

**VIRGINIA:**

At a regular meeting of the Washington County Board of Supervisors held Tuesday, October 24, 2006, at 7:15 p.m., at the County Administration Building in Abingdon, Virginia the following were present:

**PRESENT:**

Kenneth O. Reynolds, Chairman  
 Jack R. McCrady, Jr., Vice Chairman  
 Phillip B. McCall  
 Dulcie M. Mumpower  
 Odell Owens  
 Paul O. Price  
 Anthony S. Rector

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

\*\*\*\*\*

**1. Call to Order**

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

**2. Invocation and Pledge of Allegiance**

Supervisor Paul Price gave the Invocation and led the Pledge of Allegiance.

**3. Approval of Agenda**

*On motion of Mrs. Mumpower, second by Mr. Owens, it was resolved to approve the agenda with the following amendments:*

**New Item 9.a.**

*Consideration of Resolution Recognizing Revolutionary War Veterans from Washington County.*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>

<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

**4. Approval of Minutes**

*On motion of Mr. Owens, second by Mr. McCrady, the Board acted to approve the following minutes as presented:*

*October 10, 2006 Recessed Meeting  
October 10, 2006 Regular Meeting*

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

<i>Mr. McCall</i>	<i>Abstained</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

**5. Public Hearings:**

**a. Public Hearing and Consideration of Adoption of an Ordinance Vacating Lot 8 on Lancaster Drive from Subdivision of Property of Levisa Land Company, Inc., Madison Magisterial District**

County Attorney Lucy Phillips provided introductory comments.

Mr. Reynolds opened the public hearing and invited comments both in support of and in opposition to the proposed ordinance.

Mr. Dallas Hess addressed the Board explaining that he would like to give his son a tract of land, which his son has already built a house upon about six years ago.

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

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

**AN ORDINANCE VACATING LOT 8 ON LANCASTER DRIVE FROM SUBDIVISION  
OF PROPERTY OF LEVISA LAND COMPANY INC.  
(PLAT BOOK 22, PAGE 17) IN THE MADISON MAGISTERIAL DISTRICT  
OF WASHINGTON COUNTY, VIRGINIA**

*WHEREAS, a subdivision of Property of Levisa Land Company, Incorporated, located in Madison Magisterial District was recorded in 1985 in the Office of the Clerk of Court of Washington County, Virginia, in Plat Book 22, Page 17; and*

*WHEREAS, several modifications and additional divisions of parcels in the recorded plat have occurred since 1985; and*

*WHEREAS, the owner of Lot 8 wishes to divide Lot 8 as shown on the plat drawn by Addison Surveyors titled, "Plat Showing a Division of the Property of Dallas & Beulah Hess," dated August 3, 2006 (Plat); and*

*WHEREAS, Virginia Code § 15.2-2272(2) (1950, as amended) established that adoption of an ordinance may be used as a tool to vacate Lot 8 from the recorded subdivision plat; and*

*WHEREAS, the Board of Supervisors of Washington County, Virginia, after public notice and public hearing, as required by law, does hereby find that vacation of Lot 8 from the subdivision plat for purpose of division as shown on Plat would not harm the public interest or public safety.*

*NOW, THEREFORE, BE IT ORDAINED, by the Board of Supervisors of Washington County, Virginia, that the Board does hereby adopt the following ordinance pursuant to Virginia Code § 15.2-2272(2):*

- 1. Lot 8 of the Subdivision of Levisa Land Company, Inc. (Plat Book 22, Page 17) is hereby vacated pursuant to Virginia Code § 15.2-2272(2) from being part of the recorded subdivision plat; and*
- 2. The owner of Lot 8 shall record the division in the general form as shown on the Plat; and*
- 3. Pursuant to Virginia Code § 15.2-2276, after the effective date of this ordinance, the Clerk of Circuit Court of Washington County, Virginia is directed to mark Lot 8 as "Vacated" on the subdivision plat recorded at Plat Book 22, Page 17 and record a certified copy of this ordinance in the Office of the Clerk of Circuit of Washington County, Virginia indexed to Plat Book 22, Page 17 pursuant to Virginia Code § 15.2-2272(2); and*
- 4. That should any section or provision of this ordinance be decided by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or of the Washington County Code.*
- 5. That this ordinance shall become effective thirty (30) days after its adoption unless an appeal pursuant to Virginia Code § 15.2-2272(2) is filed within that time period, in which case, this ordinance shall become effective as directed by a court of competent jurisdiction.*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>

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

**6. Consideration of Dog Damage Claim, Roger Cuddy**

Mr. Roger Cuddy addressed the Board explaining his dog damage claim for a goat that was killed by dogs. Mr. Cuddy explained that his sister witnessed the dogs attacking the goat. He further explained that Sergeant Alexander with Animal Control investigated the incident and set a trap to attempt to catch the dogs. Two dogs were caught.

County Attorney Lucy Phillips on behalf of Sergeant Alexander that the dogs did not have chips, tags or other types of identification and that no claims for the dogs has been mad.

*On motion of Mr. McCall, second by Mr. Price, the Board acted to authorize payment of a dog damage claim to Roger Cuddy in the amount of \$60.00.*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

**7. Consideration of Nominations for Appointee to New River/Mt Rogers Workforce Investment Board**

County Administrator Mark Reeter addressed the Board explaining that Mr. Curtis Fleenor has resigned as Washington County's business community representative to the New River/Mt Rogers Workforce Investment Board. Nominations to replace Mr. Fleenor are being requested by the Workforce Investment Board.

Chairman Kenneth Reynolds addressed the Board explaining that he represents the Board of Supervisors on the Workforce Investment Board, and that the Board generally meets every other month during the day in Wytheville or surrounding vicinity.

Supervisor Odell Owens stated that he may have a nomination at the November 14 Board meeting.

**8. Consideration of Recommendation for Appointment to Washington County Board of Zoning Appeals**

County Administrator Mark Reeter addressed the Board explaining that a vacancy remains on the Washington County Board of Zoning Appeals (BZA). The vacancy was created by the resignation of Robert Vinyard. Mr. Reeter explained that Board members are being asked to consider a recommendation for an appointment to the BZA.

County Attorney Lucy Phillips addressed the Board explaining that previously the Board had discussed appointing an attorney to fill the vacancy, and that she had been directed to contact several attorneys. Ms. Phillips further explained that she has spoken with Dan Reed, Blake McKinney and John Martin about serving on the BZA.

Discussion ensued among the Board. The appointment of Blake McKinney was recommended because of his work with real estate.

*On motion of Mr. Owens, second by Mr. Price, the Board acted to recommend the appointment of Blake McKinney to the Washington County Board of Zoning Appeals to fill the remainder of the unexpired term of Mr. Robert Vinyard through February 4, 2008.*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

**9. Consideration of Supplemental Appropriation to District III Governmental Cooperative for Lease of Office Space**

County Administrator Mark Reeter addressed the Board explaining that the Commonwealth's Attorney has asked that his office be expanded to space in the Elliott Office Building adjoining the Courthouse that is currently occupied by District III Governmental Cooperative. The space is needed to house additional staff. Mr. Reeter explained that District III is requesting a supplemental appropriation in the amount of \$3,300.00 from Washington County to assist in leasing private office space in Abingdon for the remainder of the current fiscal year in order to vacate the front half of the Elliott Office Building. He further explained that the County Facilities Committee considered this request and recommends this supplemental appropriation to the Board. Mr. Reeter stated that District III has found office space in The Johnson Center in Abingdon.

Discussion ensued among the Board. Several Board members inquired if District III had made a definite decision on The Johnson Center.

Mr. Glen Buckley representing District III was in attendance and addressed the Board. Mr. Buckley explained that District III has not made a final decision on the leasing of office space. He further

explained that the supplemental appropriation of \$3,300.00 that they are requesting would pay rent for one calendar year at \$550 per month. He stated that District III would lease space that is the most economical.

Further discussions ensued.

*On motion of Mrs. Mumpower, second by Mr. Rector, it was resolved to approve a supplemental appropriation of \$3,300.00 to District III Governmental Cooperative.*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

**9.a. Consideration of Resolution Recognizing Revolutionary War Veterans from Washington County**

*On motion of Mr. McCrady, second by Mr. Rector, it was resolved to adopt the following resolution:*

**RESOLUTION 2006-20  
RECOGNIZING WASHINGTON COUNTY  
VETERANS OF THE REVOLUTIONARY WAR**

*WHEREAS the birth of the American nation called for thousands of men and women to volunteer to fight to free themselves from the tyranny of monarchical rule; and*

*WHEREAS, the inhabitants of what had just recently become Washington County, Virginia in 1776 answered this call, most notably in the mobilization of the Overmountain Men mustered to halt the advance of British troops in the South: and*

*WHEREAS these patriot men and women from Washington County were ready then as they are today to sacrifice their lives and liberty in order that others may be free; and*

*WHEREAS now as then men and women of Washington County continue to proudly serve in this country's armed forces both at home and throughout the world;*

*NOW THEREFORE BE IT RESOLVED, that the Washington County Board of Supervisors and the citizens of Washington County do hereby recognize and honor the men and women from Washington County who served in the American Revolution; and*

*BE IT FURTHER RESOLVED that the Washington County Board of Supervisors and the citizens of Washington County further acknowledge our indebtedness to all the men and women and their*

*families who have given and continue to give of their lives, hopes, and dreams so that others may be free.*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

#### **10. Recess**

No recess was taken.

#### **11. County Administrator Reports:**

##### **a. VDOT Request for Workshop Meeting with Board to Discuss Updating County's Secondary Highway Six-Year Plan for FY's 2007-08 through 2012-13**

County Administrator Mark Reeter addressed the Board explaining that a letter has been received from the Virginia Department of Transportation Resident Administrator Steve Buston requesting to hold a workshop meeting with the Board in November to discuss updating Washington County's Secondary Highway Six Year Plan for FY's 2007-08 through 2012-13. Mr. Reeter proposed that the Board have a recessed meeting beginning at 6:00 PM on November 28 prior to the regular meeting.

It was consensus of the Board to hold a recessed meeting beginning at 6:00 PM on November 28.

##### **b. Consideration of Priorities for Possible Board of Supervisors Planning Worksession/Retreat**

Mr. Reeter explained that at the September 26 regular meeting, the Board discussed the possibility of planning a worksession or retreat. It was proposed that each Board member identify topics they would like to see accomplished. The Board could then decide upon three main topics to focus on that the worksession or retreat could be built around.

Discussions ensued among the Board. Board members proposed the following topics:

- Supervisor Dulcie Mumpower: 1. County Office Complex; 2. Multi Sports Complex Facilities
- Supervisor Phillip McCall: 1. Better access to Oak Park
- Supervisor Odell Owens: 1. Security for the County Administration Building; 2. Mandates of establishing or filling of County positions

- Supervisor Jack McCrady: 1. Multi Sports Complex Facilities
- Supervisor Kenneth Reynolds: 1. Management of Fire and Rescue Squad Organizations

Discussion ensued among the Board concerning the multi sports complex facilities.

Supervisor Paul Price explained that he would support one large sports complex centrally located in the Abingdon area. Mr. Price stated that the Town of Abingdon is willing to partner with the County on this project only if the complex is located in the Abingdon area.

Supervisor Jack McCrady stated that he has no problem supporting a large complex with the Town of Abingdon, but thought that it was consensus of the Board to support multiple sports complexes.

Supervisor Dulcie Mumpower stated there might be a need for a larger sports complex; however many of the election districts are currently suffering from lack of sports complexes and practice fields. It is a necessity to provide practice fields in each of the districts.

Chairman Kenneth Reynolds stated that he believes the Joint County Parks and Recreation Committee will come up with a recommendation that will satisfy all concerns.

Further discussions ensued.

Mr. Reeter stated that he will begin working on the format and lining up a facilitator for the planning worksession, and that he would report back to the Board in December.

**c. Cancellation of Tentatively Scheduled November 15 Joint Meeting with Abingdon Town Council**

Mr. Reeter explained that at the July 12 Joint Meeting between the Board and Abingdon Town Council, a second joint meeting was tentatively scheduled for Wednesday, November 15. Mr. Reeter further explained that at this time the key issues have not progressed sufficiently to warrant another joint meeting next month. He stated that the joint meeting will probably be scheduled sometime during the first quarter of 2007.

**12. County Attorney Reports:**

County Attorney Lucy Phillips asked for authorization to schedule a public hearing on an ordinance to vacate a lot from a subdivision plat.

It was consensus of the Board to authorize the County Attorney to schedule the public hearing.

In another matter, Ms. Phillips explained that she previously asked for authorization to conduct a public hearing regarding improvements to White Pine Circle in Laurelwood Acres Subdivision if 75% of the landowners agreed to the project. She explained that the 75% participation has been obtained and that this public hearing has been scheduled for the November 14 Board meeting.

Ms. Phillips advised the Board that good news was received on Friday, October 20 that R & J Development Co., LLC filed a Motion to Nonsuit its petition in the annexation lawsuit. She explained that

from the original six petitioners, only four continue to pursue annexation into the City of Bristol. Ms. Phillips stated that action taken by R & J Development is a mark of success of the County's strategy of resisting the annexation effort.

Finally, Ms. Phillips asked if Board members had questions concerning the upcoming annexation lawsuit scheduled for October 30-31 and November 1. Discussion ensued.

### **13. Board Information**

Mr. Reeter reviewed the following Board information:

- Correspondence from the Washington County Service Authority (WCSA) to the Virginia Department of Transportation stating that WCSA has successfully negotiated with their contractor for the relocation of the waterline to the north side of US Route 11 instead of on the south side. This will eliminate the future relocation costs associated with VDOT's future project to widen Route 11.
- 18<sup>th</sup> Annual Water and Wastewater Rate Report from Draper Aden Associates
- 2007 Virginia Association of Counties (VACo) Draft Legislative Program
- Cleveland Community Center Open House, Saturday, November 4, 2:00 – 4:00 PM
- Invitation to the Southwest Virginia Legislation Breakfast, November 16, Southwest Virginia Higher Education Center

### **14. Board Member Reports**

Supervisor Paul Price reported that during a meeting held at the Clinchburg Community Center issues were discussed about water and a spring near the Community Center. Mr. Price explained that water from the spring is contaminated. He inquired to Supervisor Phillip McCall (member of the Washington County Service Authority Board of Commissioners) about procedures for getting the Washington County Service Authority (WCSA) to install waterline in this area. Supervisor McCall stated that he could speak to Robbie Cornett, Interim General Manager, WCSA, but that it would be best for Mr. Price to contact his representative on the Service Authority Board of Commissioners.

Supervisor Tony Rector asked that the County Administrator and County Attorney to work with Pro-Built Tractor Sales to help them get their business going.

Supervisor Odell Owens reported that a merchant contacted him concerning the number of breaking and entering and robberies that have happened lately in the County. This merchant asked if the Board could draft a resolution supporting more protection for business and home owners in the event they have to defend their property against these types of incidents. Mr. Owens stated that he would like to discuss this matter at a future Board meeting and mentioned that the Board might consider sending a resolution to the legislators.

Mr. Owens thanked the Board for the flowers sent during the passing of his mother-in-law. He stated that the flowers meant a lot to his wife.

Supervisor Phillip McCall mentioned the recent death of Richard Rhea, member of the Washington County Planning Commission and the Soil and Water Conservation Board.

Chairman Kenneth Reynolds reported that he has received comments that out of county people are utilizing some of the convenience stations. Mr. Reynolds stated that he realizes this has always been a struggle. He further stated that he has spoken with Coy Martin about this issue.

Supervisor Jack McCrady reported that he received a request from the American Legion/VFW Post concerning roof problems at the Old Cannery Building. Mr. McCrady explained that the lease between the School Board and the American Legion/VFW Post states that these groups are entirely responsible for maintenance. He stated that these groups do not have the money to make the repairs.

In another matter, Mr. McCrady requested the Board consider approving an appropriation of \$4,000 to the Damascus Park to be used for rewiring of the Park. He explained that the Park is used during Trail Days and for many other events throughout the year, and that there has never been a line-item in the County Operating Budget for Damascus Park.

*On motion of Mr. McCrady, second by Mr. Rector, it was resolved to appropriate \$4,000 to the Damascus Park to be used for rewiring of the Park.*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

## 5. Adjourn

*On motion of Mr. McCrady, second by Mr. Rector, it was resolved to adjourn the meeting.*

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

<i>Mr. McCall</i>	<i>Aye</i>
<i>Mr. McCrady</i>	<i>Aye</i>
<i>Mrs. Mumpower</i>	<i>Aye</i>
<i>Mr. Owens</i>	<i>Aye</i>
<i>Mr. Price</i>	<i>Aye</i>
<i>Mr. Rector</i>	<i>Aye</i>
<i>Mr. Reynolds</i>	<i>Aye</i>

\*\*\*\*\*

10-24-06

14539

**Prepared by:**

---

Naoma A. Mullins, Recording Clerk

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

---

Kenneth O. Reynolds, Chairman