V I R G I N I A:

At a recessed meeting of the Washington County Board of Supervisors held Tuesday, November 24, 1992, at 6:00 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.

Bruce E. Bentley, County Administrator
Cliff Walsh, County Attorney
Sandra M. Hatfield, CPS

ABSENT:

Cecil K. Simcox
Mark W. Seamon, Director of Accounting

PRESENT from the Planning Commission were:

Phillip McCall, Chairman
Rudy Duty
W. D. Young, Jr.
Mickey Tyler
Donna Clay (Arrived at 6:05 p.m.)

ABSENT:

Richard T. Gardner
Bill Canter

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1. Call Recessed Meeting to Order

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

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2. Invocation and Pledge of Allegiance - Mr. J. T. Osborne

Mr. J. T. Osborne gave the Invocation and led in the Pledge of Allegiance.

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3. Joint Meeting with the Washington County Planning Commission for the following public hearings:

Mr. Derting turned the meeting over to Mr. McCall, Chairman of the Planning Commission, to call the meeting to order.

(Mrs. Clay arrived at 6:05 p.m.)

On motion of Mr. Young, second by Mr. Duty, it was resolved to approve the October 27, 1992 minutes of the Planning Commission meeting.

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

Mr. McCall	Aye	Mr. Young	Aye	Mr. Duty	Aye
Mr. Tyler	Aye	Mrs. Clay	Aye		

Mr. McCall stated the Board of Supervisors requested a joint meeting with the Planning Commission to discuss amendments to the County Code relative to trash disposal convenience sites.

Mr. McCall opened discussions by turning the meeting back to Mr. Derting requesting the Supervisors to convey their concerns to the Planning Commission.

Supervisors Barker, Osborne and Litton commented on their concerns over the proposed amendments. One of the principle concerns and objections raised was eliminating the public hearing process, thus restricting the public's voice.

Mr. McCall reviewed the action taken by the Planning Commission to recommend approval of the proposed amendment definitions. A brief discussion ensued wherein Mr. Mathews' inquired as to the reason for omitting the public hearing process. Mr. McCall responded the Planning Commission was given to understand the staff or the Board of Supervisors requested it be eliminated. Supervisors stated it is not their intent to eliminate the public hearing process.

A motion was made by Mr. Osborne, second by Mr. Barker, to amend the zoning ordinances to permit trash disposal convenience station but only after a public hearing in all zones except R1 and R2, and to permit transfer stations by the local government in the M-1 and M-2 zones after a public hearing.

Discussion ensued about the hearing and permitting process for allowing trash disposal convenience station sites in specific zones with a special use permit. In summary, Mr. Derting stated the application would go to the Planning Commission for their recommendation and referral to the Board of Supervisors for the final decision.

Mr. Mathews offered a substitute motion, second by Mr. Parris, to:

add to

Section 14-3. Definitions, Trash Disposal Convenience Station.

and, to delete:

Article X. Residential, Limited District (R-1), Section 14-70. Use Regulations. (j) Trash disposal convenience site

Article XI. Residential, General District (R-2), Section 14-78. Use Regulations. (o) Trash disposal convenience site

and, to amend:

Article XIV. Industrial, Limited District (M-1), Section 14-98. Use Regulations. (V) to read, "Trash disposal convenience site or transfer station by the Local Government with a special use permit."

Article XV. Industrial, General District (M-2), Section 14-106. Use Regulations. (S) to read, "Trash disposal convenience site or transfer station by the local government with a special use permit."

and, to leave unchanged:

Article III. Highland Recreation District (HR), Section 14-19. Use Regulations. (b) (6) Trash disposal convenience site

Article IV. Shoreland Recreation District (SR), Section 14-26. Use Regulations. (d) Trash disposal convenience site

Article V. Conservation and Recreation (CR), Section 14-33. Use Regulations. (w) Trash disposal convenience site

Article VI. Agricultural, Limited District (A-1), Section 14-38. Use Regulations. (u) Trash disposal convenience site

Article VII. Agricultural, General District (A-2), Section 14-45. Use Regulations. (z) Trash disposal convenience site.

Article VIII, Section 14-53. Use Regulations. (w) Trash disposal convenience site

Article IX, Section 14-62. Use Regulations to delete (w) Trash disposal convenience site

Article XII. Business, Limited District (B-1), Section 14-86. Use Regulations. (L) Trash disposal convenience site.

Article XIII. Business, General District (B-2), Section 14-92. Use Regulations. (90) Trash disposal convenience site .

Mr. Derting invited comments both in support of and in opposition to the proposed amendments to the Washington County Code relative to trash disposal convenience station sites.

Patrick Mannix, Wilson District, speaking in opposition, stated he did not understand how the modification to the amendments would justify the amount of time being spent on them. He stated his view that the Board of Supervisors should leave the Code as it is.

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

(See substitute motion above)

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

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

Mr. Derting turned the meeting over to Mr. McCall for the purpose of holding public hearings on planning and zoning matters.

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INTENT TO REZONE:

(2) BERT AND KAY SMITH: Request to rezone approximately 21.51 acres of property located on the South side of State Route 670 near the intersection of Route 670/794, from B-2 (Business, General) to A-2 (Agricultural, General) Madison Magisterial District.

Mr. McCall invited comments both in support of and in opposition to the application filed by Bert and Kay Smith.

Speakers in support of Mr. Smith's application were:

Mr. Bert Smith addressed the Supervisors explaining after he purchased the live stock market located on Rt. 75 he discovered the land was rezoned and he is unable to use the property for a stock yard business. He stated his intentions are to have the property zoned back to A-2, reopen and enlarge the stock yard, have a veterinarian office on the property, possibly operate a feed store, and reopen the restaurant.

H. C. Pratt speaking in support of rezoning the property to A-2 in order to operate a livestock market, pointed out that the business is an economic asset to the community.

Kay Smith addressed the Supervisors with assurances that she and her husband will run a clean operation, that the cattle will be kept for only a few days, and that it is not their intent to operate the cattle market as a feed lot.

Michelle Fleenor commented in support of allowing the livestock market to operate stated it would be a disservice to local livestock owners to go outside the community to sell their stock.

Speakers in opposition to Mr. Smith's application were:

Adjacent property owners Jerry Sapp, Judy Honaker, Burt Swarthow, Roger Garrett, Carl Lunsford, Berkley King, Ashby Dixon, Lois Humphries, Dana McClannahan, Kathy Gibson, Dick Wolf and Jim Cook expressing their concerns over noise, odor, flies, environmental pollution, unsanitary conditions, cattle running at large on neighboring properties, property values lowered in Country Club Estates, and increased highway traffic. In re sponse to a show of opposition to Mr. Smith's request to rezone property, there were approximately 24 people counted.

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

On motion of Mr. Duty, second by Mr. Tyler, it was resolved to recommend rezoning approximately 21.51 acres of property owned by BERT and KAY SMITH located on the South side of State Route 670 near the intersection of Route 670/794, from B-2 (Business, General) to A-2 (Agricultural, General) Madison Magisterial District for the reason the property was used as a livestock market prior to it being rezoned in 1987, and further, it joins properties that are zoned A-2 (Agricultural, General).

The vote on this motion was as follows (4-1):

Mr. McCall	Aye	Mr. Young	Aye	Mr. Duty	Aye
Mr. Tyler	Aye	Mrs. Clay	Nay		

Mr. McCall turned the meeting over to Mr. Derting.

Mr. Derting invited comments both in support of and in opposition to the application filed by Bert and Kay Smith.

Speakers in support of the application were: Mr. and Mrs. Smith

Mrs. Dana McClannahan requested clarification of the process for publicizing properties that are being rezoned, and requested a copy of the procedures be given to her. Mrs. Freeman, County Planner, explained procedure for rezoning to Mrs. McClannahan.

Speakers in opposition to the application were: Roger Garrett, Art Ramey, Ashby Dixon, and Jerry Sapp.

Mr. Ramey expressed his concern over the future business development of the property.

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

A brief discussion ensued and Mr. Smith responded to questions from the Board. With regard to employment, Mr. Smith stated the livestock market

employs 2-3 permanent employees and on sale days, there are 15 part-time employees.

On motion of Mr. Litton, with no second, it was resolved to follow the recommendation of the Planning Commission and rezone approximately 21.51 acres of property owned by BERT and KAY SMITH located on the South side of State Route 670 near the intersection of Route 670/794, from B-2 (Business, General) to A-2 (Agricultural, General) Madison Magisterial District.

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

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

*****

REQUEST FOR SPECIAL USE PERMIT:

(5) BERT AND KAY SMITH: Request for a Special Use Permit to operate a livestock market in an existing building with a Veterinarian Office, Restaurant, feed store and consideration of future expansion for the cattle market on property located on the South side of State Route 670/794, in an A-2 (Agricultural, General) zone, Madison Magisterial District

Mr. McCall invited comments both in support of and in opposition to the application filed by Bert and Kay Smith.

Speaking in support of a special use permit were Mr. and Mrs. Smith and Mr. Pratt who responded to questions from the Board and offered assurances that the holding area for the cattle will be kept clean and the cattle will not be left more than 24 hours between delivery and sale. Mrs. Smith emphasized a positive economic impact of the livestock market in Washington County.

Speaking in opposition were Mr. Lunsford, Jerry Sapp, Art Ramey, and David Gills who expressed concerns about the prior operation of the cattle market, enforcement process for the current operation of the livestock market, cattle running at large in the neighborhood, and whether a Phase I Environmental Audit Study has been performed on the property. Other concerns raised related to the valuation of properties surrounding a livestock market.

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

After a brief discussion, on motion of Mr. Duty, second by Mr. Young, it was resolved to recommend approval of request of BERT AND KAY SMITH for a Special Use Permit to operate a livestock market in an existing building with a Veterinarian Office, Restaurant, feed store and consideration of future expansion for the cattle market on property located on the South side of State Route 670/794, in an A-2 (Agricultural, General) zone, Madison Magisterial District.

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

Mr. McCall	Aye	Mr. Young	Aye	Mr. Duty	Aye
Mr. Tyler	Nay	Mrs. Clay	Nay		

Mr. McCall turned the meeting over to Mr. Derting.

Mr. Derting invited comments both in support of and in opposition to the application filed by Bert and Kay Smith.

Addressing the Board in support of a request for a special use permit was Larry Fleenor. Messrs. Jerry Sapp and Larry Gills spoke in opposition to such action based on the fact that the property was zoned B-2 (Business, General) at the time it was purchased by the Smiths.

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

Mr. Litton made a motion, with no second, to follow the recommendation of the Planning Commission and approve request of BERT AND KAY SMITH for a Special Use Permit to operate a livestock market in an existing building with a Veterinarian Office, Restaurant, feed store and consideration of future expansion for the cattle market on property located on the South side of State Route 670/794, in an A-2 (Agricultural, General) zone, Madison Magisterial District.

Mr. Mathews made a substitute motion, with no second, to table request of Bert and Kay Smith for a special use permit to operate a livestock market in an existing building with a Veterinarian Office, Restaurant, feed store and consideration of future expansion for the cattle market until a Phase I Environmental Study is completed indicating it is o.k. and presented to the Board of Supervisors for their review.

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

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

The tie vote resulted in no action being taken.

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

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

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

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

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

****

INTENT TO REZONE:

(3) SANDRA R. BURKE: Request to rezone approximately 1.34 acres of property located on the North side of State Route 640 from B-2 (Business, General) to A-2 (Agricultural, General), Tyler Magisterial District, F-91 Election District.

Mr. McCall invited comments both in support of and in opposition to the application filed by Sandra R. Burke.

Sandra Burke addressed the Supervisors expressing her dismay over the County wide rezoning in 1989 which affected the zoning of her property without her knowledge that the zoning was changed. She stated she plans to tear down an existing structure and put a mobile home on her property.

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

On motion of Mr. Tyler, second by Mr. Young, it was resolved to recommend approval of SANDRA R. BURKE's request to rezone approximately 1.34 acres of property located on the North side of State Route 640 from B-2 (Business, General) to A-2 (Agricultural, General), Tyler Magisterial District, F-91 Election District.

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

Mr. McCall	Aye	Mr. Young	Aye	Mr. Duty	Aye
Mr. Tyler	Aye	Mrs. Clay	Aye		

Mr. McCall turned the meeting over to Mr. Derting.

Mr. Derting invited comments both in support of and in opposition to the application filed by Sandra R. Burke.

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

On motion of Mr. Barker, second by Mr. Parris, it was resolved to accept the recommendation of the Planning Commission and approve request of Sandra R. Burke to rezone approximately 1.34 acres of property located on the North side of State Route 640 from B-2 (Business, General) to A-2 (Agricultural, General), Tyler Magisterial District, F-91 Election District.

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

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

*****

Mr. Litton requested direction from the County Attorney on the procedure to follow for changing a vote he cast relative to tabling request of Mr. and Mrs. Bert Smith for a special use permit and which ended in a tie vote. Mr. Walsh responded with information on the rules for parliamentary procedure from Robert's Rules of Order.

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to reconsider Mr. Mathews' substitute motion to table request of Bert and Kay Smith for a special use permit to operate a livestock market in an existing building with a Veterinarian Office, Restaurant, feed store and consideration of future expansion for the cattle market, and further request a Phase I Environmental Study be completed and presented to the Board for their review.

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

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

On motion of Mr. Mathews, with no second, it was resolved to table the request of Bert and Kay Smith for a special use permit to operate a live stock market in an existing building with a Veterinarian Office, Restaurant, feed store and consideration of future expansion for the cattle market until a Phase I Environmental Study is performed at the property owner's expense, and further still, that the report be presented to the Planning Commission and/or the Board of Supervisors for their review and consideration.

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

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

*****

REQUEST FOR SPECIAL USE PERMIT:

(4) THOMAS HARRIS: Request for a Special Use Permit to operate a transfer station to load and unload gravel and cinders-bottom ash on property located on the West side of State Route 751 adjacent to the Norfolk and Western Railway in an A-1 (Agricultural, Limited) zone, Monroe Magisterial District.

Mr. Mr. McCall invited comments both in support of and in opposition to the application filed by Thomas Harris.

Thomas Harris addressed the Supervisors explaining his request to obtain a special use permit in order to operate a transfer station.

A question and answer period ensued with concerns raised over pollution of air and water. Also of concern were the number of railroad cars that would

be waiting to be loaded, the time frame for loading the cars, and the blocking traffic from crossing the railroad tracks.

Crawford Barker nearby property owner, expressed concern that the railroad cars will block the tract for most of the people who need to cross it. Mr. Barker stated he attempted to contact the Corps of Engineers to request that they do a study of Seven Springs, and stating his belief that the area qualifies for wetland designation. Mr. Barker expressed his opinion that the tracks are not in good condition to handle railroad cars.

Patrick Mannix spoke in support of Mr. Harris' application.

Mary Jo Porterfield, owner of Seven Springs, addressed the Supervisors responding to a statement made about unsafe condition of the spring water on her property. She asked the Supervisors if the water could be tested without her permission. Mrs. Porterfield opposed Mr. Harris' special use permit expressing her concern over traffic safety in the area.

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

In speaking to Mr. Harris and the audience, Mrs. Clay defended the historic value of the springs and reported on her diligent efforts in working with the people of Saltville to open the railroad between Saltville and Glade Springs. She stated she sees the problem with Mr. Harris' request as one of having 7,000 feet of railroad cars just sitting on the tracks for extended periods of time.

On motion of Mr. Duty, second by Mrs. Clay, it was resolved to deny THOMAS HARRIS' request for a Special Use Permit to operate a transfer station to load and unload gravel and cinders-bottom ash on property located on the West side of State Route 751 adjacent to the Norfolk and Western Railway in an A-1 (Agricultural, Limited) zone, Monroe Magisterial District for the reason of historical preservation of springs in Washington County.

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

Mr. McCall	Aye	Mr. Young	Aye	Mr. Duty	Aye
Mr. Tyler	Aye	Mrs. Clay	Aye		

Mr. McCall turned the meeting over to Mr. Derting.

Mr. Derting invited comments both in support of and in opposition to the application filed by Thomas Harris.

Mr. Harris addressed the Board withdrawing his request for a special use permit.

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

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to follow the recommendation of the Planning Commission and deny THOMAS HARRIS' request for a Special Use Permit to operate a transfer station to load and

unload gravel and cinders-bottom ash on property located on the West side of State Route 751 adjacent to the Norfolk and Western Railway in an A-1 (Agricultural, Limited) zone, Monroe Magisterial District for the reason of historical preservation of springs in Washington County.

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

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

*****

(6) Amendment to the Washington County Code

It is proposed to amend Article V. Conservation and Recreation (CR), Section 14-33. Use Regulations to add:

(bb) Antennas and Towers which are located in the Signal Hill Communication Complex, which is an area of land owned by the Department of Game and Inland Fisheries located on the Hidden Valley Wildlife Management area consisting of 18 lots, a plat of this Complex is of record in the Office of the Clerk of Circuit Court of Washington County and on file in the office of the County Planner of Washington County and which are for the use of Interstate Carriers (Interstate telephone and/ or telegraph companies, etc.) Commercial TV/Radio, Commercial Intrastate Users (Beeper companies, mobile telephone companies, etc.), Private Local Users that do not make a direct profit from the facility, Government and Educational TV/Radio shall be permitted when they submit a site plan, documentation showing approval by the FAA and any other approvals required by state or federal law, and an application fee of $150.00.

Since there will be no ongoing residential or commercial activity, presence, or traffic at the lots in the Signal Hill Communication Complex, the factors which would generally require a minimum lot size of two acres per use in the Signal Hill Communication Complex may not be applicable and since various state and federal agencies will approve the construction or erection of the antenna or tower prior to the issuance of a permit by the County, the County Zoning Administrator shall have the power to reduce the area requirements to a size appropriate to the tower or antenna being constructed.

Other applicants for antennas or towers in the Signal Hill Communication Complex shall be approved only after a hearing and a special use permit and a nonrefundable application fee of $250.00.

Applications for antenna sites or towers at locations other than those sites already designated for antennas and towers will be evaluated only upon receipt of an application on

behalf of the property owner and the owner of the proposed tower and a nonrefundable $500.00 deposit and approvals by the FAA and all Federal and State agencies having approval and regulatory authority.

Mr. McCall invited comments both in support of and in opposition to the proposed amendment to Section 14-33 of the Washington County Code.

Doug Hall, Land Surveyor with the Department of Fish and Game, addressed the Supervisors in support of the proposed amendment.

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

On motion of Mr. Tyler, second by Mr. Duty, it was resolved to recommend approval of the proposed amendment to Article V, Conservation and Recreation (CR), Section 14-33 of the Washington County Code relative to Use Regulations, based on the determination that it is appropriate because the antennas and towers are located in an isolated area.

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

Mr. McCall	Aye	Mr. Young	Aye	Mr. Duty	Aye
Mr. Tyler	Aye	Mrs. Clay	Aye		

AMENDMENT TO THE WASHINGTON COUNTY COMPREHENSIVE PLAN

(7) It is proposed to amend Chapter 3 of the Comprehensive Plan item (6) Public Facilities to add:

(p) To designate areas within Washington County such as the Signal Hill Communication Complex on the Hidden Valley Wildlife Management area for specific use an antenna and tower site for Interstate Carriers, Commercial TV/Radio, Commercial Intrastate Users, Private Local Users (that do not make a direct profit from the facility) and government educational TV/Radio.

Mr. McCall invited comments both in support of and in opposition to the amendment to Chapter 3 of the Comprehensive Plan related to public facilities.

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

On motion of Mr. Tyler, second by Mr. Young, it was resolved to recommend approval of the proposed amendment to the Washington County Comprehensive Plan, Chapter 3, Item 6, Public Facilities.

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

Mr. McCall	Aye	Mr. Young	Aye	Mr. Duty	Aye

Mr. Tyler Aye Mrs. Clay Aye

Mr. McCall turned the meeting over to Mr. Derting.

Mr. Derting invited comments both in support of and in opposition to the proposed amendment to Article V, Conservation and Recreation (CR), Section 14-33. Use Regulations, and the Comprehensive Plan, Section 3, Item 6, Public Facilities.

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

On motion of Mr. Litton, second by Mr. Osborne, it was resolved to follow the recommendation of the Planning Commission and approve the following amendments to the Washington County Code by adding to it:

ARTICLE V
Conservation and Recreation (CR)

Section 14-33. Use Regulations

(bb) Antennas and Towers which are located in the Signal Hill Communication Complex, which is an area of land owned by the Department of Game and Inland Fisheries located on the Hidden Valley Wildlife Management area consisting of 18 lots, a plat of this Complex is of record in the Office of the Clerk of Circuit Court of Washington County and on file in the office of the County Planner of Washington County and which are for the use of Interstate Carriers (Interstate telephone and/ or telegraph companies, etc.) Commercial TV/Radio, Commercial Intrastate Users (Beeper companies, mobile telephone companies, etc.), Private Local Users that do not make a direct profit from the facility, Government and Educational TV/Radio shall be permitted when they submit a site plan, documentation showing approval by the FAA and any other approvals required by state or federal law, and an application fee of $150.00.

Since there will be no ongoing residential or commercial activity, presence, or traffic at the lots in the Signal Hill Communication Complex, the factors which would generally require a minimum lot size of two acres per use in the Signal Hill Communication Complex may not be applicable and since various state and federal agencies will approve the construction or erection of the antenna or tower prior to the issuance of a permit by the County, the County Zoning Administrator shall have the power to reduce the area requirements to a size appropriate to the tower or antenna being constructed.

Other applicants for antennas or towers in the Signal Hill Communication Complex shall be approved only after a hearing and a special use permit and a nonrefundable application fee of $250.00.

Applications for antenna sites or towers at locations other than those sites already designated for antennas and towers will be

evaluated only upon receipt of an application on behalf of the property owner and the owner of the proposed tower and a nonrefundable $500.00 deposit and approvals by the FAA and all Federal and State agencies having approval and regulatory authority.

and, adding the following amendment to the Comprehensive Plan:

Comprehensive Plan
Chapter 3, Item (6), Public Facilities:

(p) To designate areas within Washington County such as the Signal Hill Communication Complex on the Hidden Valley Wildlife Management area for specific use an antenna and tower site for Interstate Carriers, Commercial TV/Radio, Commercial Intrastate Users, Private Local Users (that do not make a direct profit from the facility) and government educational TV/Radio.

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

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

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4. Adjournment

On motion of Mr. Duty, second by Mr. Young, it was resolved to adjourn the meeting of the Washington County Planning Commission.

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

Mr. McCall	Aye	Mr. Young	Aye	Mr. Duty	Aye
Mr. Tyler	Aye	Mrs. Clay	Aye		

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

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

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

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On motion of Mr. Mathews, second by Mr. Parris, it was resolved to adjourn the joint meeting with the Washington County Planning Commission.

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

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

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Joe W. Derting, Chairman

V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, November 24, 1992, at 9:00 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.

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

ABSENT:

Cecil K. Simcox

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5. Call Regular Meeting to Order

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

On motion of Mr. Barker, second by Mr. Parris, it was resolved to adopt the amended agenda adding Item 19.a, Executive Session under Section 2.1-344(A)(1) of the 1950 Code of Virginia, as amended, in order to discuss personnel, specifically the position of Assistant County Administrator/Economic Development, Item 12.a, Taylor's Valley Water Project Money Shortage, Item 12.b, Linda Childress, Extension Home Economist (Phil Blevins to Introduce), and Item 17.a., Exit 19 Sewer Easement With Charles Meade.

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

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

On motion of Mr. Osborne, second by Mr. Barker, to amend the Agenda further to add Item 9.a, Request for Temporary Special Use Permit, Larry Fleenor.

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

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

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6. Invocation and Pledge of Allegiance - Mr. J. T. Osborne

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to dispense with the Invocation and Pledge of Allegiance as Mr. Osborne opened the Joint Meeting with an Invocation and Pledge.

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

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

****

7. Approval of Minutes of November 9, 1992

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to approve the Minutes of November 9, 1992, as written.

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

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

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8. Citizen Comments

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

Thomas Whittaker addressed the Board of Supervisors reporting he observed brush being hauled from Mr. Coy Martin's home and was taken to the Landfill for disposal. He stated he observed that a fee was not collected. Mr. Whittaker asked the Board what they were going to do about the matter. Mr. Martin was in the audience and responded that the County policy states there is no charge to Washington County residents who dump household trash and brush at the Landfill, however, if a commercial business brings brush to the Landfill, they are charged a fee.

In other matters, Mr. Whittaker directed his comments to Mr. Bentley about his objections to the overtime and compensation time that is given to Mrs. Sandra Hatfield prior to when Board Meetings begin. Mr. Bentley responded that when an employee of the County works overtime, that employee is given compensatory time. He concluded that Mrs. Hatfield is working prior to the Board Meetings and is given compensatory time for the time that she works beyond the 40 hour work week. Mr. Bentley commented to Mr. Whittaker that when he was a member of the Board of Supervisors, the Board was approached about buying out the employees compensatory time, and Mr. Whittaker was opposed to it.

Mr. Whittaker asked Mr. Bentley when he will collect payment for telephone calls made from County telephones to "900" numbers.

Mr. Whittaker stated the County Attorney is driving his vehicle to work and that it does not have a Washington County decal on it. He asked the Board of Supervisors to send a letter to Sheriff Joe Mitchell reporting the County Attorney's vehicle does not have a County sticker. Mr. Whittaker asked Mr. Walsh why he does not have a sticker on his car and when he will purchase one. Mr. Walsh responded he has several vehicles which are registered in Virginia and in North Carolina. He stated that he does not have a Washington County sticker on the vehicle registered in North Carolina, and that he alternates use of his vehicles when returning to his Virginia residence from his North Carolina home.

Patrick Mannix addressed the Supervisors, reviewing the complaints that he sent to Sheriff Mitchell. He advised the Board that he still has the complaints.

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9. Mr. Litton's Reports and Comments:

a. At the request of Mr. Litton, Mr. Barker read a memorandum to the Board of Supervisors from the County Administrator advising there were 69 applicants for the position of Assistant County Administrator/Economic Development and that interviews were held on Saturday, November 21, 1992 by Mr. Bentley, Mr. Derting and Mr. Ray Witherspoon.

Mr. Litton expressed his dissatisfaction that he was not privileged to see the applications or to be a part of the selection process. He requested information on all 69 applicants, and informed Mr. Bentley that he would stop in the County Administrator's office to review all 69 applications. Mr. Litton expressed dissatisfaction that Mr. Derting, as Chairman of the Board, was included on the interview team rather than allowing the entire Board to screen the applications and interview the applicants. In response to Mr. Litton's question to Mr. Bentley for the reason the Board did not interview or hire the Assistant County Administrator/Economic Development person, Mr. Bentley responded that the Board of Supervisors employs the County Administrator, the County Attorney and the Resource Manager, and that the County Administrator is responsible for employing all other personnel.

*****

b. On motion of Mr. Osborne, second by Mr. Parris, it was resolved to approve a temporary special use permit for Larry and Michelle Fleenor to construct farm shelters or barns on approximately 34.27 acres of property to be used for horses located on the South side of State Route 648 near the intersection of Route 648/647 in an R-2 (Residential, General) zone, Wilson Magisterial District, pending formal application and review by the Planning Commission.

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

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

****

10. E-911 Update (Mary Fraysier)

Mrs. Mary Fraysier, Emergency Services Coordinator, addressed the Supervisors concerning the written status report of E-911 tasks to be completed before the system can be implemented, status report on mapping and addressing of new construction sites in Washington County. Additionally, Mrs. Fraysier briefed the Supervisors on the progress of relocating the Emergency Operations Center to the Elliott Building.

Discussion ensued about the federal regulations governing handicap accessibility to the present Emergency Operations Center located in the basement of the Treasurer's Building. For the record, Mr. Mathews clarified Mrs. Fraysier response saying the Emergency Services staff would have been grandfathered in case there would have been an additional staff member that might be disabled, and that the new federal regulations would not encompass anything prior to that time.

****

11. Purchase of Motor Vehicles for Sheriff's Office

On motion made by Mr. Mathews, second by Mr. Osborne, it was resolved to authorize the purchase of 5 Chevrolet Caprice Sedans, and 1 Seven Passenger Ford Aerostar Mini-Van under state contract for the Sheriff's Department.

Mr. Litton offered a substitute motion, with no second, to approve the purchase of five Chevrolet Caprice Sedans under state contract for the Sheriff's Department.

The vote on Mr. Litton's substitute motion was as follows (1-5):

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

The vote on Mr. Mathews' motion was as follows (5-1):

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

On motion of Mr. Parris, second by Mr. Mathews, it was resolved that when the six vehicles are declared surplus by the Sheriff's Office that County Departments and agencies be given first preference for obtaining them.

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

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

****

12. Request for Virginia Department of Transportation to take Roads Into Secondary System (Bert Mullins, Developer)

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to request the Virginia Department of Transportation to take the following roads located in the Beechwood Hills Subdivision (Plat Book 23, Page 12) into the State Secondary road system for maintenance:

A. Beech Circle, beginning at the intersection of Routes 1750 and 1751 at a point 0.05 miles northeast of Route 58, running thence northwest 0.05 miles to a dead end, a total distance of 0.05 miles. 50' R/W.

B. Beech Park, beginning at a point on Route 1751, 0.05 miles northwest of the intersection with Route 1750, thence running east 0.10 miles to the end of the cul-de-sac, a total distance of 0.10 miles. 40' R/W.

C. Beech Circle, beginning at a point on Route 1751, 0.23 miles east of the intersection with Route 1750, thence running north along Route 1751, a distance of 0.10 miles to a dead end, a total distance of 0.10 miles. 50' R/W.

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

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

*****

12.a Taylor's Valley Water Project Money Shortage

On motion of Mr. Parris, second by Mr. Osborne, it was resolved to transfer funds in the amount of $30,000 from the Widener's Valley waterline project to the Taylor's Valley waterline project, and to transfer $47,333 from the Widener's Valley waterline project to the Route 712 from SR 711 to SR 713 waterline extension project.

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

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

*****

12.b Linda Childers, Extension Home Economist (Phil Blevins to Introduce)

Mr. Phil Blevins, Unit Director, Washington County Extension Office, introduced Linda Childers to the Board of Supervisors. He explained Mrs. Childers has accepted the position of Extension Home Economist in Washington County.

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to accept the recommendation of Mr. Phil Blevins to employ Mrs. Childers as replacement Extension Home Economist.

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

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

****

13. Recess

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

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

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

****

Mr. Whittaker asked the Board of Supervisors to take action on Coy Martin taking brush to the Landfill without paying a fee.

Mr. Litton raised the issue of Mr. Coy Martin not paying a fee to dispose of household brush at the Landfill, and made a motion, with no second, since Mr. Martin does not pay a fee to take brush to the Landfill then no one pays a fee.

Mr. Mathews offered a substitute motion, second by Mr. Barker, requesting the County Administrator to investigate the allegation and provide all Supervisors with a report at the December 14, 1992 meeting.

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

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

Mr. Martin approached the Supervisors and again explained that the County policy states there is no charge to dispose of residential brush at the Landfill, but that a fee is charged if commercial tree cutters dispose of brush at the Landfill.

At a later point in the meeting, and at the request of Mr. Litton, the Board of Supervisors took a vote on Mr. Litton's original motion relative to Mr. Martin disposing of brush at the Landfill.

The vote on this motion was as follows (1-4-1):

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

Mr. Parris abstained pending receiving specific direction on parliamentary procedure from the County Attorney.

****

14. United States Department of Agriculture, Forest Service, Jefferson Nation Forest, Request for Comments, Proposed Spring Box and Water Line Special Use Permit Request

Received as "information only" a communication from the United States Department of Agriculture, Forest Service, along with map showing the location of a proposed spring box and water line, along with a request to submit comments on a special use permit request. No comments were made because it is on National Forest property.

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15. Solid Waste Disposal

The following action was taken on solid waste disposal:

a. Contract with Thompson & Litton for Transfer Station

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to enter into an agreement with Thompson & Litton for siting, engineering, designing and permitting of a Solid Waste Transfer Station in Washington County.

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

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

*****

b. Option on Carolina Steel Property for Transfer Station

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve recommendation of the Transfer Station Siting Committee and pursue the Carolina Steel property as the No. 1 site for a solid waste transfer station, and further, authorized the County Administrator to sign the Option Agreement with Carolina Steel.

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

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

Mr. Parris expressed his view that he does not believe that the transfer station is in the best central location in Washington County, and further, he is skeptical that it will be annexed to the City of Bristol in a few years.

Mr. Litton expressed his view that the solid waste transfer station should be centrally located in Washington County, and further, it will be annexed to the City of Bristol in a few years.

*****

c. Haul and Disposal Contract with Waste Management

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve the contract with Waste Management of Tri-Cities, Inc. to provide haul and disposal service for Washington County.

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

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

*****

d. Trip to Atlanta, GA and Mobile, AL for Coy Martin

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to authorize Coy Martin's expenses to travel to Atlanta, Georgia and Mobile, Alabama with Thompson & Litton to review transfer station plans with Waste Management's design engineers and to visit the actual site in operation on November 29, 30, and December 1, 1992.

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

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

****

16. County Administrator Comments:

The following action was taken on County Administrator comments:

a. Meeting With Legislators, December 15, 1992

Received communication from the County Administrator highlighting final arrangements for a dinner meeting with legislators on Tuesday, December 15, 1992, 7:00 p.m. at the Greenway Haven Party House.

Discussion of participants ensued and there was consensus agreement to invite Tom Taylor and Joe Bert Rhea as guests to the dinner meeting.

There was consensus agreement to include the following topics on the agenda for discussion on December 15, 1992:

1. Disparity in educational funding. School funding by localities;
2. Alternative 2E Routing for Route 58 through Washington County;
3. Dillon Rule Committee Recommendations;
4. Status of Grayson bill and its future toward annexation;
5. Expand uses of E-911 funds collected;
6. Tax money spending for prisons. Better off than schools;
7. Others you desire.

Concerning Item 2 above, Route 58, Mr. Parris announced plans have been made for a fly-over of the 2E Routing on December 9 or 11, 1992.

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b. Participation in All-America City Awards Program, National Civic League

Received communication from the Department of Economic Development soliciting certified business communities who wish to pursue being candidates for the "All-America City" designation. There was no action taken to pursue this request. Mr. Barker suggested that the communication be referred to the Chamber of Commerce.

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c. Payment for Hepatitis B Shots, Saltville Volunteer Fire Department Members Living in Washington County

On motion of Mr. Osborne, second by Mr. Litton, it was resolved to authorize payment of Hepatitis B injections for Gene Dowell, Bill DeBord, and Eugene Call who are members of the Saltville Volunteer Fire Department and who reside in Washington County.

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

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

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to reimburse Abingdon Fire Department for their expense for providing Hepatitis B injections to their members and which funds were authorized through earlier action of the Board of Supervisors.

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

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

*****

d. State Yuletide Season Schedule, 1992

On motion of Mr. Parris, second by Mr. Barker, it was resolved to declare the following two additional holidays for the 1992 Yuletide Holiday: Thursday, December 24, 1992 and Thursday, December 31, 1992.

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

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

*****

e. Communications

The following communications were received:

:: Washington County Public Schools, Quitclaim Deeds transferring title for Hamilton and Hayter's Gap Schools to the Washington County Board of Supervisors, and notification of the transfer of ownership to Clifton Insurance Agency and Charles Lunsford Sons and Associates;

Federal, State, Local Representatives:

:: Senator John W. Warner and response from Mary Ann Baron, Administrator, United States Department of Agriculture, concerning application for Rural Development Administration (RDA) assistance for the construction of a sewage treatment system to serve Emory and Meadowview;

:: Secretary of Transportation, John G. Milliken, concerning installation of traffic control signal at the intersection of Route 19 and 700 in Washington County;

:: Commissioner William A. Pruitt, Marine Resources Commission, to Ms. Blanche Stringer concerning unauthorized excavation of State-owned submerged lands lying within Green Cove Creek in Washington County;

:: Larry A. Overbay, Human Services Manager, Department of Rehabilitative Services, concerning allocation of funds to offset costs for orientation and training of Disability Services Boards.

Mr. Mathews reported the Mount Rogers Planning District Commission will serve as the central office and place for training of Disability Services Boards. He stated Washington County is represented on the Disabilities Services Board though the Mount Rogers Planning District Commission, without any cost factor involved.

:: Charles L. Massie, Virginia Resources Authority, concerning Revolving Loan Funds for Washington County Service Authority;

General Correspondence:

:: CableVision, concerning cable television legislation recently passed by Congress;

:: Draper Aden and copy of response from Department of Conservation and Recreation, concerning relocation of the discharge point for proposed wastewater treatment plant and collection system, Emory/Meadowview area;
:: Letter of appreciation from the family of John W. Hortenstine;
:: Mount Rogers Planning District Commission, concerning 1993 Community Development Block Grants;
:: Norfolk Southern Corporation, concerning restoration of rail service at Norfolk and Western's Saltville Branch and copy of letter to Town Manager Henry E. McDaniel reviewing status of service;
:: Southwest Virginia Emergency Medical Services Council, Inc. concerning operations and activities.

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f. Reminders of meetings were given.

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17. County Attorney's Reports

a. Exit 19 Sewer Easement With Charles Meade

On motion of Mr. Barker, second by Mr. Parris, it was resolved to authorize Mr. Bruce Bentley to sign agreement between the Town of Abingdon and Washington County relative to the Meade sewer line right-of-way for the Exit 19 Sewer project.

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

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

Mr. Bentley reported that Attorney Wayne Austin is handing the condemnation proceedings related to the Exit 19 sewer line project.

On motion of Mr. Mathews, second by Mr. Parris, it was resolved to authorize the Town to condemn property needed for the Exit 19 project and to authorize Mr. Wayne Austin to file and prosecute to its conclusion condemnation proceedings in the name of the County or Town or Town and County jointly.

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

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

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to authorize the County Attorney to draft a Cafeteria Plan which consolidates the two existing plans into one Cafeteria Plan administered by American Fidelity Insurance Company and to increase the maximum amount available for medical reimbursement to $2,400 per employee per year and to authorize the insurance company to make contacts with the employees.

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

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

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to file application for a special use permit to operate a transfer station on the Carolina Steel property located in the Bristol-Washington County Industrial Park.

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

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

Mr. William Bish, Wilson District, addressed the Supervisors expressing his concern about Mr. Simcox' health condition, and that his District has been without representation for 37 days. He posed the question about when Wilson District will be represented. Mr. Walsh responded that he does not know of Mr. Simcox' condition, however, no provisions have been made for an interim appointment.

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18. Consent Agenda:

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

a. Approval for payment-Burwill Construction Company, Inc., Application for payment for work on County Courthouse, $41,545.15;
b. Supplemental Appropriation for Sheriff's Office, $8,000.

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

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

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19. Board Member Reports

The following Board Member reports were given:

Jackson Barker called attention to the town meeting at Valley Institute to hear requests from Tyler District residents who want to participate in the County rezoning. He stated he wished there were a way to contact property owners who were affected by rezoning in 1989 to make them aware that their zoning was changed.

Mr. Barker announced there will be a legislative appreciation luncheon at Hamilton School, December 12, 1992 from 10:30 to 12:00 noon, and invited the Supervisors to attend.

Maurice Parris inquired about the method of filling a vacancy on the Electoral Board. He stated Mr. Emory Hill was interested. Mr. Walsh responded that the Circuit Court Judge would make the appointment. Mr. Mathews stated that the appointment is based on equal political party affiliation.

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b. Executive Session pursuant to Section 2.1-344(A)(1) of the 1950 Code of Virginia, as amended, in order to discuss personnel, specifically the position of Assistant County Administrator/Economic Development

On motion of Mr. Barker, second by Mr. Litton, 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, specifically the position of Assistant County Administrator/ Economic Development.

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

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

Mr. Mathews left the meeting at 11:20 p.m.

Prior to the Supervisors going into executive session, Mr. William Bish inquired about the status of his request that the Department of Transportation do a traffic study at the intersection of Route 645 and Route 11. Mr. Bish also inquired about whether the Board of Supervisors will appoint another Board Member to replace Mr. Simcox. With regard to Mr. Bish's request for a traffic study, Mr. Bentley reported that Route 645 and Route 11 are located in the Town limits and that he would contact the Town Manager with the request.

Mr. Litton came out of executive session at 11:47 p.m.

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

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

Mr. Barker	Aye				
Mr. Osborne	Aye	Mr. Parris	Aye	Mr. Derting	Aye

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to 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 (5-0):

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

Mr. Barker expressed his dissatisfaction with the steps and methods for selecting the Assistant County Administrator/Economic Development person.

****

20. Adjournment

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

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

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

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Joe W. Derting, Chairman