

**VIRGINIA:**

At a regular meeting of the Washington County Board of Supervisors held Tuesday, February 12, 2002, 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  
 Jack H. Barker  
 Bobby D. Ingle  
 Phillip B. McCall  
 Anthony S. Rector  
 Dulcie M. Mumpower

Mark K. Reeter, County Administrator  
 Lucy E. Phillips Bright, County Attorney  
 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 – Jack H. Barker**

Mr. Jack H. Barker gave the Invocation and led the Pledge of Allegiance.

**3     Approval of Agenda**

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

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

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

#### 4. Approval of Minutes – January 22, 2002

*On motion of Mr. Ingle, second by Mr. Rector, it was resolved to approve the minutes of the January 22, 2002, Board of Supervisors meeting with the following correction:*

*Page 12404 and 12404, Agenda Item 17: Correct spelling of “Buchaven” to “Buckhaven”.  
The vote on this motion was as follows: (6-0-1)*

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

*Mr. Barker abstained from voting due to his absence at the January 22, 2002 meeting.*

***Scribner’s Note:** The above corrections have been made to the recorded Minutes of the referenced meeting.*

#### 5 Planning and Zoning Public Hearings

The following actions were taken on Planning and Zoning Public Hearings:

##### Intent to Rezone:

**(1). Arthur F. Singleton, Property Tax Map # 106-7-32: Request to rezone approximately 250 ft. x 1000 ft. of property located on the west side of State Route 58 near the intersection of State Route 58/677 from B-2 (Business, General) 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 Arthur F. Singleton to rezone approximately 250 ft. x 1000 ft. of property located on the west side of State Route 58 near the intersection of State Route 58/677 from B-2 (Business, General) to A-2 (Agricultural, General), Madison Magisterial District.

Mr. Arthur Singleton, owner of the property located on State Route 58, appeared before the Board to answer questions.

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

*On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to approve the request of Mr. Arthur F. Singleton to rezone approximately 250 ft. x 1000 ft. of property located on the west side of State Route 58 near the intersection of State Route 58/677 from B-2 (Business, General) to A-2 (Agricultural, General), Madison Magisterial District.*

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

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

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

**Request for Special Use Permit:**

**(2). Clifton-Stewart Developers, Inc., Property Tax Map # 106-14-2,3: Request for a Special Use Permit to construct and operate mini-self storage facilities on property located on the south side of State Route 11 near the intersection of State Route 11/ 58 in a B-2 (Business, General) and A-2 (Agricultural, General) zone, Madison Magisterial District, A-01 Election District.**

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Clifton-Stewart Developer, Inc. for a Special Use Permit to construct and operate mini-self storage facilities on property located on the south side of State Route 11 near the intersection of State Route 11/ 58 in a B-2 (Business, General) and A-2 (Agricultural, General) zone, Madison Magisterial District, A-01 Election District.

Mr. McCall abstained from participating in discussions due to a conflict of interest.

Mr. John Berry appeared before the Board on behalf of Mr. Jimmy Stewart to answer questions regarding the request by Clifton-Stewart Developer's request for a special use permit to construct and operate a mini-self storage facility on property located on State Route 11.

Responding to a question regarding the number of units proposed, Mr. Berry stated that Jimmy Stewart had requested to have the maximum number of units that would be permitted for the zoning designation that the property is located in.

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 approve the request of Clifton-Stewart Developers, Inc. for a Special Use Permit to construct and operate mini-self storage facilities on property located on the south side of State Route 11 near the intersection of State Route 11/ 58 in a B-2 (Business, General) and A-2 (Agricultural, General) zone, Madison Magisterial District, A-01 Election District.***

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

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

**(3). Mack Neeves, Property Tax Map # 069-A-33: Request for a Special Use Permit to construct and operate a small business in general, more specifically, retail stores and shops on property located on the north side of State Route 11 near the intersection of State Route 11/767 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.**

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Mr. Mark Neeves request for a Special Use Permit to construct and operate a small business in general, more specifically, retail stores and shops on property located on the north side of State Route 11 near the intersection of State Route 11/767 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.

Mr. Mack Neeves addressed the Board explaining that the proposed development is across the road from the entrance to the Glade-Highlands Industrial Park and stated that the development would compliment and provide services for the construction that is taking place across the street.

Responding to a question, Mr. Neeves stated the property had a house located on it that was formerly owned by Lex Robinson. He further explained that he was working with investors in South Carolina to determine whether to restructure the existing home while building the first part of the retail center on the top tier of the property and then follow with the second phase on the lower tier, or to level the house and complete the construction in one phase.

Mr. Neeves stated that he would be operating a real estate appraisal office in the proposed center.

Mr. Bob Kilbourne addressed the Board explaining that he owns property to the south and west of the property in question and has discussed the development with Mr. Neeves. He stated that he is very much in favor of the development.

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 approve the request of Mr. Mark Neeves for a Special Use Permit to construct and operate a small business in general, more specifically, retail stores and shops on property located on the north side of State Route 11 near the intersection of State Route 11/767 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.***

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

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

**(4). Wachovia Bank, N.A. on behalf of Bobby A. Blevins, Property Tax Map # 087-9-2G: Request for a Special Use Permit to operate a light industry, more specifically, a machine shop on property located on the west side of State Route 735 near the intersection of State Route 735/11 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.**

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to application by Wachovia Bank, N.A. on behalf of Bobby A. Blevins for a Special Use Permit to operate a light industry, more specifically, a machine shop on property located on the west side of State Route 735 near the intersection of State Route 735/11 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.

Mr. Bobby Blevins addressed the Board explaining that he was the owner of Specialty Machine Shop in Damascus, VA. He has seven employees. Mr. Blevins stated that his business works with local companies doing machine work and light manufacturing. His intent is to expand his existing business into the property located on State Route 735.

Responding to a question regarding consolidation of his business, Mr. Neeves stated that he is looking to move his entire operation to the new site on State Route 735 and use the current facility for storage.

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

***On motion of Mr. Rector, second by Mr. Roberts, it was resolved to approve the request of Wachovia Bank, N.A. on behalf of Bobby A. Blevins for a Special Use Permit to operate a light industry, more specifically, a machine shop on property located on the west side of State Route 735 near the intersection of State Route 735/11 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.***

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

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

**6 Public Hearing and Board Consideration for Adoption of an Ordinance to Amend Chapter 14, Section 14-3 of the 1997 Code of the County of Washington, Virginia to Waive Building Permit Fees for the Renovation and/or Construction of Commercial and/or Industrial Structures in the Washington County Enterprise Zone**

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to the adoption of an Ordinance to Amend Chapter 14, Section 14-3 of the 1997 Code of the County of Washington, Virginia to Waive Building Permit Fees for the Renovation and/or Construction of Commercial and/or Industrial Structures in the Washington County Enterprise Zone.

Mr. Patrick Mannix addressed the Board expressing his concerns that Washington County was considering two ordinances which would offer financial incentives to businesses locating in the enterprise zone, and at the same time considering an increase to the E-911 Telephone Levy and to establish a tax on wireless telephone communication services. Mr. Mannix stated that the County should not offer the incentives to businesses locating in the enterprise zone and not impose additional tax burdens on the citizens of Washington County.

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

Discussion ensued regarding the adoption of this ordinance.

Ms. Lucy Bright, County Attorney, addressed the Board explaining that when the application was submitted to the Commonwealth of Virginia for an enterprise zone designation, the Board agreed on an incentive package which included the waiver of building permit fees for renovation and/or construction of commercial and/or industrial structures and the waiver of re-zoning and special use permit application fees for renovation and/or construction of commercial and industrial structures.

Ms. Bright further stated that the purpose of the incentives was to attract businesses to the enterprise zone, which would create employment opportunities and overall revitalize the economy.

*On motion of Mr. Ingle, second by Mr. Roberts, it was resolved to adopt the following ordinance:*

***AN ORDINANCE TO AMEND CHAPTER 14, SUBSECTION 14-3 OF THE 1997 CODE OF THE COUNTY OF WASHINGTON, VIRGINIA, TO WAIVE BUILDING PERMIT FEES FOR RENOVATION AND/OR CONSTRUCTION OF COMMERCIAL AND/OR INDUSTRIAL STRUCTURES IN THE WASHINGTON COUNTY ENTERPRISE ZONE***

*WHEREAS, the Virginia General Assembly in 1982 created the Virginia Enterprise Program through the passage of the Virginia Enterprise Zone Act; and*

*WHEREAS, the purpose of the Virginia Enterprise Zone Program is to stimulate business and industrial growth which would result in neighborhood, commercial and economic revitalization by means of regulatory flexibility and tax incentives; and*

*WHEREAS, Washington and Smyth Counties applied jointly for designation of a joint Enterprise Zone and such Enterprise Zone application was approved by the Commonwealth; and*

*WHEREAS, the Washington County Board of Supervisors resolved on January 11, 2000, to approve local incentives to qualified commercial and industrial businesses within the Washington County portion of the joint Enterprise Zone, and*

*WHEREAS, implementation of such local incentives requires amendment of the Washington County Code of Ordinances.*

*NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Supervisors after notice and public hearing, as required by law, hereby amends Chapter 14, Buildings and Building Regulations, by adding item number five (5) to subsection 14-3(f) to waive building permit fees for renovation and/or construction of commercial and industrial structures in the Washington County Enterprise Zone, as set forth below.*

*Chapter 14, Buildings and Building Regulations.*

*Section 14-3, Fees.*

*Subsection (f). Notwithstanding the provisions of this section, no fee shall be charged for a building permit for the construction or renovation of or addition to the following types of structures:*

- (5) Commercial and industrial structures located within the Washington County Enterprise Zone, as defined herein. The "Washington County Enterprise Zone" shall mean the geographic area as defined by maps included as part of the Enterprise Zone designation application, which was approved by the Commonwealth, and as are maintained in the Office of the County Administrator or his designee. This exemption from building permit fee shall be available for the life of the Washington County Enterprise Zone. A business shall be entitled to apply for reimbursement of any building permit fees exempted under this subsection paid to the County after January 11, 2000.*

*(Va. Code §§ 58.1-3221, 59.1-283 (effective until July 1, 2005, unless extended); Resolution 2000-3.)*

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

<i>Mr. Derting</i>	<i>Aye</i>
<i>Mr. Barker</i>	<i>Aye</i>

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

**7 Public Hearing and Board Consideration for Adoption of an Ordinance to Amend Chapter 66, Sections 66-112(F) and 66-113 of the 1997 Code of the County of Washington, Virginia to Waive Re-Zoning and Special Use Permit Application Fees for Renovation and/or Construction of Commercial and Industrial Structures within the Washington County Enterprise Zone.**

Mr. Derting opened the public hearing and invited comments both in support of and in opposition to an Ordinance to Amend Chapter 66, Sections 66-112(F) and 66-113 of the 1997 Code of the County of Washington, Virginia to Waive Re-Zoning and Special Use Permit Application Fees for Renovation and/or Construction of Commercial and Industrial Structures within the Washington County Enterprise Zone.

Mr. Patrick Mannix addressed the Board stating that this ordinance should have been adopted when the enterprise zone designation was given. He was concerned whether or not the ordinance would be retroactive to the date of the incentive package was adopted, and if so, he was concerned about the amount of reimbursements that would be owed to companies that have located in the enterprise zone.

Ms. Lucy Bright, County Attorney, explained that the incentive package was adopted by the Board in January 2000. She further explained that the any fees paid by companies that are applicable to the ordinance would be entitled to reimbursement. She further stated that to her knowledge Westinghouse is the only company that will benefit.

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

***On motion of Mr. Roberts, second by Mr. Ingle, it was resolved to adopt the following ordinance:***

***AN ORDINANCE TO AMEND CHAPTER 66, SECTIONS 66-112(f) AND 66-113 TO WAIVE RE-ZONING AND SPECIAL USE PERMIT APPLICATION FEES FOR RENOVATION AND/OR CONSTRUCTION OF COMMERCIAL AND INDUSTRIAL STRUCTURES WITHIN THE WASHINGTON COUNTY ENTERPRISE ZONE***

***WHEREAS, the Virginia General Assembly in 1982 created the Virginia Enterprise Program through the passage of the Virginia Enterprise Zone Act; and***

***WHEREAS, the purpose of the Virginia Enterprise Zone Program is to stimulate business and industrial growth which would result in neighborhood, commercial and economic revitalization by means of regulatory flexibility and tax incentives; and***

***WHEREAS, Washington and Smyth Counties applied jointly for designation of a joint Enterprise Zone and such Enterprise Zone application was approved by the Commonwealth; and***

***WHEREAS, the Washington County Board of Supervisors resolved on January 11, 2000, to approve local incentives to qualified commercial and industrial businesses within the Washington County portion of the joint Enterprise Zone, and***

***WHEREAS, implementation of such local incentives requires amendment of the Washington County Code of Ordinances.***

***NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Supervisors after notice and public hearing, as required by law, hereby amends Chapter 66,***

*Zoning, sections 66-112(f) and 66-113, to waive re-zoning and special use permit application fees for renovation and/or construction of commercial and industrial structures located in the Washington County Enterprise Zone, as set forth below:*

*Chapter 66, Zoning.*

*Subsection 66-112(f).*

~~*A zoning permit fee of \$50.00 will be charged for each application for rezoning to defray the cost of registered mail and advertising pursuant to Code of Virginia, § 15.1-482, and other costs associated with the rezoning applications.*~~

*Subsection 66-113. Fee.*

- ~~*(1) An additional zoning permit fee of five dollars (\$5.00) will be charged with the building permit fee and collected together with the building permit fee and shall be used to offset cost of maintenance of zoning maps and files.*~~
- ~~*(2) A zoning permit fee of fifty dollars (\$50.00) shall be charged for each application for rezoning and for issuance of a special use permit to defray the cost of registered mail and advertising required by the Code of Virginia and other costs associated with processing the application. However, re-zoning and special use permit application fees shall be waived for construction and/or renovation of commercial and industrial structures located within the Washington County Enterprise Zone, as defined herein. The "Washington County Enterprise Zone" shall mean the geographic area as defined by maps included as part of the Enterprise Zone designation application, which was approved by the Commonwealth, and as are maintained in the Office of the County Administrator or his designee. This exemption from re-zoning and special use permit application fees shall be available for the life of the Washington County Enterprise Zone. A business shall be entitled to apply for reimbursement of any re-zoning and special use permit application fees exempted under this subsection paid to the County after January 11, 2000.*~~

*(Va. Code §§ 58.1-3221, 59.1-283 (effective until July 1, 2005, unless extended); Resolution 2000-3.)*

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

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

**8 Consideration of Dog Damage Claim \$355.00, David Henry, Meadowview, VA**

Mr. David Henry of Meadowview, VA addressed the Board explaining that he is requesting a damage claim for seven lambs killed by dogs. Mr. Henry stated that on December 22, 25 and 26, 2001, he received calls from Fred Parker stating that something had been in the sheep killing a total of seven lambs. Mr. Henry stated that on each occasion he notified animal control and through their investigation confirmed that dogs had killed the lambs. Mr. Henry further stated that he would like to be reimbursed at the rate of \$73.00 per head as opposed to the \$55.00, which was listed in the agenda materials, for a total of \$511.00. He stated that his reasons for the increase to the reimbursement figure was that two weeks after the lambs were killed he sold his remaining stock at \$73.00 per head.

*On motion of Mr. Roberts, second by Mr. Barker, it was resolved to reimburse David Henry for seven lambs killed by dogs at \$55.00 per lamb for a total of \$385.00.*

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

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

**9 Consideration of Resolution Supporting Voluntary Consolidation of Local Departments of Social Services (G. D. Meade, Director, Washington County Department of Social Services)**

Mr. Doug Meade, Director of the Washington County Department of Social Services addressed the Board explaining that the executive budget for 2002-2004 presented by Governor Jim Gilmore proposed the consolidation of local departments of social services as a means of reducing one million dollars from the State general fund for fiscal year 2003 and three million dollars from the general fund for fiscal year 2004. He stated that the total four million dollars has been lost to the Department of Social Services, which will in actuality result in a total loss of 13 million dollars to the 122 social services agencies across the state.

Mr. Meade further explained several studies had been conducted including the one in Washington County and the City of Bristol that concluded there would be no cost savings by consolidating the Departments of Social services. Even those localities that have voluntarily consolidated their departments of social services concluded that there are no cost savings with consolidation.

Mr. Meade stated that the local directors in the state are concerned about the mandated language concerning consolidation that is included in Governor Gilmore's proposed budget. The local directors have been successful in both the House and the Senate with having the language regarding mandatory consolidation struck and replaced with language that calls for voluntary consolidation.

Mr. Meade and all of the state local directors of social services believe the local governing bodies should decide on consolidation.

Mr. Meade requested that the Board adopt a resolution in support of voluntary consolidation and further he requested that the resolution be sent with a cover letter to the local delegation of General Assembly members.

Responding to a question, Mr. Meade stated that 75 department of social services agencies had adopted similar resolutions.

*On motion of Mrs. Mumpower, second by Mr. Rector, it was resolved to approve the following resolution and to forward the resolution to the Southwest Virginia delegation of General Assembly members and other officials and groups as deemed appropriate:*

**RESOLUTION 2002-05**

**CONOLIDATION OF LOCAL DEPARTMENTS OF SOCIAL SERVICES**

*WHEREAS, the Commonwealth of Virginia currently maintains a locally administered, state supervised social service delivery system for it independent counties and cities, and*

*WHEREAS, the budget proposed by Governor Gilmore has identified consolidation of local departments of social services as a means of reducing one million (1M) (GF) for FY 2003 and three million (3M) (GF) for FY 2004; and*

*WHEREAS, in October 1999, KPMG, a consultant firm, conducted a feasibility study at the request of the governing bodies of Washington County and the City of Bristol, Virginia under contract with the Virginia Department of Social Services. The study concluded that there would be no cost saving in consolidating the social service departments in those two localities and consolidation actually had the potential of significantly increasing the cost of social services, and*

*WHEREAS, other studies of local social service agency consolidation conclude that consolidation is appropriate in only select instances and that such consolidations may well result in increased costs; and*

*WHEREAS, this action will have significant negative service delivery and fiscal impact to local governments as well as serious adverse effects on clients; and*

*WHEREAS, the Washington County Board of Supervisors is committed to the efficient and effective delivery of services to the citizens of the Commonwealth who reside in Washington County, and*

*WHEREAS, the Board recognizes the fiscal dilemma that currently faces the Commonwealth and localities;*

*NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Supervisors supports voluntary consolidation of local departments of social services, and that consolidation and the service delivery and cost impact of such consolidations must be a matter of local determination.*

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

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

## 10 Consideration of Expiring Appointments

The following action was taken on consideration of expiring appointments:

### a. Washington County Recreation Advisory Board (appointment/reappointment with all terms ending December 31, 2006)

- Michael Hagy representing the A-01 "Harrison" Election District with current term ending September 8, 2002

*On motion of Mr. McCall, second by Mr. Barker, it was resolved to reappoint Mr. Michael Hagy to represent the A-01 "Harrison" Election District on the Washington County Recreation Advisory Board for a term to be effective immediately and expire on December 31, 2006.*

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

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

- J.C. Scott representing the B-01 "Jefferson" Election District with current term ending June 30, 2004

It was consensus of the Board to defer this appointment until February 26, 2002.

- Eleanor Hutton representing the C-01 "Madison" Election District with current term ending June 30, 2004

*On motion of Mr. Roberts, second by Mr. McCall, it was resolved to reappoint Eleanor Hutton to represent the C-01 "Madison" Election District on the Washington County Recreation Advisory Board for a term to be effective immediately and expire on December 31, 2006.*

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

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

- Rebecca Selfe representing the D-01 “Monroe” Election District with current term ending June 30, 2002

*On motion of Mr. Rector, second by Mr. Roberts, it was resolved to reappoint Rebecca Selfe to represent the D-01 “Monroe” Election District on the Washington County Recreation Advisory Board for a term to be effective immediately and expire on December 31, 2006.*

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

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

- Janet Campbell representing the E-01 “Taylor” Election District with current term ending June 30, 2003

*On motion of Mr. Roberts, second by Mr. McCall, it was resolved to reappoint Janet Campbell to represent the E-01 “Taylor” Election District on the Washington County Recreation Advisory Board for a term to be effective immediately and expire on December 31, 2006.*

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

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

- Kathy Fleenor representing the F-01 “Tyler” Election District with current term ending June 30, 2005

It was consensus of the Board to defer this appointment until the February 26, 2002, meeting.

- Wayne Fields representing the G-01 “Wilson” Election District with current term ending June 30, 2002

*On motion of Mrs. Mumpower, second by Mr. Ingle, it was resolved to reappoint Wayne Fields to represent the G-01 “Wilson” Election District on the Washington County Recreation Advisory Board for a term to be effective immediately and expire on December 31, 2006.*

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

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

*Mr. Roberts*                      *Aye*

- Chip Barker, At-Large representative with current term ending June 30, 2004

*On motion of Mr. McCall, second by Mr. Barker, it was resolved to reappoint Chip Barker as the At-Large member on the Washington County Recreation Advisory Board for a term to be effective immediately and expire on December 31, 2006.*

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

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

**b. Washington County Board of Building Code of Appeals, Term of R. Leon Denton, F-01 "Tyler" Election District, Expires January 11, 2002**

*On motion of Mr. Barker, second by Mr. Rector, it was resolved to appoint Randall Brooks to represent the F-01 "Tyler" Election District on the Washington County Board of Building Code of Appeals for a four year term to be effective immediately and expire on January 11, 2006.*

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

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

**11 Recess**

It was consensus of the Board not to take a recess.

**12 Consideration of Appointments to Highlands Community Services Board, Vacant Position Formerly held by Marianne Grzywacz (resigned July 10, 2001)**

It was consensus of the Board to defer this appointment until the February 26, 2002 meeting.

**13 Consideration of Ordinance to Increase Rate of Tax for E-911 Telephone Levy**

Mr. Mark Reeter, County Administrator, addressed the Board regarding the proposed increase in the rate of tax for the E-911 Telephone Levy. He reviewed an E-911 Project Fund Analysis. Mr. Reeter explained that on the revenue breakdown portion of the analysis it showed a beginning balance of \$89,000 for FY 1999-2000 and a projected beginning balance of \$40,000 for FY 2002-2003. Mr. Reeter stated that the \$40,000 was not E-911 Telephone Levy funds, but dollars out of the General Fund not expended on the E-911 Multi-Line Central Dispatch Radio/E-911 Console System Project.

Mr. Reeter further stated that both beginning fund balances were dollars from the General Fund. There were no beginning balances for Fiscal Years 2000-2001 and 2001-2002.

Mr. Reeter stated that the figures in the report are within 15-20% of being accurate and more expenditures could likely be documented.

Mr. Reeter reported that revenue derived from the E-911 Telephone Levy should pay 10% of salary and benefits for the Geographic Information Systems (GIS) Manager and 30% of salary and benefits for the GIS Technician, based on the estimated time these positions work on the E-911 system. In addition to these salaries, the E-911 Fund pays for a part-time General Services Technical Aide and 90% of salary and benefits for the Emergency Services Coordinator.

Discussion ensued in regards to the proposed tax increase and an appropriate figure for the increase. It was stated that the rate had not been adjusted since its implementation twelve years ago. It was further stated that the tax should be looked at each year for possible adjustment.

*On motion of Mr. Ingle, second by Mr. Barker, it was resolved to advertise for a public hearing to receive comments regarding an ordinance to amend Chapter 58, Section 58-391 of the Code of Washington County, Virginia to increase the monthly E-911 tax from \$0.65 to one dollar (\$1.00).*

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

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

#### **14     Consideration of Ordinance to Establish Tax on Wireless Telephone Communication Services**

Discussion ensued regarding the establishment of tax on wireless telephone communication services.

Mr. Barker voiced support for the possibility of applying the monthly taxes assessed on household telephones to cell phones. He cited budget constraints, probable cuts in state and federal revenues and the need to continue services, which may be lost to the county without new revenue. He mentioned that some families, particularly younger people, are opting for cell phones over household phones.

Mr. Ingle stated his opposition to a tax on wireless telephone communication services. He further commented that this tax only targets a select group of citizens, which is not fair.

Mr. Roberts commented that he has mixed feelings about implementing a tax on wireless telephone communications.

Mrs. Mumpower addressed the Board voicing her opposition to the tax on wireless telephone communication services due to it targeting only a select group of citizens.

Mr. Rector commented that if a meals and lodging tax were revisited and eventually approved that the majority of the funds should go to the fire and rescue departments.

Mr. Derting stated that there is a provision in federal legislation that cell phones could be obtained for E-911 calls only without a monthly charge.

Mr. McCall stated that it is his opinion that most wireless phones are used by businesses. He would be in favor of visiting this issue at a later date.

After much discussion, no action taken.

## **15 County Administrator Reports**

The following action was taken on County Administrator comments:

### **a. Multi-Line Central Dispatch Radio/E-911 Console System Project - Final Report**

Mr. Mark Reeter, County Administrator asked Mark Seamon, Accounting and Purchasing Manager to comment on this item.

Mr. Derting left the Board Table at 8:25 PM.

Mr. Seamon addressed the Board explaining that a year ago an administrative project committee was formed to accomplish the task of upgrading the Central Dispatch by purchasing a Multi-Line Central Dispatch Radio/E-911 Console System. This need was brought about by the result of Sprint phasing out its Rockwell Analog E-911 switch located in Johnson City, Tennessee.

Mr. Seamon stated that the procurement was the biggest and most complicated undertaking by the County without having outside professional assistance. The Accounting and Purchasing Department assisted the Committee with all procurement requirements during the project. The General Services Department was involved with special renovations of the Valley Street Building.

The award of the contract for the new system was made on June 26, 2001. The renovation and installation of equipment were completed on October 18, 2001.

Mr. Seamon reported that the project was completed under budget and a balance of \$39,594.95 can be used for other E-911 purposes.

Mr. Derting returned to the Board Table at 8:35 PM.

Mr. Reeter commended the Committee for their hard work on this successful project. He further stated that Washington County now has a state-of-the-art dispatch and E-911 system, the best in Southwest Virginia.

### **b. VML/VACo Legislative Day, January 31**

Mr. Reeter deferred comments to Mr. Derting and Mr. Ingle.

Mr. Derting reported that during the trip to Richmond they met with area legislators and received very discouraging news regarding revenue for the next several fiscal years. He further stated the responsibility for funding various projects, which will be determined, may become the responsibility of each locality.

Mr. Ingle reported that the Virginia Department of Transportation is in poor financial shape and that the future of road projects in Washington County is uncertain. Mr. Ingle further reported on the presentation made at the Virginia Board Chairman's Institute on the Smyth-Washington Regional

Industrial Facilities Authority and the City of Bristol on the Clear Creek Voluntary Settlement Agreement.

**c. Consideration of Joint Meeting with Washington County School Board on March 21, 2002, to Conduct a Workshop on the FY 2002-03 Budget**

Mr. Reeter addressed the Board stating that the Dr. Alan Lee had contacted him requesting a joint meeting between the School Board and Board of Supervisors to discuss the FY 2002-03 budget. Mr. Reeter stated that he had informed Dr. Lee that a Joint Budget Review Committee meeting should be held before scheduling a joint meeting of the two bodies. Dr. Lee had stated that a Committee meeting had been scheduled but was postponed due to an injury to a Committee member.

It was consensus of the Board for Mr. Reeter to schedule the joint meeting with the School Board for March 21, 2002 at 7:00 PM at the School Board office.

**d. Scheduling of Joint Meeting with Washington County Planning Commission to discuss private streets issue, February 20, 2002, 7:30 PM, Conference Room 1**

Mr. Reeter reminded the Board of the joint meeting with the Planning Commission on February 20, 2002. at 7:30 PM in Conference Room #1. Mr. Reeter stated that he had invited to the joint meeting representatives from the development and construction community, real estate agents and personnel from the Virginia Department of Transportation.

**16 County Attorney Reports**

Ms. Lucy Bright, County Attorney, addressed the Board explaining that the Virginia Highlands Airport Commission has requested and provided a provision to the Washington County Planning Commission for an amendment to the County Zoning Ordinance to provide better protection at the end of the airport runway. The current ordinance provides for protection of the vertical surface area, but does not prevent buildings or construction of other permanent structures at the end of the runway protection zone. The Board was given a copy of the proposed ordinance.

Ms. Bright further explained that the Planning Commission has authorized a public hearing at their February meeting to consider the ordinance and the item would be brought before the Board of Supervisors at their March 12, 2002 meeting.

**17 Consent Agenda**

- a. Payment of Bills for February 2002
- b. Request for Revenue Refund in the Amount of \$36.00 to the Washington County Park Authority

*On motion of Mr. Rector, second by Mr. Barker, it was resolved to approve the consent agenda.*

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

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

## 18 Board Member Reports

Mrs. Mumpower requested that Washington County Fire and Rescue #1, Inc. be placed on the list to receive a surplus vehicle.

Mr. Roberts distributed a letter he received from Dr. G. Michael Rush a Trustee for Backer Park in Damascus. Mr. Roberts reported that a group of volunteers in Damascus are working on a project to improve the outdoor facilities at Backer Park. The Volunteers have resurveyed, graded, reseeded, and redesigned the playing field, painted the stadium and developed goals and plans for further improvement. Mr. Roberts stated that their immediate need is financial assistance to pay for outfield fencing. The total cost is \$11,400.00. The volunteers have received donations to fund the project and are \$1,500.00 short. They are requesting the Board of Supervisors give the \$1,500.00 needed to complete funding for the outfield fencing. Mr. Roberts reminded the Board that Holston High School plays their baseball games at Backer Park.

*On motion of Mr. Roberts, second by Mr. Ingle, it was resolved to transfer \$1,500.00 from Contingencies to the Town of Damascus, VA Recreation Line Item for the benefit of Backer Park to assist with costs associated with the outfield fencing project.*

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

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

Mr. McCall reported that the Comprehensive Planning meetings had been well received in each community and that citizens had voiced there appreciation for the opportunity to voice their comments.

## 19 Recess to February 20, 2002, for Joint Meeting with Washington County Planning Commission, 7:30 PM, Conference Room 1, County Administration Building

*On motion of Mr. Rector, second by Mr. Barker, it was resolved to recess to February 20, 2002, for a Joint Meeting with Washington County Planning Commission, 7:30 PM, Conference Room 1, County Administration Building.*

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

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

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Prepared by:

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Naoma A. Cook, Recording Clerk

**Approved by the Washington County  
Board of Supervisors:**

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Joe W. Derting, Chairman