an increase in state funding. The reason for the drop was due to the County's past two-years economic conditions.

17 <u>County Attorney Comments</u>

a. <u>Ordinance to Allow Building Permit Fee Waiver and Tax Incentives for Certain Rehabilitated Commercial and Industrial Real Property for Public Hearing and Consideration for Adoption by the Board of Supervisors at its Recessed Meeting Scheduled for December 18, 2001</u>

Mrs. Lucy Bright, County Attorney commented that during the last meeting of the Board authorization was granted to hold a public hearing on December 18, 2001 for the above referenced ordinance. Mrs. Bright stated that the ordinance would be considered for adoption on December 18, 2001. She commented that the proposed ordinance had been advertised and copies provided for public review.

b. <u>An Ordinance to Amend Chapter 66, Sections 66-112(f) and 66-113 to Allow Rezoning Permit Fee Waiver for Certain Rehabilitated Commercial and Industrial Real Property for Setting a Public Hearing Date by the Board of Supervisors</u>

Mrs. Bright reported that this ordinance would require approval from the Planning Commission due to it being an amendment to the zoning ordinance. Mrs. Bright requested a public hearing for this ordinance to be held at the first meeting in February 2002, subject to the Planning Commission conducting a public hearing in January.

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to hold a public hearing during the first meeting in February 2002, subject to the Planning Commission conducting a public hearing in January to receive comments both in support of and in opposition to An Ordinance to Amend Chapter 66, Sections 66-112(f) and 66-113 to Allow Rezoning Permit Fee Waiver for Certain Rehabilitated

Commercial and Industrial Real Property for Setting a Public Hearing Date by the Board of Supervisors

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

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

c. Consideration of Request for Board Authorization to Schedule a Public Hearing January 22, 2002 Relative to Comcast Cablevision of the South, Inc. Franchise Agreement

Mrs. Bright requested that the Board authorize a public hearing for the second meeting in January 2002. She stated that arrangements could be made for a representative from Comcast Cablevision to attend the first meeting in January to address questions and concerns.

Mr. Derting requested that Mrs. Bright arrange the meeting with Comcast prior to the public hearing.

On motion of Mr. Ingle, second by Mr. McCall, it was resolved to hold a public hearing during the second meeting in January 2002, relative to Comcast Cablevision of the South, Inc. Franchise Agreement.

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

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

18 Consent Agenda

On motion of Mr. Rector, second by Mr. McCall, it was resolved to approve the following Consent Agenda Items:

a. Payment of Bills for December 2001

b. Transfer from Reserve for Contingencies to County Administration Department in the amount of $3,350.00

c. Request for Supplemental Appropriation for Personnel Vaccination Expenses, Department 12220 – Personnel Services New Line Item for *Employee Medical Expenses* in the amount of $1,800.00 from Reserve for Contingencies

d. Canceled Check, Check #0117596, Abingdon Orthopedic Associates, $135.00 (duplicate payment)

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

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

19 Board Member Reports

Mr. Rector asked that a request for consideration of a donation to the E-Treme Cloggers from Glade Springs, Virginia be placed on the December 18, 2001 recessed meeting agenda.

Mr. Barker reported that a group of senior citizens had a dinner at the Mendota Community Center and it was a great success. He commented that that the community is coming back together, but much progress still needs to be made.

Mr. McCall reported that the Abingdon High School Drama Team had won its seventh competition and requested plaques be made.

Mr. Derting requested that Christianne Parker, Assistant County Administrator, try to identify a better-suited location for Highlands Log Structures.

20 Citizens Comments

Chairman Derting invited comments from citizens on matters not appearing on the Agenda. The following individuals addressed the Board of Supervisors:

Mr. Lacy Love
Mr. Patrick Mannix

21 Recess

On motion of Mr. Rector, second by Mr. Roberts, it was resolved to recess the meeting until Tuesday, December 18, 2001 at 7:00 PM

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

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

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Prepared by:

_____
Naoma A. Cook, Recording Clerk

Approved by the Washington County Board of Supervisors:

_____
Joe W. Derting, Chairman