

V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Thursday, January 25, 1990, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

James P. Litton, Chairman
 Maurice H. Parris, Vice Chairman
 Kenneth G. Mathews
 Aubrey E. Brown
 Thomas Whittaker
 Cecil K. Simcox

Joseph L. Howard, Jr., County Attorney
 Sandra M. Hatfield, Secretary

ABSENT:

Charles O. Byrd
 Mark W. Seamon, Director of Accounting

1. Call to Order

The meeting was called to order by Mr. James P. Litton, Chairman of the Board.

2. Invocation and Pledge of Allegiance - Washington County Ministerial Association

Reverend Victor Mansfield, Rector, St. Thomas Episcopal Church, gave the Invocation and led in the Pledge of Allegiance.

3. Approval of Agenda Format (Additions and Deletions) and Approval of Minutes:

The following action was taken on the approval of Agenda Format:

Mr. Howard advised the Chairman that through an oversight "Board Member Reports" was omitted from the Agenda . Board Member Reports was then added to the agenda.

a. Recessed Meeting of December 28, 1989

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to disapprove the minutes of December 28, 1990.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Litton | Aye | Mr. Brown | Nay |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

b. Regular Meeting of January 9, 1990

Mr. Litton stated he had a problem with the minutes of January 9, 1990 where Mr. Mathews called the recessed meeting to order at 6:00 p.m. with all the Supervisors present except Mr. Parris. He commented when Mr. Mathews called the meeting to order there were three members present stating that is not enough to have a meeting.

In response Mr. Mathews stated he could find nothing in the Virginia Code Book or the Supervisor's Manual where it said that members of the Board or the Governing Body had to be in their seat, that if they are in the room they are considered a number and a part of making up a quorum.

Mr. Litton addressed Mr. Mathews stating while he is in the chair, or until enough members are in their chair, then he considers that it is not enough to have a meeting.

Mr. Mathews requested that the minutes reflect his comments.

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to delete the following from the January 9, 1990 minutes:

"Mr. Mathews called the recessed meeting to order at 6:00 p.m. with all Supervisors present except for Maurice H. Parris, and all staff members present.

"Mr. Mathews handed a sealed envelope to County Administrator Dan Collins to open and return to him, saying he received a visitor early in the day, was sworn to secrecy and promised he would not open the envelope or reveal its contents prior to the evening meeting.

"Mr. Mathews read the following letter:

"January 9, 1990

"TO: Chairman, and Members of the Board of Supervisors.

"Due to personal reasons of which, I cannot, and will not, make known that would have a direct effect, on my serving on the board, I hereby submit my resignation, effective the above date.

"Yours truly,

"Maurice Parris"

"Mr. Mathews submitted the above letter to Mrs. Hatfield to be placed in the minutes."

The vote on this motion was as follows (3-2-1):

| | | | | | |
|-------------|---------|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Litton | Aye | Mr. Brown | Nay |
| Mr. Parris | Abstain | Mr. Whittaker | Aye | Mr. Simcox | Aye |

4. Citizen Comments (All comments are limited to 5 minutes per person)

At this time, Mr. Litton invited comments from citizens in the audience on items that do not appear on the agenda.

W. C. Hunigan, registered voter in Washington County, addressed the supervisors inquiring about the operation of the county, the legality of the Supervisor's meeting on January 23, 1990 with three of the seven members present, and further, their actions on the policy about citizen comments.

Mr. Litton asked Mr. Howard to respond to Mr. Hunigan. Mr. Howard stated the meeting was a legal meeting of the Board of Supervisors, that under the state code, two supervisors can request a special called meeting with five days written notice. He stated this occurred when Mr. Litton and Mr. Whittaker initiated the process through a written notice of the meeting and placing the topics to be discussed on the written notice.

Mr. Hunigan questioned the authority or permission of someone elected to the board of supervisors walking into the County Administrator's office and County Attorney's office and asking for their resignation. Mr. Litton stated the supervisor has the authority as well as Mr. Hunigan, stating he can ask for anything he wants. Mr. Litton stated there were four voting members on the board on January 23, 1990 and he did not vote for himself when he was nominated Chairman as he did not need to.

Mr. Hunigan expressed his feeling there is a clique in the County. He commented on the supervisors' votes being 3-3 or 3-2 and that three members will always vote in favor of what the Washington County Tax Payers Association brings up.

In conclusion, Mr. Hunigan stated this is an embarrassment to Washington County, and that business or industry will not come into the County with arguments, fussing and fighting among the Supervisors. He asked the Supervisors to settle down and be Supervisors and get out and work for the County. He stated anybody can come to a meeting and vote to spend money. He asked if the Supervisors were capable of going out to develop the County to bring industry into it.

Carl Burke, stated he came to the Supervisors meeting twice last year in an effort to get a plaque put up at the Courthouse in honor of the Washington County veterans killed in the wars and conflicts. He suggested that a shiny statue be put up.

He stated there are some good supervisors who care for taxes now and don't go up to New York to buy land to build a Courthouse for Washington County.

He said it is getting harder for the people to pay taxes and that he pays town and county taxes. He concluded, by the year 2000, if the county keeps raising taxes to build a Courthouse, the people won't be able to pay the taxes and will have to sell their houses to settle the tax bill. He stated he is for people who do not spend a lot of money for things that are not needed.

Mr. Burke stated the last time he was at the Supervisors meeting he was told he had to get a petition started to get a plaque at the courthouse honoring the Washington County veterans. He commented that when he went into WW II he doesn't remember a petition going around to keep him from going into the service.

He asked the Supervisors to look into getting the plaque.

5. County Attorney's Reports

a. Request to advertise for public hearing on Rambo Estates Subdivision Road

Mr. Howard advised the board that Rambo Estates Subdivision is located outside of Damascus in the Taylor Magisterial District.

He stated the subdivision qualifies for fifty percent State funding under the Virginia Code, where the property owners agree to special assessments against their property for the remaining fifty percent of the construction cost. He reported seventy-five percent of the lot owners have signed written agreements for special assessments to be levied against their property to pay for the fifty percent construction cost.

On motion of Mr. Parris, second by Mr. Whittaker, it was resolved that the County Attorney be advised to advertise a public hearing to consider and hear any objections from property owners in the Rambo Estates Subdivision located off of Virginia Secondary Route Number 757 in the Taylor Magisterial District of Washington County to show cause, if any they can, as to why special assessments should not be imposed against each lot in Rambo Estates Subdivision in order to complete the improvement project on the streets in the Rambo Estates Subdivision to State Standards, before taking such streets into the State secondary road system for future maintenance by the Virginia Department of Transportation for February 1990.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

Mr. Howard requested a clarification on the minutes of January 9, 1990. He inquired if the provision deleting 17 lines of the minutes encompassed

approving the minutes with deleting that portion regarding the convening of the meeting.

Mr. Whittaker stated no, his motion was to disapprove the minutes and remove the 17 lines from the minutes. Mr. Whittaker stated he would make the motion again.

Mr. Litton stated it was his understanding that that is what occurred the first time asking Mrs. Hatfield if that is the way it is recorded in the minutes. Mrs. Hatfield responded that it was not.

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to disapprove the minutes of January 9, 1990 and delete the following 17 lines from the minutes:

"Mr. Mathews called the recessed meeting to order at 6:00 p.m. with all Supervisors present except for Maurice H. Parris, and all staff members present.

"Mr. Mathews handed a sealed envelope to County Administrator Dan Collins to open and return to him, saying he received a visitor early in the day, was sworn to secrecy and promised he would not open the envelope or reveal its contents prior to the evening meeting.

"Mr. Mathews read the following letter:

"'January 9, 1990

"'TO: Chairman, and Members of the Board of Supervisors.

"'Due to personal reasons of which, I cannot, and will not, make known that would have a direct effect, on my serving on the board, I hereby submit my resignation, effective the above date.

"'Yours truly,

"'Maurice Parris"

"Mr. Mathews submitted the above letter to Mrs. Hatfield to be placed in the minutes."

The vote on this motion was as follows (3-2-1):

| | | | | | |
|-------------|---------|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Litton | Aye | Mr. Brown | Nay |
| Mr. Parris | Abstain | Mr. Whittaker | Aye | Mr. Simcox | Aye |

6. Consideration of Sealed Bids on Recycling Containers

Mr. Howard reported that the County has received a state grant for recycling purposes. He stated the Solid Waste Department has requested bids for solid waste containers.

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to accept the low bid of LM Industries, Inc., Greenville, South Carolina for five 30 cubic yard recycling roll-off containers to be used at convenience sites at a cost of \$4,650.00 each.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

7. Consideration of Board Appointments:

The following action was taken on board appointments:

a. Abingdon-Washington County Community Services Center, Inc.

On motion of Mr. Whittaker, with no second, it was resolved to table this appointment and place it on the February 12, 1990 agenda

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

b. District III Governmental Cooperative

On motion of Mr. Brown, second by Mr. Mathews, it was resolved to appoint Maurice H. Parris to serve as the Board representative to the District Three Governmental Cooperative for a one year term effective January 1, 1990.

The vote on this motion was as follows (5-0-1):

| | | | | | |
|-------------|---------|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Abstain | Mr. Whittaker | Aye | Mr. Simcox | Aye |

8. Consideration of Resolution, Comprehensive Prevention Plan for Children and Youth of Washington County (Buckey Boone, Office on Youth)

On motion of Mr. Brown, second by Mr. Parris, it was resolved to adopt the following resolution:

WHEREAS, long range planning can contribute to efficient and improved services to children and their families, and

WHEREAS, the Board of Supervisors has, in the past, given responsibility for long range planning for children's services to the Washington County Youth Services Citizen Board, and

WHEREAS, the Virginia Department of Youth Services now requires that Youth Services Boards develop long range plans for six years, and

WHEREAS, representatives from a wide range of child serving agencies, as well as concerned parents and other citizens are working to develop a comprehensive plan for children and youth of Washington County,

THEREFORE, BE IT RESOLVED, that the Washington County Virginia Board of Supervisors does direct the Washington County Youth Services Citizen Board to prepare, in conjunction with other concerned citizens of the county, a six year comprehensive plan based on an objective assessment of the community's needs and resources for developing, coordinating, and evaluating youth services.

BE IT FURTHER RESOLVED, that the Youth Services Citizen Board will review the six year plan each year and submit to the Board of Supervisors any modifications.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

9. Recess

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to take a recess.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

10. Consideration of Appointment - Director of Emergency Services

On motion of Mr. Parris, second by Mr. Simcox, it was resolved to appoint Mr. Thomas Whittaker as Director of Emergency Services.

The vote on this motion was as follows (5-0-1):

| | | | | | |
|-------------|-----|---------------|---------|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Abstain | Mr. Simcox | Aye |

11. Consideration of Board Appointment to Washington County Park Authority, District F (To fill unexpired term of Jack Rohr)

On motion by Mr. Simcox, second by Mr. Whittaker, it was resolved to table appointment to Washington County Park Authority, District F to February 12, 1990.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

12. Consent Agenda:

The following action was taken on the consent agenda:

b. Dog Damage Claims

On motion of Mr. Whittaker, with no second, it was resolved to deny payment of dog damage claims submitted by Duard Arrington in the amount of \$50.00, and VPI Experiment Station in the amount of \$130.00.

During discussion of this motion, Mr. Brown commented that with the claim submitted by VPI Experiment Station, the dog warden reported the dogs were in the sheep. Mr. Howard recommended the Board approve the claims, put them in line, and make them rely upon dog tag money paying claims when money is available. He stated his view that this action would circumvent the Supreme Court Decision that if a claim is denied and the person decides to file suit against the county, then he can get money if he prevails in court.

Garland Parks, speaking from the audience, addressed the Chairman stating that the motion died for lack of a second. Mr. Litton responded to Mr. Parks that a second was not necessary, that the board follows Roberts' Rules of Order.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Litton | Nay | Mr. Brown | Nay |
| Mr. Parris | Nay | Mr. Whittaker | Aye | Mr. Simcox | Nay |

The motion failed.

a. Payment of Bills

On motion of Mr. Brown, second by Mr. Parris, it was resolved to pay bills for the month of January 1990.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

13. Executive Session for the Purpose of Discussing Matters Related to Personnel Pursuant to Section 2.1-344(a) (1)

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to go into executive session pursuant to Section 2.1-344(a) (1) of the 1950 Code of Virginia, as amended, in order to discuss personnel matters.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

The Supervisors came out of executive session and the following motion was made:

On motion of Mr. Parris, second by Mr. Whittaker, it was resolved to go into executive session pursuant to Section 2.1-344(a) (1) of the 1950 Code of Virginia, as amended, in order to discuss personnel matters, Section 2.1-344(a) (4) of the 1950 Code of Virginia, as amended, in order to discuss prospective business or industry locating in Washington County, and Section 2.1-344(a) (6) of the 1950 Code of Virginia, as amended, in order to consult with legal counsel on possible litigation.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

The Supervisors came out of executive session and proceeded with business at hand in public.

On motion of Mr. Brown, second by Mr. Whittaker, it was resolved to adopt the following resolution:

WHEREAS, the Washington County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Washington County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Washington County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion of convening the executive meeting were heard, discussed or considered by the Washington County Board of Supervisors.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

Mr. Howard read the following letter from Delane Parks, County Planner:

"Mr. James P. Litton, Chairman
Board of Supervisors
205 Academy Drive
Abingdon, Virginia 24210

"RE: Resignation of Position

"Dear Mr. Litton:

"Over the past five years, I have served as County Planner for Washington County. I have tried to the best of my ability to provide competent planning services to the Planning Commission, Board of Supervisors and to the citizens of Washington County. I have tried to maintain dignity and provide a professionalism to the citizens of Washington County which they so deeply deserve.

"Given that members of the Board of Supervisors appear to have irreconcilable differences with me as County Planner I hereby tender my resignation contingent upon the Board's acceptance of a Separation Contract which stipulates severance pay equal to two months salary and all accrued vacation to be paid no later than January 26, 1990.

"Very truly yours,

"Delane D. Parks
"County Planner"

On motion of Mr. Whittaker, second by Mr. Simcox it was resolved to accept the resignation and Separation Contract of Mr. Delane Parks, County Planner, effective January 25, 1990 with two months severance pay consisting of salary and benefits at his current rate of pay, together with all accrued vacation days to which he is entitled.

The vote on this motion was as follows (3-2-1):

| | | | | | |
|-------------|-----|---------------|---------|------------|-----|
| Mr. Mathews | Nay | Mr. Parris | Abstain | Mr. Litton | Aye |
| Mr. Brown | Nay | Mr. Whittaker | Aye | Mr. Simcox | Aye |

Mr. Litton called Mr. Ron Brooks to the podium explaining Mr. Brooks has a problem that has come up and believes the Supervisors can take care of the matter.

Mr. Ron Brooks stated on January 19, 1990 he applied to the County Planner about opening an auto dealership. He stated Mr. Parks gave him a letter of approval as far as the zoning laws were concerned. He explained he purchased a mobile office unit and has since discovered he will have to go through the public hearing process in order to get a building permit to add a front porch to the unit. Mr. Brooks stated he has made application for the public hearing and commented that the process will take two months.

Mr. Litton asked Mr. Howard to explain what can be done to help Mr. Brooks until he can go through the public hearing.

Mr. Howard stated that the board can adopt a resolution to issue a temporary permit so that Mr. Brooks can proceed.

On motion of Mr. Whittaker, second by Mr. Parris, it was resolved to give Mr. Ron Brooks a temporary permit in order that he can operate his auto dealership.

Mr. Mathews gave his verbal support to Mr. Brooks for his circumstances, however, he questioned violating the operation procedures adopted Tuesday, January 23, 1990, whereby the Board of Supervisors should not be expected to act on items presented for the first time at a meeting. He posed the question to Mr. Litton that if the motion passes, is it a violation of the policy set in operation?

Mr. Litton explained it is an emergency situation and it is a problem that can be solved in a few minutes that will take Mr. Brooks two months if he waits to go through the public hearing process. He asked the County Attorney to rule if there was anything illegal about the action. Mr. Howard advised that the Board can proceed to take action on the motion.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

14. Board Member Reports:

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to rescind the adopted policy of January 23, 1990 concerning Citizen Comments.

The vote on this motion was as follows (4-0-2):

| | | | | | |
|-------------|---------|---------------|-----|------------|-----|
| Mr. Mathews | Abstain | Mr. Parris | Aye | Mr. Litton | Aye |
| Mr. Brown | Abstain | Mr. Whittaker | Aye | Mr. Simcox | Aye |

Mr. Mathews and Mr. Brown stated that they were not at the January 23, 1990 meeting to be involved in the discussion.

Mr. Litton explained to Mr. Mathews and Mr. Brown the reason for adopting the policy. He stated people did not understand the motion, assuring people they are welcome to address the supervisors anytime and be given equal treatment.

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved by a that the County Purchasing Department be abolished immediately and that the duties of this office be absorbed by the County Attorney's Office and that the Director be given 30 days severance pay.

The vote on this motion was as follows (3-2-1):

| | | | | | |
|-------------|-----|---------------|---------|------------|-----|
| Mr. Mathews | Nay | Mr. Parris | Abstain | Mr. Litton | Aye |
| Mr. Brown | Nay | Mr. Whittaker | Aye | Mr. Simcox | Aye |

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to abolish the Courthouse Committee immediately.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Litton | Aye | Mr. Brown | Nay |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to abolish all contracts with Dewberry & Davis and that all documents be returned to Washington County.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Litton | Aye | Mr. Brown | Nay |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to have an audit of all county departments as soon as possible.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Litton | Aye | Mr. Brown | Nay |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

In response to the Chairman's inquiry, Mr. Howard advised that the Board will have to advertise for auditors.

Mr. Mathews stated the County has just paid and received one of the most favorable audits that he has ever been connected with which encompasses business, school and local government. He stated an outside audit was very complimentary to the auditing staff and administration and he begged the supervisors to reconsider this matter as it is an expensive and elongated thing to do. He stated board members have the audit that was approved by the state which was duly paid for by the Washington County Board of Supervisors.

In response to Mr. Litton's inquiry about the name of the firm who performed the audit and the length of time they have performed an audit for the County, Mr. Howard replied Robinson, Farmer, Cox Associates has performed the county audit for the past three years.

Mr. Litton stated he was advised it is not good to have the same auditors year after year.

Several comments from the audience were directed to the board members.

Garland Parks addressed the Board stating that an audit has already cost the taxpayers money and that the supervisors should not ask for another audit.

Mr. Whittaker responded that in most counties there must be an audit after the county administrator leaves. Mr. Whittaker was informed that there is no law that requires an audit after the county administrator leaves, however, there is a law that requires an audit after a Treasurer leaves his position.

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to name Miss Cathy Freeman temporary Planner until the Board of Supervisors advertises and hires a Planner.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Parris | Aye | Mr. Litton | Aye |
| Mr. Brown | Nay | Mr. Whittaker | Aye | Mr. Simcox | Aye |

Mr. Mathews inquired of Mr. Whittaker if he asked Ms. Freeman if she would be interested in the position. Mr. Whittaker responded that he was sure she would. Mr. Mathews responded that that was not the question. Mr. Litton stated she has not been asked but she does not have to do the job if she does not want to.

In response to Mr. Mathews question, Mr. Whittaker stated he did not ask Ms. Freeman.

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to have a public hearing to abolish the utility tax by June 30, 1990, and that the County advertise as soon as possible.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Nay | Mr. Parris | Aye | Mr. Litton | Aye |
| Mr. Brown | Nay | Mr. Whittaker | Aye | Mr. Simcox | Aye |

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to appoint Mark Seamon Acting County Administrator to sign checks and carry out the daily duties of the county until such time as the Board of Supervisors advertises and hires a new administrator.

During discussion of this motion, Mr. Mathews inquired if Mr. Whittaker asked Mr. Seamon if he would take the job. Mr. Whittaker responded he did and that Mr. Seamon agreed to take the job.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Parris | Aye | Mr. Litton | Aye |
| Mr. Brown | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved that the Washington County Emergency Services Coordinator be restored to a full time position immediately and that Mary Fraysier be rehired as full time coordinator and that the part time building inspector be relieved of his duty immediately with 30 days severance pay.

Mr. Mathews asked Mr. Whittaker to repeat his motion.

Mr. Whittaker repeated, "I move that the Washington County Emergency Services Coordinator be restored to a full time position immediately. And that Mary Fraysier be rehired as a full time coordinator. And the part time building inspector be relieved of his duty immediately with 30 days severance pay."

The vote on this motion was as follows (3-2-1):

| | | | | | |
|-------------|-----|---------------|---------|------------|-----|
| Mr. Mathews | Nay | Mr. Parris | Abstain | Mr. Litton | Aye |
| Mr. Brown | Nay | Mr. Whittaker | Aye | Mr. Simcox | Aye |

Mr. Mathews asked for confirmation that the Board voted 4-2 that the Supervisors are operating under the Policy and Operational Procedures and the Proposed By-Laws. He asked if he could then delete the word "Proposed" from his document. The County Attorney concurred.

Mr. Litton inquired about the status of the recessed meeting of January 30, 1990. Mr. Howard advised that the Board could recess and hold that meeting, or if there is no requirement for the meeting, the Board could cancel it. Mr. Litton asked the Board what they wanted to do about it.

On motion of Mr. Simcox, second by Mr. Whittaker, it was resolved by a vote of 6-0 to cancel the recessed meeting of January 30, 1990.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

15. Adjournment

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to adjourn the meeting.

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

| | | | | | |
|-------------|-----|---------------|-----|------------|-----|
| Mr. Mathews | Aye | Mr. Litton | Aye | Mr. Brown | Aye |
| Mr. Parris | Aye | Mr. Whittaker | Aye | Mr. Simcox | Aye |

James P. Litton, Chairman