V I R G I N I A:

At a regular meeting of the Washington County Board of Supervisors held Tuesday, November 14, 2006, at 7:00 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

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

ABSENT:

Anthony S. Rector
Mark W. Seamon, Accounting Manager

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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 Odell Owens gave the Invocation and led the Pledge of Allegiance.

3. Approval of Agenda

On motion of Mrs. Mumpower, second by Mr. McCrady, it was resolved to approve the agenda as presented.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***

4. Approval of Minutes

On motion of Mr. Owens, second by Mr. McCall, it was resolved to approve the minutes of the following meetings as presented:

October 24, 2006 Recessed Meeting
October 24, 2006 Regular Meeting

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***

5. Public Hearings:

a. Requests for Rezoning of Property:

(1). Jimmy C. Osborne, Property Tax Map # 082-A-53: Request to rezone approximately 10.63 acres of property located on the southwest side of State Route 19 near the intersection of State Route 19/State Route 1511 from R-2 (Residential, General) to A-2 (Agricultural, General), Harrison Magisterial District, B-01 Election District.

Mr. Reynolds opened the public hearing and invited comments both in support of and in opposition to the request to rezone property.

Mr. Jimmy Osborne addressed the Board explaining that he would like the property in question rezoned to A-2 (Agricultural, General) so that it will be consistent with the adjoining property. Mr. Osborne explained that he uses the property for hay. If the property is rezoned to A-2 (Agricultural, General) it will help him obtain a tax-exempt status, which will mean a savings for him when he purchases farming supplies such as fertilizer.

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

On motion of Mr. Price, second by Mr. McCrady, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the request of Jimmy C. Osborne to rezone approximately 10.63 acres of property located on the southwest side of State Route 19 near the intersection of State Route 19/State Route 1511 from R-2 (Residential, General) to A-2 (Agricultural, General), Harrison Magisterial District, B-01 Election District.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***

Mr. Owens ***Aye***
Mr. Price ***Aye***
Mr. Reynolds ***Aye***

b. <u>Request for Special Exception Permit:</u>

(2). <u>Peggy E. Spiva, Property Tax Map # 118-3-1</u>: Request for a Special Exception Permit to enlarge a previously approved small business in general, more specifically, to construct a building, 12' x 20' for a grooming facility and to offer additional services such as obedience training, housebreaking and other similar services on property located on the northwest side of State Route 700 near the intersection of State Route 700/State Route 634 in an A-1 (Agricultural, Limited) zone, Tyler Magisterial District.

Mr. Reynolds opened the public hearing and invited comments both in support of and in opposition to the request for a special exception permit.

Ms. Peggy Spiva addressed the Board explaining that she would like permission to construct a building that would be used as a pet grooming facility. Ms. Spiva explained that she is currently operating a boarding facility. She further explained that she is employed by Dana Corporation. However this company is closing at the end of the year. Therefore, she has decided to delve more into the pet grooming and boarding business. Ms. Spiva stated that she is taking training in pet grooming and when finished will become a State certified groomer.

Discussion ensued among the Board.

Responding to an inquiry, Ms. Spiva explained that she boards about 20 dogs. The dogs brought in for grooming services would be at the facility for just a couple hours a day. She stated that she will most

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

On motion of Mr. Owens, second by Mrs. Mumpower, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the request of Peggy E. Spiva for a Special Exception Permit to enlarge a previously approved small business in general, more specifically, to construct a building, 12' x 20' for a grooming facility and to offer additional services such as obedience training, housebreaking and other similar services on property located on the northwest side of State Route 700 near the intersection of State Route 700/State Route 634 in an A-1 (Agricultural, Limited) zone, Tyler Magisterial District.

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

Mr. McCall ***Aye***
Mr. McCrady ***Aye***
Mrs. Mumpower ***Aye***
Mr. Owens ***Aye***
Mr. Price ***Aye***
Mr. Reynolds ***Aye***

(3). <u>Wayne A. Wimmer, Property Tax Map # 160A-A-48A</u>: Request for a Special Exception Permit to construct and operate a small business in general, more specifically a auto-body garage to repair automobiles on property located on the north side of State Route 640 near the intersection of State Route 640/State Route 1120 in an A-2 (Agricultural, General) zone, Wilson Magisterial District, F-01 Election District.

Mr. Reynolds opened the public hearing and invited comments both in support of and in opposition to the request for a special exception permit.

Mr. Wayne Wimmer addressed the Board explaining that he purchased the property this property on Benhams Road in August. Mr. Wimmer explained that that he plans to get his dealers license and use the front part of this property to sell cars. He further explained that he would like to construct a building on the back portion of the property to be used as a garage to service vehicles.

Discussion ensued among the Board.

Responding to an inquiry, Mr. Wimmer explained that not many vehicles would be parked outside of service garage. Cars would be stored in the quantum hut located on the property.

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

On motion of Mr. Owens, second by Mr. Mumpower, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the request of Wayne A. Wimmer for a Special Exception Permit to construct and operate a small business in general, more specifically a auto-body garage to repair automobiles on property located on the north side of State Route 640 near the intersection of State Route 640/State Route 1120 in an A-2 (Agricultural, General) zone, Wilson Magisterial District, F-01 Election District.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***

(4). <u>David F. Morton, Property Tax Map # 149-A-83D</u>: Request for a Special Exception Permit to construct and operate a Recreational Vehicle Park and Campground on property located at the intersection of State Route 712 and State Route 711 in an A-1 (Agricultural, Limited) zone, Taylor Magisterial District.

Mr. Reynolds opened the public hearing and invited comments both in support of and in opposition to the request for a special exception permit.

Mr. David Morton addressed the Board explaining that he believes the proposed recreational vehicle park and campground would be an asset to Washington County, the Towns of Abingdon and Damascus and to the Taylor District. The park would also help to promote tourism in the surrounding areas.

Discussion ensued among the Board.

Responding to inquiry from the Board concerning the proximity of the proposed park to the Virginia Creeper Trail, Mr. Morton explained that the proposed park would be approximately 50-60' from the Trail. He further explained that there would be seven self-contained campsites.

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

On motion of Mr. McCrady, second by Mr. Owens, the Board acted to follow the recommendation of the Washington County Planning Commission and approve the request of David F. Morton for a Special Exception Permit to construct and operate a Recreational Vehicle Park and Campground on property located at the intersection of State Route 712 and State Route 711 in an A-1 (Agricultural, Limited) zone, Taylor Magisterial District.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***

(5). <u>Don A. Harry, Jr. Property Tax Map #'s 103-A-34, 35 and 103-1-1,1A:</u> Request for a Special Exception Permit to operate a small business in general, more specifically to construct a 30' x 100' building to operate social activities for fund raising events of charitable organizations, family reunions and civic meetings on property located on the west side of State Route 611 near the intersection of State Route611/State Route 645 in an A-2 (Agricultural, General) zone, Harrison Magisterial District, G-01 Election District.

Mr. Reynolds opened the public hearing and invited comments both in support of and in opposition to the request for a special exception permit.

Mr. Don Harry addressed the Board explaining that he wished to construct a building to be used for community events such as weddings, receptions, family reunions an civic meetings.

Supervisor McCall inquired about the size of building that was proposed.

Mr. Harry explained that he would like to construct a 50' X 100' building and not a 30' X 100'. He stated that a mistake was made presumably by his previous attorney in the printing of the size on the materials for his request.

Substantial discussions ensued among the Board. The primary issue of concern discussed by the Board was the discrepancy in the size of the building that was requested on the Special Exception Permit Application and the size that Mr. Harry is actually requesting.

County Attorney Lucy Phillips addressed the Board explaining that the Board does have some discretion in this matter. However, Ms. Phillips recommended that the Board be cautious in allowing a change in size for the proposed building primarily because the advertisement stated a particular size and some of the

adjoining landowners may have reviewed the site plan for the size stated. Ms. Phillips recommended that the Board request Mr. Harry to re-submit a new application for a Special Exception Permit which will have to be readvertised for another public hearing before the Planning Commission.

County Zoning and Subdivision Official Cathie Freeman addressed the Board explaining the size issue came about during the public hearing before the Planning Commission. Ms. Freeman explained that the site plan that was submitted was for a 30' X 100' building. She further explained that Randall Eads who was the attorney representing Mr. Harry was informed during the public hearing that if Mr. Harry wished to construct a 50' X 100' building that a new application would be required and have to be re-advertised for another public hearing before the Planning Commission. Ms. Freeman explained if property owners state the size of a building on their application for a Special Exception Permit then the advertisement includes the size and if a change is made then the application has to be resubmitted and readvertised.

Further discussions ensued among the Board.

Responding to an inquiry, Ms. Freeman stated that it is customary to require a site plan. She explained that the site plan submitted for this project is not detailed enough. Ms. Freeman further explained the types of uses for the building would be limited to the activities stated in the Special Exception Permit application. The Board has the authority to place limits on the uses. Ms. Freeman stated that there is not much staff can do to monitor activities inside the building. They are only permitted to observe from outside of the building.

County Attorney Lucy Phillips explained if a zoning violation is alleged then the County could obtain a search warrant and go inside the building.

County Administrator Mark Reeter addressed the Board explaining that the Board does have the power to limit the hours of operation and the types of activities if it is determined that the activities are detrimental to adjoining property owners. Mr. Reeter explained that conditions could be placed on the Special Exception Permit.

Responding to inquiries from the Board, Mr. Harry gave a brief description of the proposed building and parking area. He stated that he didn't anticipate the proposed building being used more than three days a week.

At this time discussion ensued between Supervisor Dulcie Mumpower and Mr. Harry.

Chairman Kenneth Reynolds addressed the Board explaining that based on the recommendation of the County Attorney that Mr. Harry should reapply for a Special Exception Permit.

After further discussions, Mr. Harry withdrew his application for a Special Exception Permit and stated that he would submit a new application.

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

c. Public Hearing and Consideration of Adoption of an Ordinance to Vacate Lot 1 from the Subdivision of the RECO, LLC Lands, Harrison Magisterial District

County Attorney Lucy Phillips addressed the Board explaining that Harold and Joyce Walsh requested the Board vacate their 33.45-acre lot from the subdivision of property of the RECO, LLC Lands. Ms. Phillips

explained that the Walsh's are out of the country on a scheduled vacation and not able to attend the meeting.

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

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

Discussion ensued among the Board.

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

ORDINANCE NO. 2006-12
AN ORDINANCE TO VACATE LOT 1 FROM THE SUBDIVISION OF PROPERTY OF THE RECO, LLC LANDS (PLAT BOOK 46, PAGE 95) ON RICH VALLEY ROAD IN THE HARRISON MAGISTERIAL DISTRICT OF THE COUNTY OF WASHINGTON, VIRGINIA

WHEREAS, a subdivision of Property of the RECO, LLC, Lands, located in the Harrison Magisterial District was recorded on July 1, 2005, in the Office of the Clerk of Court of Washington County, Virginia, in Plat Book 46, Page 95; and

WHEREAS, the owner of Lot 1, as described in Instrument 06-7097, wishes to divide Lot 1 as shown on the plat drawn by Addison Surveyors titled, "The Harold A. Walsh Sr. & Joyce A. Walsh Lands," dated September 29, 2006 (the Plat); and

WHEREAS, the Board of Supervisors of Washington County, Virginia, after public notice and public hearing, pursuant to Virginia Code § 15.2-2272(2) (1950, as amended), does hereby find that vacation of Lot 1 from the subdivision plat for purpose of division as shown on the 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 1 of the Subdivision of the RECO, LLC, Lands (Plat Book 46, Page 95) is hereby vacated pursuant to Virginia Code § 15.2-2272(2) from being part of the recorded subdivision plat; and***
2. ***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 1 as "Vacated" on the subdivision plat recorded at Plat Book 46, Page 95 and record a certified copy of this ordinance in the Office of the Clerk of Circuit of Washington County, Virginia indexed to Plat Book 46, Page 95 pursuant to Virginia Code § 15.2-2272(2); and***
3. ***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; and***

4. ***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: (6-0)

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***

d. Public Hearing Pursuant to Secs. 15.2-2409 and 33.1-72.1 of the Code of Virginia Concerning Proposed Improvements to White Pine Circle, Larwood Acres Subdivision, Tyler Magisterial District

County Attorney Lucy Phillips explained that residents of properties abutting White Pine Circle within Larwood Acres Subdivision asked the Board of Supervisors to request that the Virginia Department of Transportation (VDOT) improve White Pine Circle and accept it into the State System of Secondary Highways for purposes of maintenance, improvement, construction and reconstruction. The residents asked the Board to participate in the VDOT Rural Additions Program. Under this program, VDOT would pay one-half of construction costs. The County would pay the other half, but the landowners would reimburse the County that portion of expense. The reimbursement would be collected by special assessment of the properties abutting White Pine Circle for proportionate shares of the property owner half of the total cost of construction based on relative property values. Ms. Phillips explained that at least 75% of property owners are required for participation in the Rural Additions Program. Approximately 80% of the landowners have signed an Agreement for Special Assessment.

Ms. Phillips explained that VDOT had hoped this request would be completed during this construction year. However, because the requests came to the Board so late in the year, there is a possibility that the project will not get started until the spring. VDOT is concerned that price estimates given for this job might increase. If the construction costs were to increase and additional funding is needed from the landowners then new agreements would be required from the landowners and the matter would come back before the Board for approval.

Mr. Reynolds opened the public hearing to receive comments both in support of and in opposition to the proposed Rural Additions Project.

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

Ms. Phillips explained there are two Resolutions for Board consideration. The first Resolution is to approve the request of the landowners and the second resolution is authorization for special assessments to landowners.

Ms. Phillips explained that VDOT has changed its Rural Additions Program. Until now, VDOT did not require the County to pay their share of the costs up front. However, Abingdon Resident Administrator Steve Buston has agreed that the County's share in this particular Rural Additions Program does not have to be paid until the project is completed.

Discussion ensued among the Board.

Supervisor Odell Owens addressed the Board explaining that Larwood Acres was developed in the late 1960's. All of the subdivision is State maintained except for White Pine Circle. Mr. Owens stated that this project would be a tremendous help to residents that live on White Pine Circle.

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

RESOLUTION 2006-21
REGARDING WHITE PINE CIRCLE
IN THE TYLER MAGISTERIAL DISTRICT

WHEREAS, the street described below (Project Street) was established before July 1, 1992, and currently serves at least three (3) families per mile, and

WHEREAS, the Virginia Department of Transportation (Department) has deemed that this county's current subdivision control ordinance meets all necessary requirements to qualify this county to recommend additions to the secondary system of state highways, pursuant to § 33.1-72.1, Code of Virginia, and

WHEREAS, after examining ownership of all property abutting Project Street, the Board of Supervisors of the County of Washington, Virginia, (Board) finds that no property owners hold speculative interests as such is defined in Virginia Code § 33.1-72.1(C);

NOW, THEREFORE, BE IT RESOLVED, this Board requests the following street (Project Street) be added to the secondary system of state highways, pursuant to Code of Virginia § 33.1-72.1 (C):

Name of Street:	***White Pine Circle***
From:	***Larwood Lane (S.R. 1106)***
To:	***Edgewood Lane (S.R. 1107)***
Guaranteed Right-of-Way Width:	***40 feet***
Plat Date:	***March 11, 1966 (Plat Book 11, Page 44)***

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and

BE IT FURTHER RESOLVED, this Board requests the Department to improve Project Street to the prescribed minimum standards, funding said improvements according to special assessment and advance pro rata payment by the holders of speculative interests as allowed by § 33.1-72 (C), Code of Virginia; and

BE IT FURTHER RESOLVED, that the County shall record proper documentation to establish special assessments as stated herein and shall remit to the Resident Engineer of the Department a certified copy of this resolution to request initiation of construction of said improvements and commit to reimbursement to VDOT of half the costs of such improvements up to $15,000.00 based on VDOT's estimated cost of $30,000.00 for construction.

RESOLUTION 2006-22
SPECIAL ASSESSMENT OF OWNERS OF
PARCELS ABUTTING WHITE PINE CIRCLE
IN THE TYLER MAGISTERIAL DISTRICT
FOR THE PURPOSE OF ROAD IMPROVEMENT PURSUANT TO
VIRGINIA CODE SECTION 33.1-72.1

WHEREAS, by Resolution adopted by the Board of Supervisors of the County of Washington, Virginia (Board) on November 14, 2006, this Board resolved to request the Virginia Department of Transportation (Department) to improve the street described below to standards sufficient for acceptance into the secondary system of state highways pursuant to Virginia Code Section 33.1-72.1(C) to be funded by special assessment of the owners of parcels abutting White Pine Circle, as more specifically described in paragraph one, below ("Project Street"), and

WHEREAS, the Department provided to the County of Washington, Virginia (County) a cost estimate of $30,000.0 for improvement of Project Street, as described herein; and

WHEREAS, this Board has determined, as prescribed by Virginia Code section 33.1-72.1(E), that there are no holders of speculative interests; and

WHEREAS, in accordance with the requirements of Virginia Code Section 15.2-2409, each owner of property abutting Project Street was provided notice of the proposed special assessment and of the public hearing that was held on November 14, 2006, and

WHEREAS, it appears to the Board that the owners of more than seventy-five percent (75%) of the parcels of land abutting Project Street desire to have it improved and brought into the secondary system of state highways by the Department and that to do so would be in the best interests of all owners of the parcels of land abutting Project Street.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Washington, Virginia:

1. ***Pursuant to Virginia Code § 33.1-72.1 (C) improvement for the purpose of rural addition of the street identified below shall be funded, as described in this resolution, by special assessment of the owners of parcels abutting said street:***

Name of Street:	***White Pine Circle***
From:	***Larwood Lane (S.R. 1106)***
To:	***Edgewood Lane (S.R. 1107)***
Guaranteed Right-of-Way Width:	***40 feet***
Plat Date:	***March 11, 1966 (Plat Book 11, Page 44)***

2. ***The amount to be paid by special assessment against the properties abutting Project Street shall be determined upon completion of the road improvement project. After final determination of the assessment, the County Attorney shall cause to be recorded in the land records of the Circuit Court of Washington County an amendment of the estimated amount shown herein to show the amount finally assessed or apportioned, if such amount differs from the estimated amount.***

3. ***The County Attorney shall report to the Treasurer of Washington County the amount assessed against each landowner, or for which the landowner is liable by agreement, as soon as practicable, and the Treasurer shall enter the same as provided for other taxes.***

4. ***The Board agrees to the special assessment of the landowners on Project Street in accordance with the following list.***

Owner	***Parcel(s)***	***Amount***
Hye S. Thurston ***2692 Regency Drive*** ***Tucker, GA 30084***	***159C-2-17A***	***$1200***
Madeleine Jane Tooker ***7293 White Pine Circle*** ***Bristol, Virginia 24202***	***159C-2-20***	***$1222***
Keith N & Jacqueline R. Ford ***7319 White Pine Circle*** ***Bristol, Virginia 24202***	***159C-2-21*** ***159C-2-22*** ***159C-2-23***	***$1570***
Peggy C. Haire ***7323 White Pine Circle*** ***Bristol, Virginia 24202***	***159C-2-24***	***$1147***
James G. Sr. & Christine Hall ***7327 White Pine Circle*** ***Bristol, Virginia 24202***	***159C-2-25*** ***159C-2-26***	***$1079***
Chadwick A. & Donna J. Welch ***7343 White Pine Circle*** ***Bristol, Virginia 24202***	***159C-2-26A*** ***159C-2-27***	***$1396***
Wesley V. A. & Jane M. Waters ***16468 Greenway Road*** ***Meadowview, Virginia 24202***	***159C-2-28***	***$66***
Donnie & Karen Tuck ***7357 White Pine Circle*** ***Bristol, Virginia 24202***	***159C-2-29***	***$1229***
Linda Gaylord ***7365 White Pine Circle*** ***Bristol, Virginia 24202***	***159C-2-30***	***$984***
Douglas & Rena Coldiron ***7263 Southern View Road*** ***Bristol, Virginia 24202***	***159C-2-31*** ***159C-2-32***	***$1282***

Owner	***Parcel(s)***	***Amount***
William F. & Joyce A. Geiger ***7262 White Pine Circle*** ***Bristol, Virginia 24202***	***159C-2-54*** ***159C-2-58***	***$1411***
James D. & Shirley H. Mort ***7272 White Pine Circle*** ***Bristol, Virginia 24202***	***159C-2-55***	***$1333***
Diane Lynn Bowman ***7324 White Pine Circle*** ***Bristol, Virginia***	***159C-2-56*** ***159C-2-57***	***$1196***

5. ***In accordance with Virginia Code § 15.2-2413, each owner listed above may pay the amount finally assessed or apportioned or fixed by agreement in no more than ten (10) annual installments, bearing annual interest at the rate of one-year United States Treasury Bills on November 14, 2006, which is 5.15 percent. The Treasurer will begin billing each landowner after the work for improvement is completed, and payment shall be due at the time real estate taxes on the property are due and payable. Should the landowner not pay the entire amount finally assessed or apportioned or fixed by agreement when the first payment is due and payable, interest shall begin to accrue on the remaining balance at that time at the above-stated rate.***

6. ***The amount finally assessed against or apportioned to each landowner, or fixed by agreement, as docketed in the clerk's office shall be a lien enforceable in equity from the time when the work of improvement is completed. Upon payment in full of the amount due, including interest if applicable, the lien shall be released by noting the release in the clerk's docket. The Treasurer of Washington County or his designee is authorized to request the release of the lien upon payment in full of the total amount due pursuant to this resolution. No notation of the release need be made to this document.***

The County Attorney is directed to have this resolution recorded in the deed books of the Clerk's Office of the Circuit Court of Washington County and indexed in the grantor's index of said office in the names of the above-referenced property owners. Furthermore, the County Attorney is directed to cause an abstract of this resolution to be recorded in the clerk's office showing the ownership and location of the property to be affected by the proposed improvement and the estimated amount that will be assessed against or apportioned to each landowner or fixed by agreement and the same shall be indexed in the name of the owner of the property.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***

Scrivener's Note: Paragraph 5 of the Resolution was amended to include the United States Treasury Bill interest rate on November 14, 2006, at 5.15 percent.

6. Consideration of Addition of Information Systems Technician Position to County Department of Information Systems

Sheriff Fred Newman and Information Systems Manager Nadine Culberson addressed the Board.

Sheriff Fred Newman explained that he would like to clarify his request. Sheriff Newman explained that he is not asking for an additional Information Systems (IS) position, but for a transfer of management responsibilities of the Sheriff's Department's current IS position to the County IS Department. The funds for the Sheriff's Department IS position salary will also be transferred to the County IS Department. He further explained that the Sheriff's Department has had problem recruiting and retaining someone in the IS position that has the management skills required to complete major projects. Sheriff Newman explained that the Sheriff's Department on many occasions has required the assistance of the County IS Department on technology projects, and they have done a wonderful job.

IS Manager Nadine Culberson explained that when this request was brought before the County Personnel Committee that restructuring of the County IS Department was discussed. The Sheriff's Department IS position would be brought into the County IS Department as a bottom level position and would be responsible primarily for desktop functions. This position would assist all of the Constitutional Officers. The higher responsibilities and jobs will be delegated to the three current IS staff positions. Ms. Culberson stated that she does not see a problem with handling the management responsibilities of the Sheriff's IS position.

Supervisor Dulcie Mumpower (Personnel Committee member) addressed the Board explaining that the Personnel Committee is primarily recommending the transfer because Ms. Culberson supports the transfer and has basically been involved with technology projects for the Sheriff's Department.

Sheriff Newman added that County IS Department has been very instrumental in the technology issues that have been implemented by the Sheriff's Department.

On motion of Mrs. Mumpower, second by Mr. McCrady, the Board acted to approve transfer of Sheriff's Office IT position to County Information Systems Department and to establish IS Technician I and IS Technician II positions within that department, and to approve the following interdepartmental fund transfers effective immediately:

FROM ACCT	***TO ACCT***	***AMOUNT***
31200-1415 IT Assistant	***12510-1400 IS Technician II***	***$736.00 (1/2 of $1,471.00 Salary Adjustment is IS Technician II Position)***
31200-2100 FICA	***12510-2100 FICA***	***$57.00***
31200-2200 Retirement	***12510-2200 Retirement***	***$86.00***
31200-2400 Life Insurance	***12510-2400 Life Insurance***	***$9.00***
	TOTAL	***$888.00***

FROM ACCT	***TO ACCT***	***AMOUNT***
31200-1415 IT Assistant	***12510-1400 IS Technician I***	***$12,500.00 (1/2 of $25,000.00 Annual Salary for IS Technician I Position)***
31200-2100 FICA	***12510-2100 FICA***	***$957.00***
31200-2200 Retirement	***12510-2200 Retirement***	***$1,462.00***
31200-2400 Life Insurance	***12510-2400 Life Insurance***	***$141.00***
	TOTAL	***$15,060.00***

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***

7. Consideration of Fiscal Agency for White's Mill Renovation and Trail Project SAFETEA-LU Grant

Ms. Laura Grantham, Secretary for Whites Mill Foundation and member of the White's Mill Restoration Committee addressed the Board. Ms. Grantham explained that White's Mill Foundation has received a grant from the Virginia Department of Transportation's (VDOT) SAFETEA-LU Program. She further explained that to receive the grant from VDOT the County must agree to be the fiscal agent. The White's Mill Foundation has arranged an agreement with the Mount Rogers Planning District Commission to be the grant administrator.

Ms. Grantham explained that the Board of Directors has agreed that the grant funds will be used to continue restoration of the Mill building. Phase I of the restoration project is nearing completion and was made possible through funds from the Virginia Tobacco Commission and the Appalachian Regional Commission. The SAFETEA-LU grant funds will significantly help with Phase II of the restoration project. She stated that the restoration project would get the Mill's wheel turning again.

Discussion ensued among the Board.

On motion of Mr. McCall, second by Mrs. Mumpower, the Board acted to authorize Washington County to act as fiscal agent on behalf of the White's Mill Foundation's $426,176.00 SAFETEA-LU grant and to enter into agreements with VDOT and the Mount Rogers Planning District Commission.

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***

Mr. Owens ***Aye***
Mr. Price ***Aye***
Mr. Reynolds ***Aye***

8. Recess

The Board took no recess.

9. County Administrator Reports:

a. Additional State Holidays, Thanksgiving and Christmas, 2006 and New Year's 2007

County Administrator Mark Reeter addressed the Board explaining that the Governor's Office has announced additional holiday hours for state employees for Thanksgiving and Christmas 2006 and New Year's 2007, as follows:

Wednesday, November 22 (closing at noon)
Tuesday, December 26 (whole day)
Tuesday, January 2 (whole day)

On motion of Mrs. Mumpower, second by Mr. Owens, the Board acted to grant ½ day on November 22, and December 26 and January 2, 2007 as additional County holidays.

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

Mr. McCall ***Aye***
Mr. McCrady ***Aye***
Mrs. Mumpower ***Aye***
Mr. Owens ***Aye***
Mr. Price ***Aye***
Mr. Reynolds ***Aye***

10. County Attorney Reports:

County Attorney Lucy Phillips distributed transcripts to the Board of Supervisors of the judge's ruling concerning the annexation case.

11. Board Information

Mr. Reeter reviewed the following Board information:

- Correspondence from SWIFA concerning Highlands Business Park

12. Consent Agenda

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

a. Payment of Bills – October 2006
b. Revenue Refunds – Animal Sterilization Fee and Adoption Fee
c. Supplemental Appropriation – Washington County Sheriff's Office
d. Award of Sale of Surplus Gerber Street Sign-Making System
e. Canceled Check-General Fund
f. Budget Status Report

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***

13. Board Member Reports

Supervisor Dulcie Mumpower reported that Cleveland Community Center recently held an open house at the Community Center. Mrs. Mumpower stated that the renovations to the building are beautiful. The residents of the Cleveland Community are happy with the Center and proud of their accomplishments.

Chairman Kenneth Reynolds commented that the community raised a lot of money for the renovation project and plus the labor volunteered. The County did contribute some money to the project.

Supervisor Paul Price discussed the issue concerning Botswanna Imani, the County resident who asserted that she received damage to her home as a result of a welfare check that was conducted by the Sheriff's Department. Ms. Imani has requested $1,000 from the Sheriff's Department to pay her insurance deductible in order that she could get the repairs made to her home. Mr. Price inquired if the County had funds to pay Ms. Imani the $1,000 for her deductible.

Discussion ensued among the Board. The Board felt this was a Sheriff's Department matter. Mr. Price inquired if the Board would support sending a letter to the Sheriff regarding the situation with Botswanna Imani. He stated that he would like to see this issue settled. The Board took no action.

In another matter, Mr. Price discussed the landowner-initiated annexation ruling and current issues with the City of Bristol. He explained that the landowners with retail property had withdrawn from the annexation petition before the court's ruling so he hopes that the County will get utilities to the landowners with property they plan to develop residentially. Mr. Price stated that he hopes that the County will step up to the plate and furnish the landowners what the City Bristol was going to.

Supervisor Odell Owens reported on the Veteran's Day Celebration honoring veterans of the Revolutionary War. Mr. Owens commented that Jack McCrady served as Master of Ceremonies for the

celebration and did a good job. He encouraged Board members to visit the Veteran's Memorial in Abingdon.

Supervisor Phillip McCall reported that he attended the Veteran's Day Ceremony and that it was a nice event. Mr. McCall stated that he had many people thank him for the contributions made by the Board of Supervisors.

Chairman Kenneth Reynolds read a thank you card from the family of Richard Rhea who recently passed. Mr. Reynolds asked the Board to continue to remember the Rhea family.

Vice Chairman Jack McCrady explained that Richard Rhea was the Taylor District appointment on the Planning Commission and that it will be hard to replace Mr. Rhea's experience.

Mr. McCrady stated that he was honored to be the Master of Ceremonies for the Veteran's Day

Mr. McCrady reported that he has received a request from Taylor's Valley that the U. S. Forest Service be contacted and requested to provide restroom facilities at the information station (caboose) that is owned by the Forest Service. He asked for Board consensus to direct the County Administrator to send a letter to the U. S. Forest Service.

It was Board consensus to direct the County Administrator to send a letter to the U. S. Forest Service asking the to provide restroom facilities at their information station (caboose) located in Taylor's Valley.

Mr. McCrady reported that Mark Reeter and he attended the VACo Conference held November 12-14. He explained that the Secretary of Transportation attended and that transportation was a major issue of concern among the localities. Mr. McCrady stated that he believes the localities across the State are interested in saving the Virginia Department of Transportation (VDOT), but believe that VDOT needs to clean up their act.

Mr. McCrady explained that the 2007 Legislative Program for the General Assembly was discussed. VACo will be sponsoring their annual Legislative Day in February and encourages the Board of Supervisors to attend. The General Assembly will be considering sending unfounded mandates to localities, an overhaul of the Compensation Board, the Sheriff's Department LEOS Program and transportation issues.

Mr. Reeter stated that he picked up briefing papers from the meetings and will distribute them to the Board at the November 28 meeting.

Mr. Reeter reminded the Board of the Abingdon Christmas Parade on November 17 and the County Employee Thanksgiving Dinner on November 21.

14. <u>Recess to 6:00 PM November 28, 2006 Worksession Meeting with Virginia Department of Transportation, Conference Room 1, County Administration Building</u>

On motion of Mr. McCall, second by Mr. Price, it was resolved to recess to 6:00 PM November 28, 2006 Worksession Meeting with Virginia Department of Transportation, Conference Room 1, County Administration Building

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

Mr. McCall	***Aye***
Mr. McCrady	***Aye***
Mrs. Mumpower	***Aye***
Mr. Owens	***Aye***
Mr. Price	***Aye***
Mr. Reynolds	***Aye***

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Prepared by:

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Naoma A. Mullins, Recording Clerk

Approved by the Washington County Board of Supervisors:

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Kenneth O. Reynolds, Chairman