

VIRGINIA:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, March 9, 2004, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

PRESENT:

John B. Roberts, Sr., Chairman
Phillip B. McCall, Vice Chairman
Bobby D. Ingle
Odell Owens
Anthony S. Rector
Kenneth O. Reynolds

Mark K. Reeter, County Administrator
Lucy E. Phillips, County Attorney
Mark W. Seamon, Accounting Manager
Naoma A. Mullins, Recording Clerk

ABSENT:

Dulcie M. Mumpower

1. Call to Order

The meeting was called to order by Mr. John Roberts, Chairman of the Board, who welcomed everyone in attendance. Mr. Roberts noted that Supervisor Dulcie Mumpower was ill and would not be attending the meeting.

2. Invocation and Pledge of Allegiance

Supervisor Phillip McCall gave the Invocation and led the Pledge of Allegiance.

3. Approval of Agenda

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

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

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

4. Approval of Minutes

On motion of Mr. Ingle, second by Mr. Reynolds, it was resolved to approve the minutes of the February 24, 2004, regular meeting as presented.

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

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

5. Presentation of Employee Service Pins & Certificates

Chairman John Roberts and County Administrator Mark K. Reeter presented the following service pins:

- a. Carol Dorton Barrett
5 Years of Service
Economic Development Department

- Mary Blevins
5 Years of Service
Solid Waste Department

- Kim Tuggle
5 Years of Service
Solid Waste Department

- b. Linda Jackson
15 Years of Service
Accounting Department

Mr. Roberts and Mr. Reeter expressed their appreciation for the superior service received from these employees.

6. Public Hearings

a. Requests for Special Exception Permit:

(1). Donald D. Wright, Property Tax Map # 123C-2-21A: Request for a Special Exception Permit to construct and operate mini-storage warehouse facilities on property located on the north side of State Route 11 near the intersection of State Route 869/Rt. 11 in a B-2 (Business, General) zone, Wilson Magisterial District

Mr. Roberts opened the public hearing to receive comments both in support of and in opposition to the application of Donald Wright for a special exception permit.

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

Discussion ensued among the Board.

On motion of Mr. Ingle, second by Mr. Owens, it was resolved to follow the recommendation of the Washington County Planning Commission and approve the application of Donald D. Wright, for a Special Exception Permit to construct and operate mini-storage warehouse facilities on property located on the north side of State Route 11 near the intersection of State Route 869/Rt. 11 in a B-2 (Business, General) zone, Wilson Magisterial District with the stipulation that all water control measures be met and to allow Mr. Wright 60 months to complete his project.

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

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

(2). Henry Gobble, Jr.: Property Tax Map #148-3-15: Request for a Special Exception Permit to operate a small business in general, more specifically, a automobile restoration and rebuilding facility on property located on the north side of State Route 674 near the intersection of State Route 674/Route 710 in an A-1 (Agricultural, Limited) zone, Madison Magisterial District, E-01 Election District

Mr. Roberts opened the public hearing to receive comments both in support of and in opposition to the application of Henry Goble for a special exception permit.

Mr. Henry Gobble addressed the Board in support of his application. He explained that he needed a special exception permit to allow him to rebuild damaged vehicles that he intends to purchase from insurance companies. He would then sell the restored vehicles from his used car lot, which the Board authorized by special exception permit issued in February, 2004.

Responding to an inquiry from the Board, Mr. Gobble explained that his business would not be a salvage yard. He advised the Board that the cars would be rebuilt off site at several local garages and then brought back to his used care lot to be sold.

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

On motion of Mr. Reynolds, second by Mr. Rector, it was resolved to follow the recommendation of the Washington County Planning Commission and approve the application of Henry Gobble, Jr. for a Special Exception Permit to operate a small business in general, more specifically, a automobile restoration and rebuilding facility on property located on the north side of State Route 674 near the intersection of State Route 674/Route 710 in an A-1 (Agricultural, Limited) zone, Madison Magisterial District, E-01 Election District.

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

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

(3). James (Ruddy) Duty on behalf of Jack Hall of Cherokee Natural Stone, LLC, Property Tax Map # 044-3-B: Request for a Special Exception Permit to operate a rock quarry on property located on the east side of State Route 687 near the intersection of State Route 687/Rt. 689 in a CR (Conservation Recreation) zone, Jefferson Magisterial District

County Administrator Mark Reeter addressed the Board explaining the County received correspondence from Mr. James (Ruddy) Duty wherein he requested continuation of his request for a Special Exception Permit on behalf of Cherokee Natural Stone, LLC. Mr. Duty stated that his request was made because the location maps, obtained from the County GIS Department, identifying the specific parcel of land to be quarried by Cherokee Natural Stone incorrectly identified the specific location of the operation. The continuance would allow Mr. Duty time to obtain more accurate maps that better identify the division of his property.

Mr. Reeter further explained that there had been confusion with the Planning Commission and Board of Supervisors regarding the scope of operation for the Cherokee Natural Stone operation. He stated that the location maps presented identify a much larger land area to be quarried by Cherokee Natural Stone than is actually the case. Mr. Reeter stated that Mr. Duty has allowed a second quarrying operation doing business as North Side Stone, Inc. to quarry several tracts of land adjacent to the site proposed for quarrying by Cherokee Natural Stone. He advised the Board that a map had been prepared for their use that would clarify the geographic limits for the rock quarry operation subject to the special exception permit application made by Mr. Duty on behalf of Cherokee Natural Stone.

County Zoning and Subdivision Official Cathie Freeman addressed the Board explaining that Mr. Chip Barker, Legal Counsel for Cherokee Natural Stone, was present in the audience and had asked her to let the Board know that he would like to address the Board to request a continuance on behalf of Cherokee Natural Stone. Ms. Freeman advised the Board that Mr. Barker was requesting a continuance. Chairman John Roberts acknowledged Mr. Barker and invited him to the podium.

Attorney Chip Barker, Legal Counsel for Cherokee Natural Stone, LLC, addressed the Board on behalf of his client. Mr. Barker advised the Board that his client seeks a continuance on the request for a special exception permit until the time that the Board of Supervisors hears the application for North Side Stone, Inc. He stated that the County tax maps incorrectly identify the parcels on which the rock quarry operation by Cherokee Natural Stone, LLC, is located, and he stated that the County Planning and Zoning Department had submitted a request to the County GIS Department for the maps to be corrected. Mr. Barker explained that his client had made a substantial financial investment, and the Board should have the accurate tax map information before considering the request for Special Exception Permit. In addition, he explained that he was brought into this matter only in the last several days; therefore, he would like additional time to provide an adequate defense for his client.

Supervisor Bobby Ingle addressed the Board explaining that he felt the Board should proceed with the public hearing on the request for Special Exception Permit made by Mr. Duty on behalf of Cherokee Natural Stone, LLC. Mr. Ingle explained that the County just recently learned of the alleged problems with the tax maps. He stated that it was clear from a site inspection where the Cherokee Natural Stone, LLC, rock quarry operations were proceeding. He stated his understanding that other members of the Board had visited the site to view the operation. Further, he stated that a continuation of the public hearing could result in more significant environmental damage done to the area in which the rock quarry is located.

Jane Oakes, a citizen in the audience, stood and stated to the Board that a considerable number of people were in the audience to comment on the proposed special exception permit. She asked that the Board proceed with its consideration of the application.

Discussion ensued among the Board regarding the continuation request made by Mr. Duty and Mr. Barker.

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to proceed with the public hearing concerning the request for a Special Exception Permit made by James (Ruddy) Duty on behalf of Jack Hall of Cherokee Natural Stone, LLC, to operate a rock quarry on property located on the east side of State Route 687 near the intersection of State Route 687/Rt. 689 in a CR (Conservation Recreation) zone, Jefferson Magisterial District.

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

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Nay</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Nay</i>
<i>Mr. Roberts</i>	<i>Aye</i>

Mr. Roberts opened the public hearing to receive comments both in support of and in opposition to the application of Ruddy Duty for a special exception permit.

Mr. Jack Hall, Owner of Cherokee Natural Stone addressed the Board to request a Special Exception Permit to operate his rock quarry business. Mr. Hall advised the Board he had obtained all of the necessary permits for the operation (in reference to permits from the Commonwealth Department of Mines, Minerals, and Energy). He stated that it is not the intent of his company to destroy the land being mined. Mr. Hall explained that the land would be reclaimed to a better state than before it was mined. He further explained that his company had followed adequate storm water drainage and reclamation procedures. In addition, he stated that employees of Cherokee Natural Stone, LLC depend on this business to support their families. Mr. Hall said his goal is to remove stone that is sold in 38 states, create jobs and contribute to the tax base in Washington County.

Responding to an inquiry from County Attorney Lucy Phillips, Mr. Hall explained that approximately an acre of land had been excavated. He further explained that equipment being used on the site includes a rubber tire front-end loader, dump truck and an excavator.

Responding to an inquiry from the Board, Mr. Hall stated that the Department of Mines, Minerals and Energy inspects the site two to three times per month.

Supervisor Bobby Ingle addressed the Board explaining that he met with Mr. Mack Hagy from the Department of Mines, Minerals and Energy (DMME) and Mr. Hagy told Mr. Ingle that the DMME inspectors normally inspect rock quarry sites twice a year.

Responding to an inquiry from the Board, Mr. Hall stated that he had been operating on the current site for seven years.

Mr. Ruddy Duty addressed the Board explaining that inspectors with DMME had done numerous inspections to the site in question due to complaints they received. Mr. Duty advised the Board that the inspectors had told him the quarry operation was in compliance with their regulations.

Attorney Chip Barker, representing Cherokee Natural Stone, LLC, addressed the Board presenting facts regarding the company. Mr. Barker explained that Cherokee Natural Stone, LLC had been an operating entity for three years and was required to post a bond for reclamation expenses resulting from the operation. The company currently employees eight people and in warmer weather plan to increase their employment to 15. The company averages approximately one truck of stone per week.

Mr. Barker asserted that for the past seven years, Mr. Hall and Mr. Duty had been told by the County that a Special Exception Permit would not be required if there was no blasting. Mr. Barker stated his client has not blasted on the site and further no blasting would ever occur. In July of 2003, the DMME implemented the requirement that rock quarries of this nature would be required to obtain permits similar to those obtained by coal mining operations. Mr. Barker stated that the quarry site in question is inspected twice a month by the DMME inspectors. He further asserted that the County is misinterpreting its zoning ordinance by requiring a special exception permit just because DMME now requires a permit. Mr. Barker requested that the Board give strong consideration to the request for the Special Exception Permit.

The following people spoke in opposition to the application:

Ms. Jane Oakes addressed the Board explaining her reasons for opposing the application. Ms. Oakes advised the Board that three days prior to the Planning Commission's public hearing on the Special Exception Permit request, she took photographs of the site. She stated that the photographs clearly show the disturbance to the land from the rock quarry and further that because of the quarry operation there are no longer any trees or grass on the site. Ms. Oakes shared her photographs with the Board, and upon request, confirmed that the photographs she gave the Board depicted only the operations of Cherokee Natural Stone and not any operations of North Side Stone. Ms. Oakes expressed her concern that this rock quarry could cause an ecological disaster to a conservation/recreationally-zoned area.

Mr. Mark Pratt addressed the Board explaining that he purchased property to build a home from Mr. Duty. Mr. Pratt stated his primary reason for purchasing the property was because of the beautiful mountain scenery. Now the mountain is being destroyed and no longer desirable to view. He further explained that the wind blows the dust from the rock quarry site onto his property that settles on his house and vehicles.

Mr. Neil Kilgore with the Department of Conservation and Recreation addressed the Board explaining that he was not speaking in opposition or in favor of the application. Mr. Kilgore further explained he would be addressing concerns with water quality. He distributed photographs taken of the Cherokee Natural Stone site on February 23, 2004. Mr. Kilgore advised the Board that according to the State, Cherokee Natural Stone is a legitimate operation. They have a license for operation and have currently applied for a permit from DMME. However, he explained that the rock quarry site is located in a conservation/recreation area zoned area and there are concerns with the trout stream located in the area. Trout streams in Washington County have the potential to generate significant economic income. In addition, the North Fork of the Holston River is the best river in Virginia for bass fishing. Mr. Kilgore reviewed the following water quality concerns with the Board:

- Close proximity of the operation to the Brumley Creek Trout Stream.
- Potential for sediment inputs into the stream from the rock quarry site especially considering the record rainfall amounts in the last several years.
- Potential for petroleum based products from the heavy equipment running off into the stream.
- There is an increase in runoff due to loss of vegetation on the slopes and access road. As of February 23, 2004, there were no measures in place to protect the stream. Mr. Kilgore explained that according to Mack Hagy from DMME provisions are being made to install berms on the site. In addition, Mr. Kilgore stated that the site needs vegetation to assure that the berms are stable.
- Instability of the site. When a site gets beyond the angle of repose there is potential for rockslides especially during this time of the year. Additional measures need to be put in place to prevent this from happening.
- There is a one thousand dollar per acre bond placed on the property. The bond money is used by the Commonwealth to reclaim the land should the operation go out of business and not fund

reclamation expenses. Mr. Kilgore asserted that the amount of the bond is not a sufficient amount of money to reclaim property.

Mr. Kilgore asked the Board to consider the following recommendations should they decide to issue the Special Exception Permit:

- Installation of water diverting berms to contain the runoff on site so it will infiltrate into the site and not go off site.
- Stream crossings and roadways stabilization with riprap stone
- Other disturbed areas located near the stream should be stabilized using silt fence, seed and mulch.
- Install energy dissipating structures on roadway drainages, as well as water barring the roads. Riprap stone needs to be installed at the outfall points of the water bar to protect from erosion.
- Before and after photo footage to document any potential damage to the stream.
- Stream sampling during storm events above and below the mining site and establish baseline set of data.
- Frequent and random inspections to insure compliance.

A question and answer period ensued between members of the Board and Mr. Kilgore regarding Mr. Kilgore's remarks.

Mr. Roscoe Jones addressed the Board explaining that he moved to the Brumley Gap area three years ago. Mr. Jones asserted that during the past two years Cherokee Natural Stone had accelerated their mining business causing a great disturbance to the land. He expressed his frustration that the operation was allowed to continue without a permit and alleged that it operated illegally for two years. Mr. Jones expressed his concerns with potential pollution to the water stream and danger of a mudslide occurring. He stated that the land values in the areas surrounding the rock quarry have been decreased as a result of the environmental degradation.

Mr. Arlie Tweed addressed the Board explaining that he had witnessed mud in the water stream. Mr. Tweed expressed concerns regarding the width of the road leading to the quarry site and that the road is not wide enough for vehicles to pass trucks going to or coming from the rock quarry site.

Mrs. Angela Boyda addressed the Board regarding her concerns with the enforcement of the County's Zoning Ordinance.

The following people spoke in favor of the application:

Ms. Sarah Webb addressed the Board explaining that she was the daughter of Mr. Duty. Ms. Webb advised the Board that several rock mining operations were going on in the area without a permit. She stated that the valley is precious to its residents and that her father means no harm to the land or his neighbors. Ms. Webb explained that many of the people that live in this area need the money that is generated from the rock quarry.

Mr. James (Ruddy) Duty addressed the Board explaining that the water from the stream has been tested and he was told it checked out okay.

Mr. Chip Barker addressed the Board to provide clarification to several comments made. Mr. Barker stated that Cherokee Natural Stone has never been an illegal operation. He explained that on August 19, 2003, they were issued a permit from DMME and further that the requirement to obtain a permit did not take effect until July 1, 2003. The operation had six months to comply with the new DMME regulations. Mr. Barker further explained that water quality monitoring is an extensive part of the permit. There are requirements for testing and sediment control. Recently, a sediment pond has been constructed on site that was designed by an engineer with assistance from DMME. If the

operation is in violation of any DMME regulations they are immediately cited with a violation. If the violation is not corrected in an assigned amount of time they are shut down by DMME. The assertion that only one thousand dollars is available for reclamation should the operation go out of business is incorrect. Virginia has a bonding pool of funds available that could be tapped into for reclamation. Mr. Barker addressed the concerns regarding safety due to truck traffic. He explained that there were campers larger than the trucks hauling the stone that traveled the road to the two campgrounds located in the area. Lastly, Mr. Barker stated that Cherokee Natural Stone is not the major culprit of the alleged problems with dust and mud. In conclusion, Mr. Barker asked that the Board approve the Special Exception Permit or grandfather the site.

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

Discussion ensued at length among the Board. Some members of the Board expressed their interest in having a representative from DMME attend a meeting of the Board to describe DMME regulation of rock quarries and to address the County's responsibility concerning these type operations. A Board member expressed concern about denying the request for a Special Exception Permit and the effect it would have on the business' employees. Another Board member stated Washington County is consistently putting forth effort to market its natural resources and there must be a way to market the rock that would work for all parties involved.

Supervisor Bobby Ingle addressed the Board. Mr. Ingle commended the service of Mr. Ruddy Duty as his representative on the Washington County Planning Commission. He stated that Mr. Duty is a good neighbor and his long time friend. Mr. Ingle explained that as a former strip miner, he is very acquainted with the regulations of the DMME. In a recent meeting with DMME inspectors the inspectors advised Mr. Ingle that rock quarries are not regulated as extensively as coal mining operations. Further they are only required to inspect a rock quarry two to three times per year. Mr. Ingle explained that DMME began regulating the rock quarries because of the amount of land being disturbed from the rock mining activities.

Mr. Ingle stated that he did not realize the rock quarrying operation was going on the scale it is until this past Fall after the leaves had fallen from the trees. He explained that he was appalled at the condition of Brumley Gap Mountain. The trees have been stripped and some of the berms were made with brush and straw bails that decayed in a short period of time. He concurred with the comments regarding a potential ecological disaster in this area. Mr. Ingle cited a portion of Section 66-273 of the County Zoning Ordinance dealing with Conservation and Recreation (CR) zoned areas wherein it states that in a CR district the following uses or structures may be permitted only if approved with the issuance of special exception as provided in this Chapter. He stated that number 10 of this Chapter deals with rock quarries. Mr. Ingle explained that until the DMME started regulating this type of business they were not considered rock quarries.

Mr. Ingle pointed out that the Planning Commission heard this request for a Special Exception Permit and acted to deny the request by a 5-1 vote. Mr. Ingle stated that he could not with good conscience recommend that the Board overturn the Planning Commission's decision. Subsequently, the following action was taken:

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to follow the recommendation of the Washington County Planning Commission and deny the application of James (Ruddy) Duty on behalf of Jack Hall of Cherokee Natural Stone, LLC, for a Special Exception Permit to operate a rock quarry on property located on the east side of State Route 687 near the intersection of State Route 687/Rt. 689 in a CR (Conservation Recreation) zone, Jefferson Magisterial District

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

Mr. Ingle

Aye

Mr. McCall *Aye*
Mr. Owens *Nay*
Mr. Rector *Aye*
Mr. Reynolds *Nay*
Mr. Roberts *Aye*

In another matter, Mr. Ingle addressed the Board concerning the North Side Stone, Inc. operation. He inquired as to why a request for Special Exception Permit on the North Side Stone site was not brought before the Board along with Cherokee Natural Stone. Mr. Ingle stated that the North Side site was the larger one and the one he felt was most destructive. He explained that North Side has obtained its permit from DMME; therefore, it should be required to obtain a Special Exception Permit from the County. Mr. Ingle explained that the process for obtaining a Special Exception Permit would take about two months. He expressed concern there could be further damage caused to the mountain from this mining operation before a request for Special Exception Permit is brought before the Board.

Mr. Ingle advised the Board that he would like the County Attorney to petition the court for an emergency hearing to request an injunction against the North Side Stone site to have all operations ceased until it applies for a Special Exception Permit and it can be heard before the Washington County Planning Commission and Board of Supervisors.

Discussion ensued among the Board regarding this issue.

County Administrator Mark Reeter addressed the Board explaining that the County deals with various state regulatory agencies. In most cases when a land use permit is required by a state agency, the permit is contingent upon the applicant obtaining all necessary permits from the County. If no local laws exist then the County is often asked to sign off on the project. However, Mr. Reeter explained that the DMME is the exception, as their regulations do not make their permits and licenses contingent upon local licensing. Therefore, an entity can obtain a license from DMME without first obtaining any local permits that are required.

On motion of Mr. Ingle, second by Mr. McCall, the Board acted to direct the County Attorney to request an emergency hearing from the Court in order that the County could seek an injunction to have the operation of North Side Stone, Inc. ceased until the time that the Washington County Planning Commission and Washington County Board of Supervisors can conduct a public hearing on a request for Special Exception Permit from North Side Stone, Inc.

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

Mr. Ingle *Aye*
Mr. McCall *Aye*
Mr. Owens *Nay*
Mr. Rector *Aye*
Mr. Reynolds *Aye*
Mr. Roberts *Aye*

b. Recess

It was consensus of the Board to take a ten-minute recess.

c. Public Hearing to Solicit Input on the Proposed Community Development Block Grant Applications to be Submitted to the Virginia Department of Housing and Community Development for the Construction of a Community Services Facility in the Meadowview Community and the Extension of Public Water along Old Mill Road

Mr. Brian Martin with Mount Rogers Planning District Commission presented the Board with a review of Community Development Block Grant (CDBG) Application packages for two (2) proposed CDBG projects to be submitted by the County to the Virginia Department of Housing and Community Development. The two proposed projects are (1) Meadowview Community Services Facility Project and (2) Old Mill Road Public Water and Housing Rehabilitation Project.

Mr. Martin explained that the Old Mill Road Public Water and Housing Rehabilitation Project would provide water to 14 homes. He stated that six water samples were taken and all six were positive for coliform bacteria. In addition to water connections, the 14 homes qualify for housing rehabilitation. Mr. Martin further explained the grant amount being request is \$797,439.00 matched by local in-kind contributions of \$72,096.00 from the Washington County Service Authority and cash participation from People, Inc., of \$60,000.00.

Responding to an inquiry from the Board, Mr. Martin explained that the County in the form of a grant would give the money for housing rehabilitation to the property owner. In exchange the property owner will give a ten-year property deed to the County.

Mr. Martin explained that the Meadowview Community Facility and Health Care Clinic would provide free/sliding fee healthcare to the residents of the community of Meadowview. The facility would provide medical services, healthcare screenings, community awareness activities and wellness education. The project area has a documented need for this type of facility to address unmet healthcare needs in an area with a high rate of low-to-moderate income families. The amount of the grant being requested is \$671,151.00 matched by local contributions of \$90,000.00.

Responding to an inquiry, Mr. Martin explained that the Saltville Medical Clinic would handle the day-to-day operations of the Health Care Clinic, as well as staff and equip the facility. The building would be owned and operated by the Meadowview First Organization.

At this time, Mr. Roberts opened the public hearing and invited comments both in support of and in opposition to the proposed Community Development Block Grant applications.

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

Supervisor Tony Rector addressed the Board regarding the Meadowview Community Facility and Health Clinic. Mr. Rector acknowledged the hard work and dedication of the Meadowview First Committee in putting the project together. He further commented that the Old Mill Road Public Water and Housing Rehabilitation Project is an excellent project and that housing rehabilitation is needed in the County. Mr. Rector explained that grant money is available for housing rehabilitation and stated that the County needs to be aggressive in seeking these grant funds.

Discussion ensued among the Board. The Board members acknowledged the work and dedication of the Meadowview First Committee.

On motion of Mr. Rector, second by Mr. Ingle, it was resolved to adopt the following resolutions:

RESOLUTION 2004-04

**IN SUPPORT OF A
VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT
APPLICATION FOR THE
MEADOWVIEW COMMUNITY FACILITY AND HEALTH CLINIC**

WHEREAS, pursuant to two (2) public hearings held February 10, 2004 and March 9, 2004, Washington County wishes to apply for \$671,151 of Community Development Block Grant Funds for the Meadowview Community Facility and Health Clinic Project, and,

WHEREAS, \$90,000 of local match (local and private combination) will also be expended on this project, and,

WHEREAS, it is anticipated that the Meadowview Community Facility and Health Clinic will address unmet medical and healthcare needs in the Meadowview community and positively impact the lives of the residents which needs assessment surveys indicate are 92% low-to-moderate income.

NOW THEREFORE BE IT RESOLVED that the Chairman of the Washington County Board of Supervisors is hereby authorized to sign and to submit the appropriate documents for this Community Development Block Grant application.

RESOLUTION 2004-05

**IN SUPPORT OF A
VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT
APPLICATION FOR THE
OLD MILL ROAD PUBLIC WATER AND HOUSING REHABILITATION PROJECT**

WHEREAS, pursuant to two (2) public hearings held February 10, 2004 and March 9, 2004, Washington County wishes to apply for \$797,439 of Community Development Block Grant Funds for the Old Mill Road Public Water and Housing Rehabilitation Project, and

WHEREAS, \$132,096 of local match will also be expended on this project, which represents in-house participation from the Washington County Service Authority (WCSA) of \$72,096 and cash participation from People, Incorporated of \$60,000

WHEREAS, it is anticipated that this Comprehensive Community Development project will benefit the 14 houses in the project area where the residents are 79% low-to-moderate income according to the needs assessment survey.

NOW THEREFORE BE IT RESOLVED that the Chairman of the Washington County Board of Supervisors is hereby authorized to sign and submit the appropriate documents for this Community Development Block Grant application.

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

*Mr. Ingle Aye
Mr. McCall Aye*

<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

7. Consideration of Participation in Regional Solid Waste Management Plan

County Administrator Mark Reeter addressed the Board explaining that the Virginia Department of Environmental Quality is requiring all localities to submit a new Solid Waste Management Plan by July of this year. Presently, Washington County and other localities of the Mount Rogers Planning District are covered under a regional plan developed by the Planning District in the early 1990's. The current regional plan does not meet all of the revised DEQ requirements, and the PDC localities of Grayson and Carroll Counties and the Cities of Galax and Bristol are submitting their own plans rather than continuing to be covered by the regional plan. Mr. Reeter advised the Board that the County could write their own Plan using a consulting engineer at the cost of \$30,000.00 or could continue participating in a regional effort with Bland, Smyth and Wythe Counties for \$15,000.00, which is Washington County's a pro-rated share based on population.

Mr. Reeter recommended that the County participate in a regional Solid Waste Management Plan primarily due to the cost savings.

Responding to an inquiry, Mr. Reeter explained that the new plan would probably be good for five years. He further explained that the new plan would not change the way Washington County handles their solid waste operation.

On motion of Mr. Reynolds, second by Mr. Rector, it was resolved to approve Washington County's participation in a Regional Solid Waste Management Plan to be prepared by the Mount Rogers Planning District Commission and authorization to expend \$15,050.00 as the County's share of plan preparation costs.

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

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

8. County Administrator Reports

County Administrator Mark Reeter reminded the Board of their recessed meeting scheduled for Monday, March 15, 2004, at 7:30 PM. Further, the Board will recess on March 15 to March 23 at 6:00 PM for the revenue projection presentation.

9. County Attorney Reports

a. Request for Authorization to Dispose of Certain Records of the Office of the County Attorney

On motion of Mr. Ingle, second by Mr. McCall, it was resolved to approve the certificates of records destruction for the County Attorney's Office as presented.

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

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

In another matter, Ms. Phillips advised the Board that she was nominated to be a member of the Board of Directors for the Local Government Attorney's Association. She stated that the selection would be made in the Fall of this year. Ms. Phillips explained that her participation would allow the County to be represented in this statewide organization. She stated that the organization is very active and one that she has benefited from a great deal. Ms. Phillips advised the Board the position does not appear to add a significant amount to her workload.

It was consensus of the Board to approve participation in the Board of Directors for the Local Government Attorney's Association by County Attorney Lucy Phillips.

Next, Ms. Phillips explained that a petition for appeal concerning the annexation matter had been distributed to the Board. She explained that this is the request from the County to the Supreme Court for them to hear the case. Ms. Phillips asked the Board to review the document to familiarize themselves with the arguments that would be heard if the County is granted the appeal.

10. Board Information

County Administrator Mark Reeter drew attention to various correspondence in the Board Information section.

11. Consent Agenda

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

- a. Payment of Bills – March 2004*
- b. Canceled Check – General Fund*

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

<i>Mr. Ingle</i>	<i>Aye</i>
<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>
<i>Mr. Roberts</i>	<i>Aye</i>

12. Board Member Reports

Supervisor Bobby Ingle expressed his appreciation to the Board for their support on the Cherokee Natural Stone issue. Mr. Ingle inquired about whom would police the area to assure that the mining operations had stopped.

Supervisor Tony Rector commented that several similar issues have come before the Board and that he would like the County's Personnel Committee to review and create a revised management plan that would prevent similar types of things from occurring.

Supervisor Odell Owens reiterated Mr. Rector's remark. In another matter, Mr. Owens reported that he attended a meeting of the Farmer's Market Advisory Board. He reported that they encourage more participation from Washington County.

Supervisor Kenneth Reynolds stated the County should better organize its personnel so that situations similar to Cherokee Natural Stone, LLC could be adverted in the future. Mr. Reynolds further stated there should be a consistent and fair way to handle these matters.

Chairman Roberts addressed the Board explaining that the County should consider hiring a County Engineer that would assist with enforcement of federal and state mandates.

13. Recess to 7:30 PM March 15, 2004

On motion of Mr. Ingle, second by Mr. Rector, it was resolved to recess the meeting to 7:30 PM on March 15, 2004.

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

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

Prepared by:

Naoma A. Mullins, Recording Clerk

Approved by the Washington County Board of Supervisors:

John B. Roberts, Sr., Chairman