

V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Thursday, June 25, 1992, at 7:00 p.m., at the County Administration Building in Abingdon, Virginia, the following were present:

PRESENT:

Joe W. Derting, Chairman
 James T. Osborne, Vice Chairman
 Kenneth G. Mathews
 James P. Litton
 Maurice H. Parris
 Jackson Barker, Jr.
 Cecil K. Simcox

Bruce E. Bentley, County Administrator
 Cliff Walsh, County Attorney
 Mark W. Seamon, Director of Accounting
 Sandra M. Hatfield, CPS

1. Call to Order

The meeting was called to order by Mr. Joe W. Derting, Chairman of the Board.

2. Invocation and Pledge of Allegiance - Cecil K. Simcox

Mr. Simcox gave the Invocation and led in the Pledge of Allegiance.

3. Approval of Agenda

On motion of Mr. Parris, second by Mr. Litton, it was resolved to approve the Agenda, as written.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

4. Citizen Comments

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

Patrick Mannix addressed the Supervisors concerning his request for an investigation of the Sheriff's Office and the Commonwealth Attorney's Office. He conveyed the results of the investigation and concluded that it was not handled properly. He suggested the investigation be handled by an outside agency, and asked if it would take another resolution by the Board of Supervisors to investigate the matter further. There was no response from the Supervisors.

Randy Brown distributed copies of an article appearing in the June 92 issue of the School Board Journal titled Power to the People.

Lewis B. Atkins, raised a question about a rescue squad's liability when the agency does not respond to a call and a fatality occurs.

Mr. Walsh responded to Mr. Atkins stating the County can be named in a legal action, however, the probability of a successful litigation against the County is remote.

Mr. Atkins referred to a proposition from Mr. Parris to observe and record Mrs. Fraysier's work activity for one week. He stated he would accept Mr. Parris' offer provided he can do it at a time of his choosing so that Mrs. Fraysier work activity cannot be altered. He stated he would then report his findings to the Board. Mr. Parris responded to Mr. Atkin's request by referring him to seek Mrs. Fraysier's approval of the plan.

Bill Bish advised the Supervisors of traffic and safety problems on Wyndale Road, at Route 645 and US 11, and proposed solutions for consideration. He requested the Supervisors work with the Town of Abingdon to resolve it.

Mr. Bish reported the telephone company will soon be mailing ballots to 628 and 676 exchanges to determine the useage of the 669 exchange as a local calling telephone exchange. He stated there will be a charge for the local calling service of \$3.20 per month.

Mr. Bish commented on the bids and quotes received for 911 equipment. He questioned the Supervisors about the total revenue collected from telephone users asking when will the .65¢ charge cease, and if the County will refund all excess money collected.

Mr. Derting responded to Mr. Bish that four bids were received for 911 equipment, and they are currently being evaluated by the 911 committee. He reported he has received information that the City of Galax is charging telephone users \$1.00 per month and will continue with the charge.

5. Mr. Litton's Reports and Comments

Mr. Litton did not give any reports or comments.

6. Planning & Zoning Public Hearing

The following action was taken on Planning and Zoning Public Hearings:

REQUEST FOR A SPECIAL USE PERMIT:

- (A) WASHINGTON COUNTY BOARD OF SUPERVISORS FOR LOLA H. HARRIS:
Request for a Special Use Permit to operate a Solid Waste and Recycling Convenience Station on property located on the West side of State Route 747 in a CR (Conservation, Recreation) zone, Jefferson Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the application for a special use permit filed by WASHINGTON COUNTY BOARD OF SUPERVISORS FOR LOLA H. HARRIS.

Speaking in Support of the Special Use Permit were the following persons:

Hattie Goff, resident of the Tumbling Creek Community, in responding to previous statements made to the Board of Supervisors disputed claims of flooding at the location of the proposed convenience center, and that people attending the nearby church would be unable to have outside activities because of the bees, bugs, and odor already present.

Speaking in Opposition to the Special Use Permit were the following persons:

David Werth, Fisherman and tax payer, stated the property is not a suitable site for a convenience station explaining there is water on three sides of the property which is fed by a drainage ditch. He stated high water travels through the ditch into Tumbling Creek. He cautioned the County about potential liability in the event the Creek becomes polluted. He explained his job as a volunteer is to observe the Creek and he can press charges in the event there are violations.

Lisa Browning reiterated previous remarks about the site not being suitable for a convenience center explaining about the close proximity to her parents home and their health problems. She requested the Supervisors look at other sites that have not been looked at.

R. R. Watson explained he has been retained to represent the people in the Tumbling Creek community who are opposed to the proposed convenience station. He presented documentation that federal and state regulations were not followed and permits not obtained prior to choosing the proposed site and cautioned the County about their liability for any pollution that goes into Tumbling Creek. He presented photographs of other sites available for a convenience center. He stated he obtained the County's files through the Freedom of Information Act and discovered the information contained in the file does not pertain to the site being considered, and further, there has been no research on the site. He reported that the

Landfill Supervisor has not looked at the site and the Virginia Marine Resources have not been contacted.

In defense of the proposed convenience station location, Mr. Litton responded to Mr. Watson's comments giving distances of other site locations to Creeks or streams. He stated the regulations that Mr. Watson sited were not followed when constructing other convenience center sites and expressed his view he did not believe it is necessary for the Harris property.

Pratt Schultz, Tumbling Creek Baptist Church, spoke in opposition to the site location.

Maria Snead reiterated her previous offer stating she has property available for a convenience center site that is not near the creek.

Mrs. Goff addressed the Supervisors questioning the accuracy of the information reported by Mr. Watson and claiming she has been given information by a biologist that a convenience station poses no danger of contamination to the creek.

Mrs. Goff also commented that the Division of Fish & Game will not stock the Creek where trash dumps along the road have not been cleaned up.

Bascom Brannon, owner of property on Route 613, stated he has had property for sale and no one has contacted him in the past ten years about purchasing it.

Steve Austin, Recycling Coordinator for Washington County, responded to comments concerning potential oil contamination stating oil is stored in drums which are built according to EPA standards.

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

Mr. Litton made a motion, second by Mr. Parris, to follow the recommendation of the Planning Commission and approve Special Use Permit filed by WASHINGTON COUNTY BOARD OF SUPERVISORS FOR LOLA H. HARRIS to operate a Solid Waste and Recycling Convenience Station on property located on the West side of State Route 747 in a CR (Conservation, Recreation) zone, Jefferson Magisterial District.

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

Mr. Mathews	Nay	Mr. Litton	Aye	Mr. Derting	Nay
Mr. Osborne	Nay	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Abstain				

7. Public Hearing to consider appointments to the Washington County School Board from the A-91 (Harrison) District, and the B-91

(Jefferson) District (Ms. Mary G. Haviland has been nominated from the Harrison District and William K. Clay has been nominated from the Jefferson District)

Mr. Derting invited comments both in support of and in opposition to appointments to the Washington County School Board from the A-91 (Harrison) District, and the B-91 (Jefferson) District (Ms. Mary G. Haviland has been nominated from the Harrison District and William K. Clay has been nominated from the Jefferson District).

Pam Alexander stating she lives in the Harrison District and owns rental property in the Jefferson District, spoke in support of Mrs. Mary Haviland's appointment. Ms. Alexander stated she opposes Mr. Clay's appointment to the school board based on information she has heard and read that Mr. Clay does not seem to be pro education and children. She stated if he visits the schools in Washington County he will see they are overcrowded and need special programs. She stated Washington County does not need to cut funding and teachers.

Mr. Derting allowed Mr. Clay to address the Board and the audience reading a prepared statement attesting to his personal and educational qualifications to serve on the Washington County School Board, and expressing his position with regard to education and sound financial planning and budgeting.

Mr. Simcox questioned Mr. Clay about his position on eliminating 18-20 teachers, and asked him if he could fully support the pupils and schools of Washington County. Mr. Clay responded to Mr. Simcox offering his training and knowledge to the school system subject to realistic measures.

Barry Proctor, parent of children in Washington County Schools, spoke in opposition to Mr. Clay's appointment based on Mr. Clay's stated position with regard to saving tax payers' money. Mr. Proctor recounted a Parable from the Bible illustrating a point of investing school dollars wisely in the childrens' education as opposed to saving those same dollars.

Mr. Proctor spoke in support of Mrs. Haviland's appointment to the School Board representing Harrison District.

Amy Smith, spoke in opposition to Mr. Clay's appointment stating he supports minimum standards in the school. She stated he is not an advocate of the school district and represents budget and tax reduction. With regard to appointments to the School Board, she suggested the public needs to be well informed about the nominee being considered long before the Supervisors make an appointment.

Mrs. Smith spoke in support of Mrs. Haviland's appointment to the School Board.

Barbara Gunther, Harrison District, requested the Supervisors seriously consider each appointment, support nominees who favor a progressive system of academic excellence, and not automatically approve an appointment because it is politically correct. She suggested nominees be evaluated based on the long term effects and the well being of the schools.

Mrs. Gunther asked if she would be allowed to question Mr. Clay at the end of the public hearing. Mr. Derting responded and granted permission.

Mrs. Gunther spoke in support of Mrs. Haviland's appointment to the School Board.

Donna Porada, Washington County tax payer, asked the Supervisors to seriously consider appointing Mr. Clay to the School Board representing Jefferson District. Mrs. Porada spoke in support of Mrs. Haviland's appointment to the School Board.

John Brown, Washington County resident, and a supervisor by profession. He made some general observations about the decreasing standards in the field of education. He commented on his view that the school needs to have people who will look at alternatives and not just throw money at the system. Mr. Brown spoke in support of Mr. Clay because, he stated, he looks at alternatives.

Charlene Brown, attested in support of Mr. Clay's character, and addressed the issue of home teaching. She explained her reasons for choosing to educate her children in the home.

Jon Case, parent residing in the Jefferson District, spoke in support of Mrs. Haviland's appointment to the School Board.

Mr. Case spoke in opposition to Mr. Clay's appointment to the School Board.

He remarked about Mr. Clay publicly petitioning against school activities and the state mandated Family Life Education program, his opposition to the school budget for the past two years, and his discontent for fully funding the schools. Mr. Case emphasized the school administration must work to keep the standards of Washington County consistent with state and federal regulations. He expressed his view that it is critical for school board appointments to be free of politics. Mr. Case responded to statements in support of home bound education stating many parents cannot afford to provide that type of education for their children.

Mr. Case referred to his letter to Mr. Litton dated June 25, 1992 wherein he expressed opposition to Mr. Clay's appointment on the School Board and posed six questions for Mr. Litton to respond to. Mr. Litton stated he was not prepared to respond to the questions at this time but will do so at another time.

Donna Clay, daughter-in-law to Mr. Clay, spoke in support of Mr. Clay's appointment to the School Board. In her presentation, she read a prepared statement explaining her reasons for choosing to educate her children at home.

Carol Fields, substitute teacher and parent residing in the Jefferson District, speaking in defense of public education stating many parents do not have the resources and education for home bound schooling, and expressed her view that the expertise of the public school system is necessary.

Mrs. Fields stated she opposed Mr. Clay's appointment to the School Board based on his public opposition to higher student-teacher ratios. She conveyed her observations of overcrowded classrooms, and the state/federal requirements of special programs to have low teacher-pupil ratios. She directed a plea to Mr. Simcox to consider Mr. Clay's recent change of position with regard to schools.

Patrick Mannix called attention to Mary Haviland's voting record on textbooks, the closing of Hayter's Gap and Hamilton Elementary Schools, and the purchase of video cameras for buses.

Mary Alice Bodenhorst thanked Mrs. Haviland for representing Harrison District on the School Board. Mrs. Bodenhorst spoke in opposition to Mr. Clay's appointment questioning the reasons he and his family oppose the school budget. She expressed her hope that whoever is appointed to the School Board that they will work in the best interest of children in Washington County.

Randy Brown asked questions of Messrs. Clay and Litton. He expressed support of Mr. Clay's appointment to the School Board based on his knowledge of him and the need to reason things out more.

Bill Bish spoke in support of Mr. Clay's appointment expressing his belief that he identifies himself with fiscal responsibility.

Dr. Charles Tyhurst, Son-in-law to Mr. Clay, spoke in support of Mr. Clay's appointment stating he will work for the good of the County and the children of Washington County. He attested to Mr. Clay's character, and his willingness to be financially responsible.

Mrs. Gunther addressed the Supervisors and Mr. Clay, and presented several questions which Mr. Clay responded to.

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

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to reappoint Mary G. Haviland to the Washington County School Board representing Harrison District for a four year term beginning July 1, 1992 to June 30, 1996.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

On motion of Mr. Litton, second by Mr. Parris, it was resolved to appoint Mr. William K. Clay to the Washington County School Board representing Jefferson District for a four year term effective July 1, 1992 to June 30, 1996.

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

Mr. Mathews	Nay	Mr. Litton	Aye	Mr. Derting	Nay
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Nay
Mr. Simcox	Aye				

Mr. Barker filed an affidavit of disclosure explaining he is an employee of the Washington County Public School System and his interests as an employee of that system may be affected directly or indirectly by his voting for any particular school board member, and further, expressing his belief that he can fairly participate in such a voting activity with the public interest in mind.

8. Public Hearing to consider adding a chapter to the County Code to define the offense of littering and to provide appropriate enforcement methods and legal remedies for the offense.

Mr. Derting invited comments both in support of and in opposition to the proposed amendment to the County Code defining the offense of littering and providing appropriate enforcement methods and legal remedies for the offense.

Patrick Mannix inquired about the reason for enacting more laws when the County does not enforce the ordinances already established.

Bobby Ingle addressed the Supervisors explaining the importance of the amendment for enforcing the Code. He requested the amendment be adopted.

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

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

CHAPTER 12.2

BE IT ORDAINED that in order to promote the health, safety and general welfare of the inhabitants of Washington County, Virginia, the County Board of Supervisors does hereby adopt the following ordinance:

Article I. Title and Definitions

Sec. 12.2-1 Title

This ordinance shall be known and be cited as the County of Washington Litter Control Ordinance.

Sec. 12.2-2 Definitions

a. Institution. Any Public or private establishment which educates, instructs, treats for health purposes, or otherwise performs a service or need for the community, region, state, or nation.

b. Litter. All waste materials including, but not limited to, bottles, glass, crockery, cans, scrap metal, paper, oil, batteries, hazardous waste, appliances, inoperable junked vehicles, automobile parts, plastics, rubber, garbage, offal, waste building material, waste building materials at construction sites, disposable packages or containers thrown or deposited as prohibited herein, medical waste, furniture, food waste, yard wastes.

c. Litter Receptacle. A covered container with a capacity of not less than ten (10) gallons, constructed and placed for use as a depository for litter.

d. Person. Any natural person, corporation, partnership, association, firm, receiver, guardian, trustee, executor, administrator, fiduciary, or representative, or group of individuals or entities of any kind.

e. Private Property. Property owned by any person as defined herein, including but not limited to yards, grounds, driveways, entrance or passageways, parking areas, storage areas, any body of water, vacant land, and recreational facilities.

f. Public Property. Any area that is used or held for use by the public, whether owned or operated by public or private interests including, but not limited to, highways, streets, alleys, parks, recreation areas, sidewalks, medians, lakes, rivers, streams, ponds, or other bodies of water.

g. Vehicle. Every device capable of being moved upon a public highway or public waterway by its own power and in, upon, or by which any person or property may be transported or drawn upon a public highway, public waterway, or stationary rails or tracks, and shall also include any watercraft, boat, ship, vessel, barge, or other floating craft, except devices used exclusively for agricultural purposes and not licensed pursuant to state law, and not operated on any public highway for purposes other than crossing such public highway, or along such highway between two tracts of the owner's land.

Reference in this ordinance to "highways," "roadways," "roads," and "streets" shall include each of these other terms by definition.

Article II. Littering Violation

Sec. 12.2-3 Littering

Any person shall be guilty of a Class 3 misdemeanor who dumps or otherwise disposes of trash, garbage, refuse, litter or other unsightly matter, on

public property, on private property, including a public highway, right-of-way, property adjacent to such highway or right-of-way, or on private property. When a violation of the provisions of this section has been observed by any person, and the matter illegally dumped or disposed of has been ejected from a vehicle, the owner or operator of such vehicle shall be presumed to be the person ejecting such matter. However, such presumption may be rebutted by competent evidence.

Sec. 12.2-4 Enforcement of Litter Laws; Prosecution; Presumption

a. All law enforcement officers of Washington County, the Commonwealth of Virginia, those employees of the Department of Forestry, Commission of Game and Inland Fisheries, and Department of Parks and Recreation vested with policy powers are hereby empowered to issue citations to, or arrest, any person violating any provision of this ordinance, and may serve and execute all warrants, and other process, issued by the court in enforcing the provisions of this ordinance, as provided by State law.

b. It shall hereby be the duty of the county solid waste director, his authorized representative, the county recycling coordinator and any other county employee(s) designated by the Washington County Board of Supervisors to secure a summons against any person or persons who are in violation of this ordinance.

c. Officers of the Washington County Health Department shall be empowered to issue citations.

d. Prosecution for a violation of any provision of this ordinance may be initiated by any person who witnesses such offense or who discovers an article of litter bearing a person's name or address on the property of another, on any public highway, street, or road, upon a public park or recreation area, or within any waterway, or upon any other public property except property that is designated for solid waste disposal. Such prosecution may be initiated by any private citizen, who witnesses an offense or discovers evidence of such offense.

e. Any article of litter bearing a person's name or address, found on the private property of another, or on any public property as designated herein, shall be presumed to be the property of such person whose name or address appears thereon, and it shall be presumed that such person placed or caused to be placed such article of litter; however, such presumption may be rebutted by competent evidence.

f. Anyone who generates solid waste or litter in Washington County is personally responsible for insuring proper disposal of the solid waste or litter. Personally depositing the litter or solid waste in the County Landfill or a County operated convenience station shall be deemed proper disposal. Contracting with a commercial hauler, licensed by the County, to transport the garbage or litter to the County operated landfill shall be deemed proper disposal of residential garbage or litter provided appropriate receipts and documentation is produced. Formal or informal arrangements with anyone who does not possess a refuse hauling permit issued by the Board of Supervisors shall not excuse anyone from personal liability

for improper disposal of litter, garbage or solid waste in Washington County.

Article III. Stationary Violations

Sec. 12.2-5 Areas Surrounding Commercial Establishments, Institutions, and Residences.

a. It shall be the responsibility of each proprietor and each operator of any business, industry, or institution to keep the adjacent and surrounding area clear and free of litter. These areas include, but are not limited to public and private sidewalks, roads and alleys, grounds, parking lots, loading and unloading areas, and all vacant lots which are owned or leased by said establishment or institution.

b. It shall be the duty of each property owner and tenant in possession to keep all exterior private property free of litter. These areas shall include, but not be restricted to, sidewalks, alleys, driveways, yards, grounds, fences, walls, property lines, drainages, roadsides, woodlands, pastures and vacant lots in residential areas.

c. It shall be unlawful to sweep, push or allow to fall or accumulate litter from private property into roads or streets. Such litter shall be deposited in a proper receptacle which prevents scattering by wind or animals.

d. It shall be the duty of the owner, agent, or contractor in charge of a construction or development site to furnish litter receptacles at the site and to collect daily and contain the same so as to prevent scattering of litter and solid waste. All litter shall be removed from such site not less than once per week. At the conclusion of a project, all building debris shall be transported to the landfill for proper disposal. This section shall be read with and construed as a part of the applicable sections of the Virginia Uniform Statewide Building Code relating to the control and disposal of litter and other waste materials at all construction and demolition project sites.

e. It shall be unlawful for any person distributing commercial handbills, leaflets, flyers, or any other advertising and informational material to distribute material in such a manner that it litters either public or private property.

f. Violations of any portion of this Article shall be punishable as a Class 3 misdemeanor.

Article IV. Solid Waste Disposal Methods

Section 12.2-6 Methods of Disposal

All disposal of refuse shall be by a method in accordance with requirements of state and local law and shall include the maximum practicable rodent, insect and nuisance control at the place of disposal.

Sec. 12.2-7 Indiscriminate Dumping or Discarding of Litter or Solid Waste

It shall be unlawful for any person to discard or dump along any street, road (on or off the right-of-way), alley, stream, or body of water such items as litter, wood, any household or commercial solid waste, rubbish, refuse, junk, vehicle or vehicle parts, rubber equipment or public or private property, except in receptacles provided for public use for the deposit of said materials, such as the landfill or convenience centers.

Article V. Clean-up, Government Authorization

Sec. 12.2-8 Clean-up of Premises by Government Authorized

a. It shall be unlawful for any property owner or tenant in possession to allow litter to accumulate on property in his control to such a degree as to present a health or safety hazard, or constitute a violation of any section of this chapter.

b. If any person responsible for the enforcement of this ordinance shall determine the condition of a lot or tract of real estate within the County to be a health or safety hazard, to include but not limited to rodent or insect infestation, refuse containing household or other waste which could reasonably be expected to attract insects, rodents or snakes, refuse containing household or other waste which could reasonably cause infection or transmit disease, or refuse containing waste which could reasonably cause offensive odor, or contamination of streams or water bodies, such county official shall issue a written notice by certified mail to the owner or renter or person occupying such premises, and if the litter is not removed within 20 days from the the receipt of the notice, a summons shall be issued for a violation of this section for each day such littered condition continues to exist.

c. Twenty (20) days after due notice is given to any owner, agent, occupant, or lessee of any private property to remove litter from the premises, if such litter is not removed, the Board of Supervisors of Washington County may authorize the county staff to clean-up said private property and bill the owner or his agent for the costs thereof. All costs incurred with clean-up of dump sites or private property shall be submitted for publication in a local newspaper having general circulation in Washington County.

d. All reports of violations to county officials must be received in writing, describing the condition of litter, location, property owner's name or occupant's name. Any person reporting a possible violation may be subpoenaed to testify in court.

e. The violation of any portion of this Article shall constitute a Class 3 misdemeanor.

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

Mr. Mathews	Aye	Mr. Litton	Nay	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Mr. Litton commented that he voted against the motion and will continue to do so until the people in the Jefferson District have a place to dump their garbage.

9. Glade Spring request for Washington County to be a co-applicant on Planning Grant Project (David Barrett)

Mr. David Barrett, Town Manager of Glade Spring, addressed the Board of Supervisors concerning a proposed joint planning project that will address the need for public sewer in the eastern end of Washington County, specifically in and around Glade Spring.

Mr. Barrett described the infrastructure project in detail and presented proposed costs. He informed the Supervisors of the deadline date for submitting an application to the Department of Housing and Community Development for CDBG funding. Mr. Barrett informed the Supervisors that the Town officials recently adopted a resolution committing \$2,000 in local funds toward the project. He requested Washington County become the co-applicant in the project and also commit \$3,000 in local funds toward the project.

Mr. Barrett introduced Mayor Tony Rector and Councilman D. Klein of Glade Spring.

Discussion ensued with Mr. Osborne requesting the project be expanded to include the intersection of US 11 and Route 91 westward to Route 694. Mr. Barrett expressed support.

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

WHEREAS, the Washington County, Virginia Board of Supervisors recognizes the extreme importance of public sewer service to County residents; and,

WHEREAS, the Virginia Department of Housing and Community Development has funds for planning grants under the Community Development Block Grant (CDBG) program; and,

WHEREAS, one eligible project type for planning grant proposals is "Regional Infrastructure."

THEREFORE, BE IT RESOLVED, that the Washington County, Virginia Board of Supervisors wishes to be the co-applicant with the Town of Glade Spring for a \$25,000 Planning Grant under the CDBG program for the Eastern Washington County Regional Sewer Study Project which will include the intersec-

tion of US 11 and Route 91 westward to Route 694 (Hogs Thief Creek, which is beyond Cedarville); and,

BE IT FURTHER RESOLVED, that the Washington County, Virginia Board of Supervisors agree for the Town of Glade Spring to be the lead applicant to complete and submit all necessary documents for the grant proposal; and,

BE IT FURTHER RESOLVED, that the Washington County, Virginia Board of Supervisors commits \$3,000 in local funds toward the project.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

10. Recess The Board took a brief recess.

11. Waste Management of Tri-Cities Contract, Annual Adjustment (Larry Burris)

Mr. Larry Burris, Division President, General Manager, Waste Management of Tri-Cities, was present to update the Board on the current contract and provide information on the rates for commercial, residential, school, and roll-off convenience station service fees. Mr. Burris presented two options for the County to consider in updating the contract.

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to update the current agreement between Washington County and Waste Management of Tri-Cities, Inc. for solid waste collection and disposal services, selecting Option Two which provides for rate increases on an annual basis, with rate adjustments based on the Consumer Price Index and noting the CPI reflects a 2.9% increase as of April 1992.

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

Mr. Mathews	Aye	Mr. Litton	Nay	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Mr. Litton commented that he voted against the motion and will continue to do so until the people in the Jefferson District have a place to dump their garbage.

12. Consideration of Appointment to Washington County Park Authority
for Expiring Term of Harvey Clark, Jefferson District

On motion of Mr. Litton, second by Mr. Parris, it was resolved to appoint William Pence to serve on the Washington County Park Authority representing Jefferson District for a four year term effective July 1, 1992 to June 30, 1996.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

13. Richmond Trip Concerning US 58 Routing

On motion of Mr. Mathews, second by Mr. Simcox, it was resolved to authorize the County Administrator to attend a meeting with Mr. John Milliken of Virginia Department of Transportation in Richmond on Friday, June 26, 1992 concerning the neglect of Route 2E routing, and further authorized approval of the expenses of Joe Albert Rhea and Arthur Anderson, members of the Route 58 Committee who will be attending this meeting, for food and transportation.

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

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

14. Resolution re Appropriation of FY 1992-93 Washington County
Budget

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

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY,
IA that the following appropriations of funds are hereby made for
scal year beginning July 1, 1992 and ending June 30, 1993 for the
ons and purposes indicated hereafter:

EXPENDITURE BUDGET
Fiscal Year 1992-1993

General Fund

Board of Supervisors	\$ 82,585
County Administration	143,274
Personnel	25,009
Legal Services	80,315
Outside Legal Services	-0-
Legislative Auditor	22,000
Commissioner of Revenue	234,975
Assessor	150,000
Land Use Tax Expenses	15,632
Treasurer	262,715
Central Accounting	89,170
Data Processing	115,624
Central Purchasing	10,279
Resource Management	41,183
Electoral Board & Official	30,050
General Registrar	62,547
Circuit Court	30,562
General District Court	11,525
Special Magistrates	1,400
Juvenile & Domestic Court	12,180
Clerk of Circuit Court	94,227
Commonwealth Attorney	190,070
Sheriff	1,933,611
Wash. Co. Dare Program	27,129
Central Dispatch	60,058
Volunteer Fire Department	391,650
Ambulance-Rescue Contrib.	182,840
Sheriff-Care of Prisoners	225,324
Highlands Juv. Det. Ctr	37,600
County Jail Renovation	-0-
Dept. of Correction Grants	16,500
Office of Youth	44,700
Family Oriented Gp. Homes	90,713
Building Inspection	49,034
Animal Control	101,884
Emergency Services (C.D.)	62,934
Medical Examiner	3,000
Maint. Hwy, Sts, & Bridges	4,850
Multiflora Dept Central	0

General Properties	221,220		
Sewer Expense	90,000		
County Health Department	270,380		
County Sanitarian	-0-		
Bristol Speech & Hearing	14,000		
Mental Health & Retardation	127,322		
Senior Services	70,197		
Day Care Services	7,200		
Other Contributions	73,600		
Community Colleges	30,462		
Recreation Department	66,889		
Development of Parks	1,500		
Recreation Contributions	70,850		
Airport	144,817		
Airport-Restricted	118,000		
Cultural Enrichment	48,250		
Dept. of Economic Develop.	30,000		
Industrial Development	78,265		
Planning & Zoning	56,643		
Mt. Rogers Planning Dist.	22,485		
District 3 Govt. Coop	7,777		
Soil & Water Conservation	9,100		
VPI Coop Extension Program	59,163		
Reserves	<u>463,771</u>		
TOTAL GENERAL FUND		\$	8,212,114
Revenue Sharing Fund			
General Properties	-0-		
Industrial Development	<u>-0-</u>		
TOTAL REVENUE SHARING FUND		\$	-0-
Law Library Fund		\$	6,000
Road Improvement Fund		\$	110,000
Capital Improvement Fund			
County Landfill	818,000		
Courthouse Renovation	775,000		
Water Projects	592,500		
Industrial Development	<u>72,800</u>		
TOTAL CAPITAL IMPROVEMENT FUND		\$	2,258,300
VPA Fund			
Welfare Administration	1,413,852		
Public Assist & S.S. Program	1,154,904		
Area Training Center	<u>139,373</u>		
TOTAL VPA FUND		\$	2,708,129
Wear & Deer Damage Stamp Fund		\$	-0-
Library Fund			
Library Admin. Legal	205,240		

Mendota Branch Library-Local	11,261	
Glade Branch Library-Local	12,218	
Literacy Program	<u>25,217</u>	
TOTAL LIBRARY FUND		\$ 475,257
Special Grant Projects Fund		-0-
911 Project Fund		538,743
School Operating Fund		\$ 35,234,280
Textbook Fund		\$ 318,735
School Construction Fund		\$ 610,467
Cafeteria Fund		<u>\$ 2,068,596</u>
TOTAL EXPENDITURE BUDGET		<u>\$ 52,540,621</u>

BE IT FURTHER RESOLVED that Fred W. Parker, Treasurer of Loudoun County, Virginia is hereby authorized to transfer to other funds from the General Fund from time to time as the monies become available, the sum equal to, but not to exceed, the appropriations made for these funds from the General Fund for the period covered by this resolution.

BE IT FURTHER RESOLVED that the County Administrator and/or other agency heads are authorized to transfer funds between line items in the departmental budget(s) for which they are responsible, and that, transfers between departments must be approved by the Board of Supervisors.

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

Mr. Mathews	Nay	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Resource Management Consultant Savings (Frank Canter)

Mr. Frank Canter presented a revised written report on the financial savings to the County that he was responsible for effecting in his position as Resource Management Consultant.

The detailed review of the revised figures provided by Mr. Canter resulted in a correction to his report by identifying certain amounts reported as that was not a saving rather than savings. In questioning Mr. Canter on the reported

clusion, Mr. Mathews requested Mr. Canter provide the Supervisors additional information in a report formatted to distinguish original, present expense, and over-all savings to the County at their July 2 meeting.

Whittaker and Mannix approached the Board concerning expense claims supervisors.

County Administrator Comments:

The following action was taken on County Administrator comments:

Observance of the Fourth of July Holiday

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to close County offices on Friday, July 3, 1992 in observance of the Fourth of July holiday.

On this motion was as follows (7-0):

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Recessed Meeting of Board of Supervisors

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to recess the June 25, 1992 meeting of the Board of Supervisors to Thursday, July 2, 1992 in order to meet with the Planning Commission relative to holding Planning & Zoning public hearings that are deemed to be urgent.

On this motion was as follows (7-0):

Mr. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
Mr. Simcox	Aye				

Valley Rescue Request to operate ALS

to grant permission to Valley Rescue Squad to operate Advanced Life Support service in Washington County, Virginia.

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

. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
. Simcox	Aye				

Communications

The following communications were received:

- :: Request from Patrick Mannix to examine travel expense reimbursements of Supervisors under the FOI Act;
- :: Letter of resignation from Sheila J. Fleenor, contract hourly employee working in the Purchasing Department, effective July 1, 1992;
- :: Letter to Mr. Frank Canter, Resource Management Consultant, from Dr. George H. Stainback, Division Superintendent, concerning approximate savings in the 1991-92 school board budget;
- :: From Congressman Rick Boucher:
 - :: response to request for status on Farmers Home Administration proposed regulations;
 - :: to J. L. Corley, Department of Transportation, and David Goode, President, Norfolk Southern Corporation, concerning installation of crossing gates at Emory & Henry College;
- :: From Senator Jackson E. Reasor, Jr. concerning crossing gates at Emory & Henry College;
- :: Commission on Local Government, Principal Findings, Report on the Comparative Revenue Capacity, Revenue Effort, and Fiscal Stress of Virginia's Counties and Cities 1989-90;
- :: Department of Transportation to Delegate Joseph Johnson concerning crossing gates at Emory & Henry College;
- :: Board of Education concerning resolution to reduce effort to fund public education;
- :: Animal Control concerning Dog Tag Enforcement advertisement;

- :: William King Regional Arts Center concerning participation in FY 92 Advancement Program of the National Endowment for the Arts;
- :: Anderson and Associates, Inc./County Planner concerning Exit 19 Sewer Project;
- :: Sportsmen's Arena concerning July 4, 1992 fireworks display;
- :: Virginia Highlands Community College concerning FY 1992-93 budget;
- :: Department of Housing and Community Development concerning final compliance visit, Community Improvement Grant #89-20;

Reminders of meetings were given.

Consent Agenda:

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

Approval of Change Orders, Renovation of County Courthouse, Nos. 4, 5 and 6 from Burwil Construction Company in the amount of \$631.00, \$4,673.00, and \$462.00 respectively.

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

. Mathews	Aye	Mr. Litton	Aye	Mr. Derting	Aye
. Osborne	Aye	Mr. Parris	Aye	Mr. Barker	Aye
. Simcox	Aye				

ker presented a memo to the Board of Supervisors requesting consideration to amend A-2 zoning to permit single wide mobile homes.

on of Mr. Barker, second by Mr. Parris, it was resolved to request Planning Commission to advertise a public hearing to receive comments regarding Section 14-45 of the County Code.

. Mathews Nay Mr. Litton Aye Mr. Derting Nay
. Osborne Aye Mr. Parris Aye Mr. Barker Aye
. Simcox Aye

on of Mr. Parris, second by Mr. Osborne, it was resolved to grant a permit to the Taylor's Valley Community Club for July 4, 1992.

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

. Mathews Aye Mr. Litton Aye Mr. Derting Aye
. Osborne Aye Mr. Parris Aye Mr. Barker Aye
. Simcox Aye

Executive Session pursuant to Section 2.1-344(A) (6) of the 1950 Code of Virginia, as amended, in order to discuss investing where competition or bargaining is involved, where if made known initially the financial interest of the County could be adversely affected, specifically the possible expansion of a County industry

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to go into executive session pursuant to Section 2.1-344(A) (6) of the 1950 Code of Virginia, as amended, in order to discuss where competition or bargaining is involved, where if made known the financial interest of the County could be adversely affected, specifically the possible expansion of a County industry.

e on this motion was as follows (6-1):

. Mathews Nay Mr. Litton Aye Mr. Derting Aye
. Osborne Aye Mr. Parris Aye Mr. Barker Aye
. Simcox Aye

Mathews left the meeting at 11:28 p.m. and did not attend the executive

Mr. Barker left the meeting at 11:30 p.m. and did not attend the executive

on of Mr. Osborne, second by Mr. Simcox, it was resolved to come out of executive session and proceed with business at hand in public.

. Litton Aye Mr. Derting Aye Mr. Osborne Aye

. Parris Aye Mr. Simcox Aye

on of Mr. Parris, second by Mr. Osborne, it was resolved to adopt 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;

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, all such 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 (5-0):

. Litton Aye Mr. Derting Aye Mr. Osborne Aye

. Parris Aye Mr. Simcox Aye

Recess to July 2, 1992, 7:30 p.m. to meet with the Washington County Planning Commission concerning the following public hearing Planning & Zoning Applications for Public Hearings filed by Zane Pierce and James E. Willis

On motion of Mr. Parris, second by Mr. Simcox, it was resolved to recess to July 2, 1992, 7:30 p.m. to meet with the Washington County Planning Commission concerning the following Planning & Zoning Applications for Public Hearings filed by Zane Pierce and James E. Willis

. Litton	Aye	Mr. Derting	Aye	Mr. Osborne	Aye
. Parris	Aye	Mr. Simcox	Aye		

Joe W. Derting, Chairman