V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Monday, May 14, 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
Charles O. Byrd
Thomas Whittaker
Cecil K. Simcox

Mark W. Seamon, Director of Accounting
Sandra M. Hatfield, Secretary

ABSENT:

Barry Proctor, Acting County Attorney

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1. Call to Order

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

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2. Invocation and Pledge of Allegiance - Rev. Lawrence Pace, Pastor, Abingdon Baptist Church

Reverend Lawrence Pace, Pastor, Abingdon Baptist Church, was present to give the Invocation and lead in the Pledge to the Flag.

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3. Approval of Minutes:

The following action was taken on approval of minutes:

On motion of Mr. Whittaker, second by Mr. Parris, it was resolved to approve the following minutes:

:: Regular meeting of April 26, 1990

Page 5025, Item 8., Washington County Industrial Park (G. Kilgore):

Clarified motion as follows: "... $49.80 User Rate and Availability Rate with $3.45 per thousand gallons used beginning with the first thousand gallons."

Page 5032, Item 17, Board Member Reports, Paragraph 7:

Reverse numerical vote on the motion to upgrade the salary of Mary Fraysier to read 3 in support and 4 in opposition rather than 4-3.

:: Recessed meeting of April 30, 1990

The vote on the motion to approve Minutes of April 26, 1990 and April 30, 1990 was as follows (7-0):

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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4. Citizen Comments

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

Lewis Atkins, resident of the Town of Abingdon, inquired as to the reason he needs to display a county decal on his vehicle.

Mr. Litton responded he spoke with Mr. Parker about the matter saying Mr. Parker stated giving out county decals to town residents was a mistake that is costing the taxpayers $1,000 a year.

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5. Planning & Zoning Public Hearings:

Mr. Litton conducted the following public hearings for planning and zoning matters:

Notice of Intent to Rezone:

:: Homer Vandergriff: Application to rezone approximately 6 and 1/2 acres from A-2 (Agricultural, General) to A-1 (Agricultural, Limited), located south of Route 11 and east of State Route 677 in the Madison Magisterial District.

Mr. Litton invited comments both in support of and in opposition to the application filed by Mr. Vandergriff.

Homer Vandergriff appeared before the Supervisors. He explained he has 6-1/2 acres and would like a permit to place a mobile home on his property for a limited period of time. He stated he was not sure of placing it in the front or rear of the property.

Mr. Brown asked Mr. Vandergriff for the approximate location he would place the mobile home on the property and how far back from the right of way and Mr. Leidig's property. Mr. Vandergriff responded 400 to 600 feet from the right-of-way.

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

Mr. Brown made a motion that the area to be rezoned A-1 will be 500 feet back from Mr. Leidig's house at which point the line will be placed separating A-1 and A-2 zoning, inasmuch as it will not be necessary to rezone the property in order for Mr. Vandergriff to build his house. Mr. Brown asked Mr. Vandergriff if he would agree to the compromise.

Mr. Vandergriff responded that he wants the property rezoned exactly as he requested it.

Mr. Brown withdrew his first motion and moved to deny the request of Homer Vandergriff to rezone approximately 6 and 1/2 acres from A-2 (Agricultural, General) to A-1 (Agricultural, Limited), located south of Route 11 and east of State Route 677 in the Madison Magisterial District.

The vote on this motion was as follows (3-4):

Mr. Mathews	Aye	Mr. Litton	Nay	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Nay	Mr. Whittaker	Nay
Mr. Simcox	Nay				

Mr. Whittaker moved to follow the recommendation of the Planning Commission and approve request of Homer Vandergriff to rezone approximately 6 and 1/2 acres from A-2 (Agricultural, General) to A-1 (Agricultural, Limited), located south of Route 11 and east of State Route 677 in the Madison Magisterial District.

Mr. Brown explained his concern about Mr. Vandergriff's rezoning request because it is spot zoning. Discussion followed. Mr. Vandergiff explained his objection stating that Mr. Leidig is telling him what to do with his property.

Mr. Whittaker withdrew his motion.

Further discussion ensued. On motion of Mr. Brown, second by Mr. Mathews, it was resolved to rezone Mr. Vandergriff's property 500 feet back from the right of way between Mr. Leidig's property and Mr. Vandergriff's property, drawing the line to rezone that area A-1.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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:: Herman C. Rutherford: application to rezone approximately 12.18 acres from A-2 (Agricultural, General) with existing A-1 (Agricultural, Limited) to combine both zones to A-1 (Agricultural Limited) on the north side of State Route 700 approximately 1,000' from the intersection of State Route 627/700 in the Tyler Magisterial District.

Mr. Litton invited comments both in support of and in opposition to the application filed by Mr. Rutherford.

Joyce Geiger, daughter of Mr. Rutherford, explained the reason to rezone the property is for the purpose of placing a mobile home on it. She explained all the utilities are there.

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

On motion of Mr. Whittaker, second by Mr. Parris, it was resolved to follow the recommendation of the Planning Commission and approve application of Herman C. Rutherford to rezone approximately 12.18 acres from A-2 (Agricultural, General) with existing A-1 (Agricultural, Limited) to combine both zones to A-1 (Agricultural Limited) on the north side of State Route 700 approximately 1,000' from the intersection of State Route 627/700 in the Tyler Magisterial District

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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:: Harold Leonard: application to rezone approximately 16 acres from R-2 (Residential, General) to A-1 (Agricultural, Limited), located on the north side of State Route 634 near Route 700, Tyler Magisterial District.

Mr. Litton invited comments both in support of and in opposition to the application filed by Harold Leonard.

David Scyphers, speaking for Mr. Leonard, explained the request to rezone property stating that individual lots numbered 7-10 will not perk however all property combined could accommodate a six bedroom house.

Mr. Scyphers explained Mr. Leonard would like to have an amusement center for Saturday night entertainment with music.

Mr. Scyphers stated Mr. Leonard would like to have the property rezoned whether or not the Supervisors approved the special use permit.

Mrs. Fleenor presented several petitions in support of rezoning Mr. Leonard's property. Several people in the audience stood up to support the petitions.

Elmer McNut presented petitions against the Mr. Leonard's request to rezone 16 acres to A-1

An adjoining property owner addressed the Supervisors stating he has a letter opposing the permit from Mr. Dennis Sharin. He stated he is opposed the amusement center for the reasons there is no space for parking, and the building will be located 50 feet from the adjoining property line.

Rev. Scherfee, opposed the rezoning stating it will decrease the value of the property in the area. He expressed opposition to the amusement center stating there is no parking, there is no water except for a spring that has contaminated water, and it is not conducive to the peace and quiet of the neighborhood. Rev. Scherfee presented petitions.

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

On motion of Mr. Whittaker, second by Mr. Simcox, it was resolved to rezone approximately 16 acres from R-2 (Residential, General) to A-1 (Agricultural, Limited), located on the north side of State Route 634 near Route 700, Tyler Magisterial District.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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Request for Special Use Permit

:: Curtis Fitzgerald: application to develop a mobile home park of approximately 101 mobile home spaces on property located on the north side of State Route 11 (Lee Highway) between the intersections of State Routes 11/80 and 11/737 and south of I-81 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.

Mr. Litton invited comments both in support of and in opposition to the application filed by Curtis Fitzgerald.

Lee Moise, representing Curtis Fitzgerald, explained that the special use permit previously granted contains certain restrictions which Mr. Fitzgerald would like to have modified.

Mr. Moise explained the road will be built to state standards, there will be cluster boxes for postal service, the road will be 18' in width, sealed and primed, there will be a defined recreation area in the park, it is proposed that 101 mobile home spaces will be developed, and the park will be lined with white pines.

Mr. Moise reviewed the current restrictions stating that they make the mobile home park project not feasible and, therefore, Mr. Fitzgerald is recommending the changes outlined above.

Mr. Moise stated the mobile home park will be a good resource to the county, it will be clean and well kept. He strongly urged the Supervisors to consider modifying the current restrictions.

Mr. Simcox reported receiving several telephone calls about the litter around Mr. Fitzgerald's white house and asked Mr. Fitzgerald if he will clean it up. Mr. Fitzgerald agreed to the request.

Peggy Beach, neighbor of Mr. Fitzgerald, expressed opposition to the proposed development of a mobile home park of 101 homes stating her concerns over the excessive number of mobile homes in the area.

Jerry Price, Glade Spring, expressed opposition stating concern over property devaluation, influence of transients, and impact on the school.

Eleanor Williams, expressed opposition stating compromise restrictions were made with the intent of holding down the number of trailers.

Minor Riker, adjoining property owner, expressed opposition stating concern over sewer and water, fire protection, and pine tree screening.

Martha McCreery, expressed opposition stating concern there is an oversaturation of trailers in the area. She stated it will have an impact on Emory & Henry College taking the students from the dormitories.

Larry Fleenor, neighboring property owner, expressed opposition stating concern over property devaluation.

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

On a motion by Mr. Byrd, second by Mr. Brown, it was moved to Limit the trailer park to Fifty (50) spaces; that the road is to be primed and sealed with 18' running surface; that the road from Highway 11 to the top of the hill, outlined as proposed, must be built to meet state standards; that the front of the park will be screened with 8 foot high white pines, two rows staggered 8 foot on center to provide screening, and that the screening will extend down past the Buckles (property) to screen their view of the park and increase their privacy; that all trailers must be underpinned with materials generally suitable for that type of work and done by using

skilled craftsmen, and that it be quality work; that the entrance to the front and rear of the trailer is permanent in nature; that Mr. Fitzgerald must have a contract with a reliable person or firm to provide trash pickup on a weekly basis; that no trailer in the park will be more than four years old; that no vehicle without valid license or determined inoperable is allowed to be stored on the premises; all soil disturbed in the construction of the park will be graded back to contours where it can be maintained and seeded; that Mr. Fitzgerald will provide a 6" waterline in the trailer park with T's to accommodate fire hydrants spaced so that no trailer would be more than 500 feet from a hydrant when sufficient water is available to serve that area; and extend the fire hydrants where no trailer will be more than 500' from the fire hydrant; that landscaping and trees are to be placed on the lots; that it is the responsibility of the owner to maintain the park that will be a pleasant and peaceful environment; that there will be a well defined recreation area.

Mr. Whittaker made a substitute motion, second by Mr. Simcox, to follow the recommendation of the Planning Commission to approve special use permit for Curtis Fitzgerald to develop a mobile home park of approximately 101 mobile home spaces on property located on the north side of State Route 11 (Lee Highway) between the intersections of Route 11/80 and 11/737 and south of I-81 in an A-2 (Agricultural, General) zone, Monroe Magisterial District.

The vote on this motion was as follows (4-3):

Mr. Mathews	Nay	Mr. Litton	Aye	Mr. Brown	Nay
Mr. Byrd	Nay	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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6. Recess

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

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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:: Harold Leonard: request to construct and operate a small business in general, consisting of a family atmosphere amusement center on approximately 16 acres located on Route 634 near State Route 700 in the Tyler Magisterial District.

Mr. Litton explained that the special use permit application of Harold Leonard will be returned to the Planning Commission. Mr.

Scyphers stated that the Planning Commission tabled the matter at their last meeting.

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:: Fred South: application to construct and operate a mobile home sales facility with one mobile home used for offices and security on the premises located on U.S. Highway 11 between Preston Hills and Highlander Park, adjacent to Catalina Motel/Apartments in the Wilson Magisterial District.

Mr. Litton invited comments both in support of and in opposition to the application filed by Fred South.

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

On motion of Mr. Simcox, second by Mr. Whittaker, it was resolved to approve application of Fred South to construct and operate a mobile home sales facility with one mobile home used for offices and security on the premises located on U.S. Highway 11 between Preston Hills and Highlander Park, adjacent to Catalina Motel/Apartments in the Wilson Magisterial District.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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:: Clyde Widner: application to operate a used car dealership office on approximately 4 acres located south of Route 673 near State Route 759 in the Madison Magisterial District near the Tennessee state line.

Mr. Litton invited comments both in support of and in opposition to the application filed by Clyde Widner.

Craig Kendrick addressed the Supervisors requesting a special use permit for Mr. South in order that he may operate a car dealership.

Mr. Kendrick explained there was no opposition at the Planning Commission meeting with the exception of Mrs. Singleton who expressed concern over the view of disabled vehicles. He stated Mrs. Singleton will withdraw her objections if the Supervisors would approve the special use permit with the stipulation that Mr. Widner will erect a fence within 60 days of approval.

Mr. Tom Antenucci, representing Mrs. Singleton, explained the aspect of the business which caused Mrs. Singleton some concern. He reiterated Mrs. Singleton's agreement to withdraw her objection and support Mr. Widner's request for a special use permit on the condition that a screen will be put up within 60 days of the Supervisors approval of the request.

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

On motion of Mr. Brown, second by Mr. Parris, it was resolved to follow the recommendation of the Planning Commission and approve special use permit for Clyde Widner to operate a used car dealership office on approximately 4 acres located south of Route 673 near State Route 759 in the Madison Magisterial District near the Tennessee state line with the stipulation that Mr. Widner erect a fence to screen the junk vehicles on his property.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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:: Joseph L. Norton: application to expand an existing custom woodworking facility to construct a 20' x 100' lumber storage facility located on State Route 664 approximately one-half mile east of State Route 670 in the Madison Magisterial District.

Mr. Litton invited comments both in support of and in opposition to the application filed by Joseph L. Norton.

Joseph L. Norton addressed the Supervisors requesting a permit to build a lumber storage shed.

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

On motion of Mr. Brown, second by Mr. Whittaker, it was resolved to follow the recommendation of the Planning Commission and approve special use permit for Joseph L. Norton to expand an existing custom woodworking facility to construct a 20' x 100' lumber storage facility located on State Route 664 approximately one-half mile east of State Route 670 in the Madison Magisterial District.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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7. County Administrator Comments:

The following action was taken on County Administrator comments:

a. State Department of Air Pollution Control Permit Application from Johnson Memorial Hospital

Received communication from the State Department of Air Pollution Control requesting comments on a permit application received from the Johnson Memorial Hospital to install and operate a Joy Energy Systems hospital waste incinerator located in Abingdon, Virginia. There were no objections raised.

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b. Lease for Clinchburg Polling Place/Community Center

After discussion, it was the consensus of the Board to explore a lease/purchase agreement with Mr. Henry Green for use of the Clinchburg Community Center.

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c. Surplus Vehicles

Mr. Seamon gave a report on nine motor vehicles which will need to be declared surplus at the May 31, 1990 meeting. He stated several county agencies have expressed interest in exchanging some of their vehicles for the surplus vehicles.

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to authorize county agencies to exchange their vehicles for the surplus vehicles.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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c. Reminders:

The following reminders were received:

Weds	May 16, 1990	7:00 p.m.	Public Hearing: Budget (Abingdon High School)
Thurs	17, 1990	7:00 p.m.	Approving/Adjusting Bdgt
Mon	21, 1990	7:00 p.m.	Approving/Adjusting Bdgt
Thurs	24, 1990	7:00 p.m.	Approving/Adjusting Bdgt
Mon	28, 1990	7:00 p.m.	Adopt Bdgt/Set Tax Rates
Thurs	31, 1990	7:00 p.m.	Regular Board Meeting

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Mr. Seamon presented the following reports for Board Members' information:

Office on Youth has filed a grant application for the food service program for summer 1990;

Received inquiry from Mr. Terry Hagy concerning the proposed sale of his property to the county for locating a site for a convenience center. Board Members took no action on this inquiry.

Received letter from Shelton Witt Equipment Company concerning the purchase of loader equipment that Washington County entered into a lease with. Shelton Witt is requesting the Board pay for their increase in costs based upon the county's delay. Mr. Byrd asked for a legal opinion of the Board's obligation to pay the claim.

Received letter from Minnie Cullopp enclosing signed petitions from property owners requesting Route 787, off Highway 58, located in Washington County be paved for a distance of 1-1/2 mile. 9:00

On motion of Mr. Whittaker, second by Mr. Parris, it was resolved to request the Department of Transportation to add the following roads to their Six Year Plan:

State Route 787, off Highway 58, located in Washington County, for approximately 1-1/2 mile: For Paving;

State Route 614, for approximately 1-1/2 mile from Randal Eads property in a westerly direction to Virginia State Route 625 (Craig's Mill): Pave with Asphalt;

State Route 633 (Hines Subdivision): Grade and Surface

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

Received report on supplemental VSRS retirement benefits for law enforcement officers whereby the Compensation Board's contribution is limiting the amount they will reimburse localities for the employers VSRS contributions made. Mr. Seamon proposed that this be discussed and considered during the budget work sessions.

Mr. Seamon reminded the Board there is a budget work session scheduled for Monday, May 28, 1990, pointing out it is a legal holiday.

On motion of Mr. Brown, with no second, it was resolved to schedule the budget work session for Tuesday, May 29, 1990, 7:00 p.m.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

Mr. Seamon reported the Washington County Fireman's Association would like to appear before the Board to discuss their budget request. The Association was invited to appear on Monday, May 21, 1990. Mark will notify the Association.

Mr. Seamon reported the Board and public is invited to participate in Fun Day sponsored by Highlands Rescue Squad on Saturday, May 19, 1990, 12:30 p.m.

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8. County Attorney's Reports

The Supervisors took no action on the following agenda items:

a. Update on Dog Damage Claims Filed by Archie Bailey
b. Consideration Senate Joint Resolution No. 14

These items will be placed on the May 31, 1990 Board of Supervisors agenda.

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9. Mount Rogers Planning District Commission Proposal To Develop a Regional Solid Waste Management Plan

On motion of Mr. Mathews, second by Mr. Byrd, it was resolved to participate in the Mount Rogers Planning District Regional Solid Waste Management Plan at a cost share to Washington County at $12,150 based on tonnage of waste.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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10. Selection of Architectural Firm For Courthouse Renovation

On motion of Mr. Mathews, second by Mr. Simcox, it was resolved to authorize the Chairman of the Board of Supervisors to enter into a contract with Beeson & Beeson Architects, Inc. for the complete renovation and addition of the Washington County Courthouse in Abingdon, Virginia with basic compensation computed at the rate of five and one-half percent (5-1/2%) of the cost of construction.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Abstain	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

Mr. Byrd abstained from voting of the motion because of a conflict of interest explaining that Beeson & Beeson is employed to do work for his company, Byrd & Goff Construction.

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11. Consideration of Bristol Virginia Landfill Proposal, Vulcan Materials Quarry

Received communication from Bristol Virginia City Manager, Paul D. Spangler, describing the proposed solid waste disposal facility, presenting anticipated costs, and soliciting Washington County's level of interest to participate in terms of financial assistance or contribution of solid waste.

Mr. Seamon reported receiving proposals to operate a private landfill in Washington County which will be presented to the Supervisors on May 31, 1990.

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12. Consideration of Resolutions Requesting Virginia Department of Transportation To Take Streets Into The Secondary System

On motion of Mr. Byrd, second by Mr. Parris, it was resolved to approve the following resolutions:

IT IS HEREBY RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA that the Virginia Department of Transportation is hereby formally and officially requested to take into the State secondary highway system the following street known as Holston View Drive, located in the Holston View Subdivision, in the Madison Magisterial District of Washington County, Virginia:

Beginning at a point on State Route 664, 0.45 mile northwest of Route 1401, thence southeast, thence southwest, thence northwest, thence northeast, looping back into Holston View Drive at a point approximately 0.05 mile southeast of State Route 664 for a total distance of 0.37 mile.

The Board of Supervisors of Washington County, Virginia does hereby guarantee a 40-foot right of way as recorded in Plat Book Number 23 at page 210, dated the 3rd day of February, 1988, among the land records of Washington County, Virginia. Washington County does also guarantee the necessary drainage easements, and that they are unencumbered.

IT IS HEREBY RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, VIRGINIA that the Virginia Department of Transportation is hereby formally

and officially requested to take into the State secondary highway system the following un-named street located in the Foxfire Estates Subdivision, in the Wilson Magisterial District of Washington County, Virginia:

Beginning at a point on State Route 1538 0.07 mile northeast of State Route 1536, thence southeast, thence northeast, thence east, thence north, looping back into State Route 1538 approximately 0.23 mile northeast of State Route 1536 for a total distance of 0.29 mile.

The Board of Supervisors of Washington County, Virginia does hereby guarantee a 50-foot right of way as recorded in Plat Book Number 24 at page 53, dated the 20th day of April, 1989, among the land records of Washington County, Virginia. Washington County does also guarantee the necessary drainage easements, and that they are unencumbered.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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13. Recess

Board Members took a recess earlier in the meeting.

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14. Consent Agenda:

On motion of Mr. Whittaker, second by Mr. Mathews, it was resolved to approve the following Consent Agenda:

a. Payment of Bills for the month of April 1990;

b. Bear and Deer Damage Claims: John Fore, $50.20; Garry Litton, $603.00;

e. Cancelled Check No. 38315, Local Gov't Assoc., $250.00;

f. Supplemental Appropriation, W. C. Library Fund, $7,850.00.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

The following items were withdrawn from the Consent Agenda pending the County Attorney researching payment of dog damage claims:

c. Resolution of Dog Damage Claim Filed By Duard Arrington;
d. Dog Damage Claim - Jack Arrington, $220.00.

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15. Consideration of Appointments to Virginia Highlands Community College Board, Four Year Terms; Terms Expiring June 30, 1990:

:: Ruth Sheffield
:: Frank McClaugherty

On motion of Mr. Byrd, second by Mr. Brown, it was resolved to reappoint Ruth Sheffield and Frank McClaugherty to represent Washington County on the Virginia Highlands Community College Board for four year terms effective July 1, 1990 to June 30, 1994.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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16. Consideration of Board Appointments Expiring June 30, 1990:

The following action was taken on appointments to boards and commissions:

:: Airport Commission:

Emmitt Yeary, Harrison District

Mr. Mathews requested action on his appointment to the Virginia Highlands Airport Commission be tabled.

Bonsall Sykes, Jefferson District

Mr. Litton stated he would postpone making his appointment to the Virginia Highlands Airport Commission.

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:: Building Code of Appeals:

No action was taken on the following appointments to the Building Code of Appeals:

Ann L. Roope, Harrison District (Expires August 31, 1990)
Gail Maiden, Jefferson District
Prince A. Coleman, Monroe District (Expires Sept 30,1990)
Kirby Branson, Wilson District

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:: Industrial Development Authority:

James R. McCall, Taylor District

On motion of Mr. Parris, second by Mr. Whittaker, it was resolved to appoint Allan Johnson to the Industrial Development Authority representing Taylor District for a four year term effective July 1, 1990 to June 30, 1994.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

*****

:: Highlands Community Services Board:

Jean McReynolds, At Large

On motion of Mr. Simcox, second by Mr. Mathews, it was resolved to reappoint Jean McReynolds to serve on the Highlands Community Services Board representing Washington County, At Large, for a three year term effective July 1, 1990 to June 30, 1993.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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Joan Worley, Jefferson District

There was no action taken on the appointment for the Jefferson District.

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Aubrey E. Brown, At Large

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to reappoint Aubrey E. Brown to serve on the Highlands Community Services Board, At Large, for a three year term effective July 1, 1990 to June 30, 1993.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Abstain
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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Georgia Polk, Monroe District

On motion of Mr. Byrd, second by Mr. Parris, it was resolved to reappoint Georgia Polk to serve on the Highlands Community Services Board representing Monroe District for a three year term effective July 1, 1990 to June 30, 1990.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

(Note: It has been determined that Mrs. Polk is not eligible for reappointment, therefore, the item will be placed on the May 31, 1990 agenda.)

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:: Public Library Board of Trustees:

There was no action taken on the following appointments to the Public Library Board of Trustees:

June Roberts, Harrison District
Linda B. Byrd, Monroe District

Mr. Litton announced that he received a letter of resignation from Mr. C. W. Rector who is serving on the Public Library Board of Trustees representing Jefferson District. This item will be placed on the May 31, 1990 agenda.

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:: Park Authority

The following action was taken on appointments to the Park Authority:

Lee F. Garrett, Madison District

On motion of Mr. Brown, second by Mr. Mathews, it was resolved to reappoint Lee F. Garrett to the Washington County Park Authority representing Madison District for a four year term effective July 1, 1990 to June 30, 1994.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

Wesley Waters, Sr., Taylor District

On motion of Mr. Parris, with no second, it was resolved to reappoint Wesley Waters, Sr., to the Washington County Park Authority representing Taylor District for a four year term effective July 1, 1990 to June 30, 1994.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

Dallas F. Hayden, Wilson District

On motion of Mr. Simcox, second by Mr. Brown, it was resolved to reappoint Dallas F. Hayden to the Washington County Park Authority representing the Wilson District for a four year term effective July 1, 990 to June 30, 1994.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

Louis Musser, Harrison District

There was no action taken on the Washington County Park Authority appointment from Harrison District.

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:: Recreation Advisory Committee

Jerry Wilson, Wilson District

On motion of Mr. Simcox, with no second, it was resolved to reappoint Jerry Wilson to serve on the Recreation Advisory Committee representing Wilson District for a four year term effective July 1, 1990 to June 30, 1994.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

:: * School Board* *

Charles W. Davidson, Monroe District

George Michael Rush, Taylor District

* HB 1088 Requires a public hearing 7 days prior to appointment

Mr. Parris nominated Mr. James A. Bishop to serve on the Washington County School Board representing Taylor District.

Mr. Bishop's name will be advertised for a public hearing.

Mr. Parris stated if Mr. Bishop is appointed to the School Board, he will fill the Mr. Bishop's vacancy on the Washington County Service Authority Board of Commissioners with Mr. John K. Henderson.

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:: Washington County Service Authority

Kenneth Fleenor, Tyler District

There was no action taken on the appointment to the Washington County Service Authority Board of Commissioners.

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:: Board of Social Services

Dr. J. Thomas Luck, Taylor District

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to reappoint Dr. J. Thomas Luck to serve on the Board of Social Services representing Taylor District for a four year term effective July 1, 1990 to June 30, 1994.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

Dulsie Mumpower, Wilson District

There was no action taken to fill the Wilson District appointment on the Board of Social Services.

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17. Consideration of Appointing A County Administrator (Aubrey Brown)

On motion of Mr. Brown, second by Mr. Mathews, it was resolved to employ Mr. Bruce Bently as County Administrator for Washington County at the salary of $51,300.

Mr. Whittaker offered a substitute motion to employ Mr. Bruce Bentley at $10,000 and evaluate him at the end of the first year.

Mr. Litton turned the Chairmanship over to Mr. Parris for the purpose of making a motion.

Mr. Litton offered a substitute motion, second by Mr. Whittaker, to review the applications again and select three more candidates to interview.

The vote on Mr. Litton's motion was as follows (3-4):

Mr. Mathews	Nay	Mr. Litton	Aye	Mr. Brown	Nay
Mr. Byrd	Nay	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Nay				

The vote on Mr. Whittaker's motion was as follows (2-4-1):

Mr. Mathews	Nay	Mr. Litton	Aye	Mr. Brown	Nay
Mr. Byrd	Nay	Mr. Parris	Abstain	Mr. Whittaker	Aye
Mr. Simcox	Nay				

The vote on Mr. Brown's motion was as follows (4-3):

Mr. Mathews	Aye	Mr. Litton	Nay	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Nay	Mr. Whittaker	Nay
Mr. Simcox	Aye				

Mr. Parris turned the Chairmanship back to Mr. Litton.

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18. Executive Session Pursuant to Section 2.1-344(a)(2) of the 1950 Code of Virginia, As Amended, Property Acquisition

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to go into executive session to discuss matters related to property acquisition pursuant to Section 2.1-344(a)(2) of the 1950 Code of Virginia, as amended.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

On motion of Mr. Byrd, second by Mr. Whittaker, it was resolved to come out of executive session and adopt the following certification:

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 (7-0):

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

On motion of Mr. Brown, second by Mr. Byrd, it was resolved to employ Mr. Bruce Bentley as soon as he can begin work.

The vote on this motion was as follows (4-3):

Mr. Mathews	Aye	Mr. Litton	Nay	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Nay	Mr. Whittaker	Nay
Mr. Simcox	Aye				

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19. <u>Board Member Reports</u>

Mr. Byrd commented on the public hearing scheduled for May 16, 1990 and the financial commitments that the County has made in excess of $2 M. He expressed his displeasure at advertising and presenting a budget that he knows the Supervisors will not be approving.

Mr. Whittaker gave a very brief report on the lack of water from the Mendota Community Well.

Mr. Litton turned the Chairmanship over to Mr. Parris for the purpose of making a motion.

Mr. Litton commented on Mr. Louis Atkins concern over the County decal. It was determined to place the matter on the agenda for May 31, 1990 for further discussion.

Mr. Litton brought up a concern over yard sales on the major highways. Mr. Litton made a motion, second by Mr. Whittaker, to advertise for a public hearing the repeal of the ordinance governing yard sales.

Mr. Litton related an incident whereby a Deputy stopped at a yard sale reporting he stated he had nothing to do with the ordinance, "... that these idiots up here are the ones who passed the law." Mr. Litton added he was not one of the idiots. Mr. Mathews asked Sheriff McCall to find out which one of the Deputies said that a bunch of idiots passed the yard sales ordinance. Sheriff McCall asked Mr. Litton who the Deputy was. Mr. Litton replied that Sheriff McCall will not find that out from him.

Mr. Mathews and Sheriff McCall commented on the history of the yard sales ordinance, stated the purpose of the yard sales ordinance, and clarified the regulations.

Sheriff McCall expressed his opinion of the ordinance as to the safety factors. Mr. Mathews expressed his reluctance to repeal regulations governing the yard sales ordinance stating there has been a decrease in traffic problems and accidents. For the benefit of Mr. Litton, Sheriff McCall read the yard sales ordinance and the exceptions to it, clarifying who may have a yard sale and the locations allowable.

Mr. Litton withdrew his motion.

Mr. Parris turned the Chairmanship to Mr. Litton.

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20. Adjournment

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to recess the meeting to Wednesday, May 16, 1990, 7:00 p.m. at Abingdon High School for the purpose of holding a public hearing on the FY 1990-91 County budget.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Brown	Aye
Mr. Byrd	Aye	Mr. Parris	Aye	Mr. Whittaker	Aye
Mr. Simcox	Aye				

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James P. Litton, Chairman