V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, October 12, 1993, 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

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1. Call to Order

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

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2. Invocation and Pledge of Allegiance - Maurice H. Parris

Reverend Don Lasley, Pastor, First Baptist Church, Damascus, Virginia, gave the Invocation and led in the Pledge of Allegiance

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3. Approval of Agenda

Mr. Bruce Bentley requested the Agenda be amended to add the following items:

19.g Surplus Landfill Equipment and Transfer Station Operation
21.c Request for the Appropriation of Funds and Request for an Increase in Petty Cash Account for the Washington County Sheriff's Office

Mr. Tom Whittaker addressed the Board reporting he made a request to the County Administrator to be placed on the Agenda to discuss the Transfer Station and was refused.

Mr. Pat Mannix addressed the Board reporting he made a request to the County Administrator to be placed on the Agenda and was refused. He stated he wanted to discuss the Virginian Sewer Project.

Mr. Litton stated Mr. George Holley is present in the audience and would like to address the Supervisors requesting a road be placed into the secondary road system. He asked that Mr. Holley be allowed to speak during Agenda Item No. 7, Mr. Litton's Reports and Comments.

Mr. Mathews made a motion, second by Mr. Osborne, to adopt the Agenda as amended.

Mr. Litton made a substitute motion to allow anyone to be placed on the Agenda who wants to discuss County business with the Board.

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

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

The vote on Mr. Mathews' 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				

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4. Approval of Minutes:

The following action was taken on approval of minutes:

:: Recessed Meeting of September 20, 1993

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to approve the Minutes of the recessed meeting of September 20, 1993 with the following correction:

Page 6820, Paragraph 2:

Change reference of Tyler District to Taylor District.

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				

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:: Regular Meeting of September 28, 1993

On motion of Mr. Barker, second by Mr. Simcox, it was resolved to approve the Minutes of the recessed meeting of September 28, 1993 as submitted.

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				

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:: Recessed Meeting of October 4, 1993

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve the Minutes of the recessed meeting of October 4, 1993 as submitted.

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				

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5. Planning & Zoning Public Hearings

Request for Special Use Permit

(1) Anthony E. Childress: Request for a Special Use Permit to construct and operate a 64 unit recreational campground on the North side of State Route 701, Spring Creek Embankment, in an SR (Shoreland Recreation) zone, Madison Magisterial District.

Mr. Derting invited comments both in support of and in opposition to the special use permit application filed by Anthony E. Childress.

Anthony E. Childress addressed the Supervisors stating he is requesting approval to construct and operate a 64 unit recreational vehicle park at South Holston Lake. Mr. Childress referenced previous public hearings where people spoke in opposition to his application expressing their understanding he was planning to move mobile homes onto the property as permanent structures. He defined in his words the difference between a mobile home park and a recreational vehicle park.

Mr. Childress referenced the Washington County zoning ordinance for Shoreland Recreation and stated it allows recreational vehicles.

At the conclusion of his comments, he confirmed he is in compliance with all the requirements for a special use permit, and stated he is not asking for anything that Washington County does not own or operate themselves.

In order to clarify misinformation, Mr. Derting explained that the land on which Washington County Park sits is owned by Tennessee Valley Authority and leased to the Washington County Park for 99 years. Washington County Park collects rent.

The following people addressed the Supervisors in support of Mr. Childress being granted a special use permit pointing out that it is a source of revenue for Washington County and that all requirements for a recreational park have been met: James Edson and Richard Williams. Mr. Williams submitted photographs of work Mr. Childress has done in Buchanan County to illustrate the quality of campground he will operate at the Lake.

Speaking in opposition to the special use permit was:

Jeff Browning, whose property joins Mr. Childress' property on two sides, commented on concerns he raised at previous hearings that Mr. Childress plans to operate a mobile home park rather than a recreational vehicle park. He questioned Mr. Childress being evasive in complying with regulations and obtaining necessary documentation, pointing out there were land disturbing activities without proper permitting, and stating most of the property is below the high water line mark. He expressed his viewpoint that Mr. Childress' intent is to circumvent the zoning ordinance. He asked the Board of Supervisors to deny the requested permit.

Greg Mullins, representing Eula Gaye King, Kendrick and Rocky King, requested Mr. Childress' special use permit request be denied. Mr. Mullins distributed copies of the Virginia Erosion Control laws for the Supervisors to review claiming that Mr. Childress has not complied with the regulations. He expressed his concerns about sanitary and environmental problems. He stated the park will add 295 people and 120 vehicles to 17 acres of land. Mr. Mullins expressed concern that the recreational vehicle park will devalue the King property.

Mrs. Ottaline Browning, adjoining property owner, expressed her concern that her property would be devalued in the future if the recreational vehicle park is approved.

Eula Gaye King addressed the Board reading her comments. She stated the area is congested and commercialized, and a recreational vehicle park will destroy the peace and tranquility of the area. She commented that the recreational vehicle park will set a future precedent for trailers to be placed anywhere in Washington County.

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

Mr. Derting opened discussion among the Supervisors. The County Planner was called upon to explain the zoning and permitting differences between

RV and Mobile Home Parks. Mrs. Freeman explained that Mr. Childress would be required to maintain a specific record of camp site users. She stated Mr. Childress has received all the required permitting from the Building Official. Mrs. Freeman confirmed there was work done on the site prior to a permit being issued when she investigated a complaint.

On motion of Mr. Litton, second by Mr. Simcox, it was resolved to follow the recommendation of the Planning Commission and grant a Special Use Permit to Anthony E. Childress to construct and operate a 64 unit recreational campground on the North side of State Route 701, Spring Creek Embankment, in an SR (Shoreland Recreation) zone, Madison Magisterial District.

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

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

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

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				

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Mr. George Holley addressed the Supervisors requesting Micah Lane be widened and considered for inclusion into the state secondary road system. Mr. Holley explained there are five families who live on Micah Lane.

On motion of Mr. Litton, second by Mr. Barker, it was resolved to request Virginia Department of Transportation to evaluate Micah Lane and provide cost for including it in the state secondary road system using rural new addition funds.

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				

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Comprehensive Rezoning

(2) To consider proposed Comprehensive Rezoning changes submitted through the local town meetings and by property owner request.

Mr. Derting invited comments both in support of and in opposition to proposed comprehensive rezoning changes.

Donald Thayer addressed the Board of Supervisors requesting his property be zoned back to agriculture.

On motion of Mr. Litton, second by Mr. Simcox, it was resolved to allow property owners who were unaware of the comprehensive rezoning study to have the Board consider rezoning their property without cost to the property owner, and further, authorized the County Planner to advertise the County is granting a 60 day time frame to receive applications for rezoning properties.

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. Barker, second by Mr. Osborne, it was resolved to rezone the following properties to A-1, Agriculture, Limited:

Danny Reynolds A-1
Rt. 4, Box 824
Abingdon, Virginia 24210 Tax Map Number 49B-A-8-11

William Bish Jr. A-1
Route 2, Box 484
Owl's Nest
Abingdon, Virginia 24210 Tax Map Number 122-2-D-22

William D. Hockett A-1
Rt. 1, Box 180
Meadowview, Virginia 24361 Tax Map Number 130C-1-1-5

Daniel W. & Susan Wolfe A-1
Rt. 1, Box 246
Meadowview, Virginia 24361 Tax Map Number 130C-1-5

Robert C. & Joanna J. Wolfe A-1
Meadowview, Virginia 24361 Tax Map Number 130C-1-6,8

John L. Hamilton A-1
PO Box 562
Norton, Virginia 24273 Tax Map Number 130C-1-7,9,10

Sherry Blevins A-1
Rt. 4, Box 640

Government Road
Bristol, Tenn. 37620 Tax Map Number 130C-1-11,12

James C. Counts A-1
Rt.1, Box 244C
Meadowview, Virginia 24361 Tax Map Number 130C-1-13

Mary M. Cox A-1
P.O. Box 53
Meadowview, Virginia 24361 Tax Map Number 130C-1-14,15

Charles Klesser A-1
Route 1
Meadowview, Virginia Tax Map Number 130C-1-16

Jeffrey L. Hock A-1
P.O Box 2076
Abingdon, Virginia 24210 Tax Map Number 130C-1-17

George Torres A-1
Route 5, Box 920
Abingdon, Virginia 24210 Tax Map Number 130C-1-18

Allen H. Willis A-1
Route 1, Box 498
Clintwood, Virginia Tax Map Number 130C-1-19,
20, 21,22,23

Jack Trent A-1
Route 1, Box 242
Meadowview, Virginia 24361 Tax Map Number 130C-1-24,
25,26

James C. Atwell A-1
Route 3, Box 792
Abingdon, Virginia 24210 Tax Map Number 82-A-83

Roger Cunningham A-1
Route 3, Box 198
Abingdon, Virginia 24210 Tax Map Number 82-A-82

Richard E. Duncan A-1
Route 3, Box 199
Abingdon, Virginia 24210 Tax Map Number 82-A-81

Lillian Fleenor A-1
1387 Benhams Road
Bristol, Virginia 24201 Tax Map Number 139-3-1

Belve Denton A-1
1427 Benhams Road

Bristol, Virginia 24201 Tax Map Number 139-3-2

Lester Calhoun A-1
1505 Benhams Road
Bristol, Virginia 24201 Tax Map Number 139-3-3

and further, that the following properties be rezoned to A-2, Agriculture, General:

Paul Kennedy A-2
Route 2, Box 129
Abingdon, Virginia 24210 Tax Map Number 123-A-154

Lillian Sullivan A-2
Route 3, Box 540
Abingdon, Virginia 24210 Tax Map Number 83-A-32

Mae Roberts A-2
Route 3, Box 544
Abingdon, Virginia 24210 Tax Map Number: 83-A-30C,30B

Claude Roberts A-2
Route 3, Box 540
Abingdon, Virginia 24210 Tax Map Number 83-2-1

Charles Roberts A-2
Route 3, Box 170A
Abingdon, Virginia 24210 Tax Map Number 83-A-30A

R.C. Baumgardner A-2
Route 3, Fall Mill Road
Abingdon, Virginia 24210 Tax Map Number 83-A-26

James Scyphers A-2
Route 3, Box 256
Abingdon, Virginia 24210 Tax Map Number 82-2-8,9

J.R. Lilly A-2
Route 6, Box 764
Abingdon, Virginia 24210 Tax Map Number 82-A-55, 55A, 56, 57
Beecher McCroskey
Route 3, Box 320 A-2
Abingdon, Virginia 24210 Tax Map Number 82-A-58,59,60

Bobby Lilly A-2
c/o Bessie Lilly
5710 Lee Highway
Bristol, Virginia 24201 Tax Map Number 123-3- 14-23

Kenneth Jackson A-2
4529 King Mill Pike
Bristol, Virginia 24201 Tax Map Number 184-A-36A

Harold Hagy A-2
Route 3, Box 170
Abingdon, Virginia 24210 Tax Map Number 82-A-77

Everette Hagy A-2
Route 3, Box 165
Abingdon, Virginia 24210 Tax Map Number 82-A-70,71,

Claude Sullivan A-2
Route 3, Box 540
Abingdon, Virginia 24210 Tax Map Number 83-2-1

Dwight Kimberlin A-2
Route 3, Box 174
Abingdon, Virginia 24210 Tax Map Number 82-A-78

Lynda-Avery Wiles A-2
265 Young Drive
Bristol, Virginia 24201 Tax Map Number 158-4-1

Ruth Young Cox A-2
194 Young Drive
Bristol, Virginia 24201 Tax Map Number 158-4-5,6

Edward Young A-2
245 Young Drive
Bristol, Virginia 24201 Tax Map Number 158-4-4

James Christian A-2
624 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 158-7-2A,3

Marion Harmon A-2
4671 King Mill Pike
Bristol, Virginia 24201 Tax Map Number 163-A-63

Marion Harmon A-2
4671 King Mill Pike
Bristol, Virginia 24201 Tax Map Number 184-A-42

Junior Blevins A-2
4533 Kingmill Pike
Bristol, Virginia 24201 Tax Map Number 184-A-37

French Moore III A-2
3361 Kingmill Pike
Bristol, Virginia 24201 Tax Map Number 183-2-2,3

Charmie Burnette A-2
801 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 159-A-67

J.L. Phipps 894 Dishner Valley Road Bristol, Virginia 24201		A-2 Tax Map Number 159-A-68
D.J. Dishner Estate 905 Dishner Valley Road Bristol, Virginia 24201		A-2 Tax Map Number 159-A-69
Denver C.Dishner 1642 E. Sevier Ave. Kingsport, Tenn. 37660		A-2 Tax Map Number 179-1-1
Dorothy Stallard Westridge Apt. A-5 Bristol, Tenn. 37620		A-2 Tax Map Number 179-1-2,6
Melvin Dishner 1425 Crescent Drive Kingsport, Tenn. 37660		A-2 Tax Map Number 179-1-3
Woodrow Dishner 1578 Gate City Highway Bristol, Virginia 24201	A-2	 Tax Map Number 179-1-4,5
Lucille Pratt Estate 1308 Reedy Creek Road Bristol, Virginia 24201		A-2 Tax Map Number 158-A-8,9
R.W. Cross 350 Dishner Valley Road Bristol, Virginia 24201	A-2	 Tax Map Number 158-A-36
Wiley Saul 850 Dishner Valley Road Bristol, Virginia 24201	A-2	 Tax Map Number 158-A-111
Charmie Burnett 801 Dishner Valley Road Bristol, Virginia 24201	A-2	 Tax Map Number 158-A-112
Virginia Carter 271 Dishner Valley Road Bristol, Virginia 24201	A-2	 Tax Map Number 158-A-113
M.H. Sproles 119 Johnson Road Oak Ridge, Tenn. 37830		A-2 Tax Map Number 158-A-114
Billie Leonard P.O. Box 661 Bristol, Virginia 24201		A-2 Tax Map Number 158-A-117
William Morgan		A-2

521 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 158-A-119

Thelma Cole A-2
618 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 158-7-1

Wiley Cole A-2
649 Island Road
Bristol, Virginia 24201 Tax Map Number 158-7-2,4

James Christian A-2
624 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 158-7-2A,3

Naomi Barger A-2
425 Reedy Creek Rd.
Bristol, Virginia 24201 Tax Map Number 179-A-2

Dallas Stophel A-2
356 Johnson Chapel Road
Bristol, Tenn. 37620 Tax Map Number 179-A-3

Eric Coulson A-2
P.O. Box 11217
Rock Hill, S.C. Tax Map Number 179-A-4,5

Hiram H. Taylor A-2
485 Reedy Creek Road
Bristol, Virginia 24201 Tax Map Number 179-A-6

Eva Cook A-2
204 Melody Lane
Bristol, Tenn. 37620 Tax Map Number 179-A-7

Kenneth Leonard A-2
98 Young Drive
Bristol, Virginia 24201 Tax Map Number 179-A-11

Andy Yates A-2
Rt. 2, Box 415
Bristol, Tenn. 37620 Tax Map Number 179-A-12

Mary Fleenor A-2
45 Youngs Drive
Bristol, Virginia 24201 Tax Map Number 179-A-13

Gary Morgan A-2
Route 2, Box 417
Bristol, Tenn. 37620 Tax Map Number 179-A-14

John D. Gentry A-2
159 Dishner Valley Road

Bristol, Virginia 24201 Tax Map Number 179-A-14A

Elmer Haga A-2
Route 2, Box 416
Bristol, Tenn. 37620 Tax Map Number 179-A-14B,14C

Roger Worley A-2
521 Hwy. 126
Bristol, Tenn. 37620 Tax Map Number 179-A-15

Andy Yates A-2
Route 2, Box 415
Bristol, Tenn. 37620 Tax Map Number 179-A-15A

E.V. Haga A-2
Route 2, Box 302
Bristol, Tenn. 37620 Tax Map Number 179-A-16

Mary Moody A-2
179 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 179-A-16A

Roger Worley A-2
521 Hwy. 126
Bristol, Tenn. 37620 Tax Map Number 179-A-16B

Glenn D. Anderson A-2
1911 Lawrence Ave.
Bristol, Virginia 24201 Tax Map Number 179-A-16C

Darrell Hawthorne A-2
7 Young Drive
Bristol, Va. 24201 Tax Map Number 179-A-16D,16E

Susie Fleenor A-2
39 Young Drive
Bristol, Virginia 24201 Tax Map Number 179-A-17

Mary Fleenor A-2
45 Youngs Drive
Bristol, Virginia 24201 Tax Map Number 179-A-18

Elizabeth Pratt A-2
1308 Reedy Creek Road
Bristol, Va. 24201 Tax Map Number 179-A-19

C.T. Barb A-2
75 Young Drive
Bristol, Virginia 24201 Tax Map Number 179-A-20

Frederick Simcox A-2
87 Young Drive
Bristol, Virginia 24201 Tax Map Number 179-A-20A

J.C.Denton A-2
308 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 179-A-21-23

Jack C. Hoffnung A-2
327 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 179-A-24

Clarence Moore A-2
295 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 179-A-26

Staley Sproles A-2
119 Johnson Road
Bristol, Virginia 24201 Tax Map Number 179-A-27

James D. Baker A-2
290 Cherokee Rd.
Bristol, Virginia 24201 Tax Map Number 179-A-28

James Hughes A-2
231 Dishner Valley Road
Bristol, Virginia 24201 Tax Map Number 179-A-29

Warren Taylor A-2
Rt. 3
Bristol, Virginia 24201 Tax Map Number 179-A-30

Eunice Wirth A-2
457 Dishner Valley
Bristol, Virginia 24201 Tax Map Number 179-1-7

Ollie J. Hopkins A-2
336 Hopkins Rd.
Piney Flats, Tenn. Tax Map Number 157-A-36

and further still, that the following properties be rezoned B-2, Business, General:

John Shupe B-2
PO Box 697
Abingdon, Virginia 24210 Tax Map Number 104C2-A-15,17

J. Thompson B-2
117 Hunt Club Road
Abingdon, Virginia 24210 Tax Map Number 104C2-A-13

and further still, that the following property be rezoned to R-2, Residential, General:

Bollings Const. R-2

1912 Euclid Avenue
Bristol, Virginia 24201 Tax Map Number 142-A-61A

The vote on the motion to allow rezoning of specific properties 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				

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6. Public Hearing to consider the adoption of amendments to County Code Sections 12-6, 12-9, 12-10, and 12-11, closing its existing landfill in the near future and begin operating a transfer station; amending those sections of County Code Chapter 12 which deal with the operation of the landfill to reflect the new method of operation; amending subsections of County Code Section 12-9 which deal with inspection of the vehicles used by solid waste haulers

Mr. Derting invited comments both in support of and in opposition to amendments to County Code Sections 12-6, 12-9, 12-10, and 12-11.

Thomas Whittaker inquired about the County receiving a Permit by Rule for the Transfer Station from the Department of Environmental Quality. Mr. Bentley responded that the Permit By Rule has been issued. Mr. Whittaker asked about changes to Section 12.9. He commented on wetlands at the Transfer Station. Mr. Bentley stated the site was reviewed and cleared by the Department of Environmental Quality. Mr. Whittaker inquired about the inspection date on the Transfer Station building. Mr. Bentley informed him that the contract with Thompson & Litton provided for on-going inspections of the project through construction.

Patrick Mannix, Wilson District, inquired about the reason the Health Department cannot inspect the trash trucks, and the qualifications of the Landfill Manager to inspect the trucks.

Mr. Mannix stated Waste Management has been collecting trash in Washington County without a valid permit.

For the benefit of the audience, Mr. Osborne explained the basic changes being considered were changing all references in the Code from "Landfill" to "Transfer Station."

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 adopt the following ordinances:

ORDINANCE

Be it ordained by the Board of Supervisors of Washington County, Virginia:

That the Washington County Code is amended by adding to Chapter 12 as follows:

CHAPTER 12
REFUSE, GARBAGE AND WEEDS

Sec. 12-6. Proper disposal of refuse--By County residents.

A County transfer station and a system of convenience centers shall be available to County residents for the disposal of garbage and trash during such hours and upon such conditions as the Board of Supervisors may direct. (7-5-73, 10-12-93 art. 6)

Sec. 12-9. Permits for Licensed haulers of refuse.

(f) The Board of Supervisors shall issue a permit upon receipt of a valid application and upon a finding that the applicant has complied with all applicable sections of this chapter and upon a finding that the issue of the permit to the applicant will be in the best interest of the County.

The Board of Supervisors shall impose conditions which it deems proper to protect the interest of the County. The Board of Supervisors may, after a public hearing and a finding that it is in the best interest of the County to do so, may grant exceptions to any of the requirements of this section and may, after a public hearing and appropriate findings explaining why it is in the best interest of the County, grant an exclusive permit or license for certain categories of service or for certain geographical areas.

Prior to the issuance of any permit, all vehicles shall be inspected by the County Solid Waste Department or the County Health Department. The permit shall assign a number to each vehicle covered by such permit.

(l) The applicant shall have all vehicles used or to be used for refuse removal or transport inspected once in every six months by the County Solid Waste Department or the County Health Department at a reasonable time and place within the County. In the event of an emergency requiring the immediate replacement of a vehicle, the applicant shall notify the County Solid Waste Department and the County Administrator of such replacement and prior to placing the vehicle in use shall provide the County Administrator with proof that the replacement vehicle is adequately insured and shall have the replacement vehicle inspected by the County health department or the County Solid Waste Department within five days after it is placed in use.

Sec. 12-10. Solid Waste Transfer Station.

(a) The Board of Supervisors hereby creates and establishes a system of solid waste convenience centers and a county solid waste transfer station to facilitate the environmentally sound disposal of certain types of residential, commercial and industrial solid waste. The Board of Supervisors shall by resolution establish the types of solid waste which shall be accepted at the transfer station and convenience stations and shall establish the hours of operation and fees for the use of the various facilities.

(b) The county solid waste transfer station and convenience centers are established and designed to receive refuse, garbage, trash and solid waste generated within Washington County. There shall be no hauling of garbage, trash, refuse, rubbish or solid waste from outside of Washington County to these facilities unless a fee is paid as hereinafter described. This provision shall also include those individuals or corporations residing in the County which transport garbage, trash or refuse from outlying areas not a part of the County, which garbage, trash or refuse has been generated from outside of Washington County.

(c) The operation of the county solid waste convenience centers and the solid waste transfer station shall conform to the guidelines established by the Virginia Department of Environmental Quality governing the disposal of solid waste and with all applicable federal and state laws and regulations.

(d) Residents of Washington County may deposit trash and garbage generated from their individual households into the county solid waste convenience stations without charge. All commercial enterprises, businesses, industries, manufacturing concerns, private haulers of refuse operating in the county and nonresidents of the county shall be charged a fee for the use of the county sanitary solid waste facilities and may be prohibited from using some or all of the County solid waste facilities. Commercial enterprises, businesses, industries, manufacturing concerns and private haulers of refuse operating within the County may be required to use the County solid waste facilities. By virtue of Section 10.1-1411 of the 1950 Code of Virginia, as amended, the county shall charge the towns within the county, their residents, establishments and institutions an amount not to exceed their pro rata cost, based upon population, for solid waste disposal service provided at the County solid waste facilities, if the town levies a consumer utility tax. The fees or charge for use of the county solid waste facilities are to be established by resolution of the Board of Supervisors. The charge or fee may be based upon tonnage or cubic yardage; or may be individually specified for certain categories of waste being disposed. Commercial enterprises required to pay the fee under this section shall include motels, mobile home parks, trailer parks, apartments and other entities which provide trash pickup and disposal service for their customers or tenants, as well as commercial haulers of residential waste and/or commercial waste. Non-commercial disposal of building materials and brush will be charged at a rate and in the manner established by the Board of Supervisors by resolution.

(e) Persons who reside elsewhere but who own property in Washington County may, when visiting their property in Washington County, use the

County solid waste facilities to dispose of residential household garbage which they generate in the County during their visit to their property located in the County on the same terms and conditions as County residents; however, reasonable inquiry and a reasonable investigation may be conducted to establish that the requirements of this section are met.

(f) A person who does not reside in the county may use the county solid waste facilities to dispose of residential household garbage generated by a member of his immediate family who resides in Washington County if the person disposing of the garbage provides this service to only one household, disposes of only household garbage generated in Washington County and receives no compensation for disposing of the garbage; reasonable investigation may be conducted to establish that the requirements of this section are met.

(g) It is unlawful for any person, company, corporation or other entity to dump trash, refuse or garbage anywhere in the County, whether on public or private property, except in an authorized sanitary landfill, the County transfer station or in bulk trash containers placed by the County in accordance with the provisions of section 12-11 of this Code. Violation of this section is punishable pursuant to the penalties prescribed in section 12-13 of this Code.

(h) At the solid waste convenience center which Washington County operates in the Rye Valley District of Smyth County, solid waste will be accepted from residents of Smyth County on the same terms and basis as solid waste will be accepted from Washington County residents.
(7-5-73; art.11; 9-15-73; 11-11-91; 10-12-93)

Section 12-11. Disposition of bulk trash containers.

(a) A solid waste disposal system consisting, in part, of bulk trash containers in sufficient quantities to serve the needs of residents of the County shall be provided where space for such containers on or near well-traveled roads in the County is available and where such containers shall benefit the greatest number of residents.

(b) Residents of the County, persons who own property in the County and those persons visiting or touring in the County shall be invited, encouraged or permitted to use such bulk containers for normal household and residential wastes. Other individuals may use the bulk trash containers only if such use is specifically authorized by ordinance, the County Administrator, or the Board of Supervisors. No commercial, industrial or intuitional wastes shall be placed in bulk containers for public use.

(c) Dead animals of any kind shall also be prohibited from such containers.

(d) Hazardous wastes of any nature shall be prohibited from the above containers.

(e) Mutilation, defacement or damage of any nature to bulk refuse containers (including burning or setting fire to the contents of said containers) shall be a misdemeanor.

(f) It shall be unlawful for any person, except a resident of the County, a person acting on behalf of a county resident, a person who owns real property in the County, or a tourist, to deposit or place waste in or use such bulk trash containers. The word "tourist," as used herein, shall not be construed to mean or include any person who resides within fifty (50) miles of the county courthouse at Abingdon, Virginia.

Persons who reside elsewhere but who own property in Washington County may, when visiting their property in Washington County, use the bulk trash containers to dispose of residential household garbage which they generate in Washington County during their visit to their property located in the County on the same terms and conditions as County residents; however, reasonable inquiry and a reasonable investigation may be conducted to establish that the requirements of this section are met.

A person who does not reside in the county may use the county bulk trash containers to dispose of residential household garbage generated by a member of his immediate family who resides in Washington County provided the person disposing of the garbage provides this service to only one household, only disposes of household garbage generated in Washington County and receives no compensation for disposing of the garbage; reasonable inquiry and a reasonable investigation may be conducted to establish that the requirements of this section are met. (7-5-73, Art. 13; 11-11-91; 10-12-93)

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				

****

7. Mr. Litton's Reports and Comments

Mr. Litton did not have reports and comments.

****

8. Dog Damage Request, H. R. Cozzolino, $90.00

Mr. Cozzolino was present to respond to questions from the Board about his dog damage claim in the amount of $90.00.

The County Attorney explained that the owner of the dog has been summoned to appear in court, and asked consideration in tabling Mr. Cozzolino's claim until the matter is resolved. He stated Mr. Jessee and the County

Attorney will then make a recommendation to the Board of Supervisors. There was consensus agreement that Mr. Cozzolino will not be required to reappear before the Supervisors relative to this claim.

On motion of Mr. Mathews, second by Mr. Osborne, it was resolved to table dog damage claim request filed by H. R. Cozzolino until additional information is made available.

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				

****

9. Solid Waste Hauling Permit, Waste Management of Tri-Cities, Inc.

Mr. Mathews invited Mr. Larry Burris to address the Board of Supervisors concerning Waste Management of Tri-Cities, Inc. application for a Solid Waste Hauling Permit and their subsequent request for variances to their application.

Mr. Larry Burris introduced Connie Tumblin, Sales Manager for Waste Management, who presented their application and request for a variance stating Waste Management cannot provide specific rates for commercial and industrial services as required by the County Code.

Mr. Walsh emphasized that the variance Waste Management is requesting is not consistent with "uniform countywide rates" and does not satisfy the requirements of Section 12.9 of the County Code.

Discussion ensued. Mr. Burris reiterated the difficulty complying with the requirement of providing uniform countywide rates stating the rates vary from location to location in Washington County.

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve Application for a Permit to Haul Refuse in Washington County, Virginia filed by Waste Management of Tri-Cities, Inc. to provide residential services at the following rates for Residential Service, and using the vehicles proposed in their application:

Basic Service (Hand Pickup)	$ 9.25
Cart Service	$ 9.75
Curbside Recycling	$ 2.00
Senior Citizens Discount	10%

and further, it was resolved to request Waste Management of Tri Cities, Inc. to amend their Application for Permit to Haul Refuse in Washington County, Virginia to include a fee schedule for Commercial Services and Roll-Off Industrial Rates; and further still, it was resolved to allow Waste Management to operate solid waste hauling service in Washington County pending resubmission of an amendment to their application for permit.

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				

Discussion ensued relative to providing Waste Management of Tri Cities, Inc. a time frame for resubmission of their application for a permit. By consensus agreement, the Board of Supervisors granted Waste Management 45 days from this date to resubmit their application for a permit.
****

10. Request to Use Circuit Court Room, Washington County Christian Coalition

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to allow the Christian Coalition to use the Washington County Circuit Court Room on the fourth Monday of each month, from 7:00 p.m. to 9:00 p.m.. until further notice, provided the schedule does not interfere with official court functions.

The vote 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				

****

11. 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 (7-0):

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

****

12. Memorandum of Understanding Between Virginia Cooperative Extension and the County of Washington for Extension's departmental structure, administration, programs, personnel, and financial arrangement

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to approve Memorandum of Understanding Between Virginia Cooperative Extension and the County of Washington related to Exten-
sion's departmental structure, administration, programs, personnel, and financial arrangement to be effective immediately and until terminated.

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. E-911 Items:

Mrs. Mary Fraysier was present to address the following E-911 items and respond to questions from the Board:

(a) Bid Recommendation, Radio Control Console Equipment

Received bid results for Radio Control Console Equipment for Washington County and the City of Bristol in connection with E-911 services.

On motion of Mr. Parris, second by Mr. Simcox, it was resolved to accept the low bid of Two-Way Radio, including the requested spare parts, one year maintenance and installation of Radio Control Console Equipment in the amount of $79,429.01, with funds appropriated from Fund 11, Account Number 8290, Other E-911 Eligible Expenses.

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				

*****

(b) Joint Bristol/Washington County E-911 Commission (Mary Fraysier, Emergency Services Coordinator)

Mrs. Fraysier called attention to agreement between Washington County and the City of Bristol wherein a Joint E-911 Committee would be established to review and oversee the operation of the

E-911 emergency telephone system in Bristol and Washington County.

There was consensus agreement to postpone discussion until Thursday, October 14, 1993 when the Board of Supervisors will meet jointly with the Bristol, Virginia City Council.

****

14. Adoption of Oil and Hazardous Materials Response Plan, SARA Title III (Mary Fraysier, Emergency Services Coordinator)

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to adopt the Washington County Emergency Response Plan, Oil and Hazardous Materials Response, SARA Title III, and authorized the Plan to be submitted to the State.

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				

****

15. Award of Communications System Modifications Bids - Sheriff's Office

Mr. Kenneth Hayter, Communications Officer, was present to respond to questions from the Board of Supervisors relative to bids received for the Communications System Modifications for the Sheriff's Department.

On motion of Mr. Parris, second by Mr. Simcox, it was resolved to accept the low bid of Two Way Radio, Inc. for Communications System Modifications in the amount of $26,313.00 for the Sheriff's Office.

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				

****

16. Request to Approve Revised CDBG Project Budget, Emory/Meadow view Sewer Improvement Project

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to approve revised Community Development Block Grant Project Budget for Emory/Meadowview Sewer Improvements Project in the amount of $700,000.

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				

****

17. Appointment to Highlands Community Services Board, Jefferson Magisterial District, 3 year term (Resignation of Leslie Hindle)

Received resignation of Leslie Hindle from Highlands Community Services Board to be effective immediately.

Mr. Litton requested this be placed on the Agenda for the October 26, 1993 meeting.

****

18. Appointment to Washington County Public Library Board of Trustees, Wilson Magisterial District, 4 year term

On motion of Mr. Simcox, second by Mr. Barker, it was resolved to appoint Joe McReynolds to the Washington County Public Library Board of Trustees representing the Wilson Magisterial District for a four year term effective immediately to June 30, 1997 to fill the vacancy left by Linda Cox who resigned.

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				

****

19. County Administrator Comments:

The following action was taken on County Administrator comments:

a. Surplus Sale

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to declare the following items as surplus property and authorized their sale at the October 30, 1993 school surplus sale:

Washington County Public Library:

- Carpet Runners
- Metal trash cans
- Floor buffer w/attachments
- Microfiche Readers
- Wooden CD display box
- Rubber mats
- Filmstrip Projectors/Filmstrip Viewers
- Overhead projector kit
- Record Players
- Slide Projectors/Cassette Players
- Camera
- Earphones

Commonwealth Attorney's Office:

- Boston Shredder

Buildings & Grounds:

- Light bulbs
- Leather Lounge Chairs
- Telephones
- Black Office Chairs
- Brown Office Chair
- Note Book Binders
- 2-Way Radio
- Adding Machine
- Mechanical Drawing Stool
- Square-D 200 AMP disconnect switch box
- Venetian blinds
- Metal Door Frames and Door
- Gasboy Fuel Station

Central Dispatch

- Lathem Time Recorders
- NEC Facsimile Transceiver
- Cobra Cordless Telephone & Charger
- Desk Top metal copyholder
- Table-top metal flip charts
- Panasonic Speakerphone
- Portable slip-on lamp
- Metal single drawer file cabinet
- Metal double drawer file cabinet

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				

*****

b. Transfer Station Demonstration

Noted correspondence from Thompson & Litton, Incorporated wherein they agree to coordinate a demonstration of the Solid Waste Transfer Station operation on Friday, October 15, 1993, 10:30 a.m. The Board of Supervisors agreed by consensus.

*****

c. Agenda, Joint Meeting Washington County-Bristol, VA City Council

Reviewed proposed Agenda for joint meeting between Washington County Board of Supervisors and the Bristol, Virginia City Council on October 14, 1993, 7:00 p.m., in the Conference Room of the County Administration building. The Board of Supervisors agreed by consensus.

*****

d. New Work Schedule for Animal Control

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve a work schedule for the Animal Wardens changing their hours to 40 per week.

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				

Mr. Litton made a motion, with no second, to pay the Animal Wardens all of their accumulated overtime compensation, and allow them to start earning overtime compensation again.

The vote on this motion was as follows (2-5):

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

*****

e. Communications. The following communications were received:

Interoffice Communications:

:: E-911 Sign status report, Emergency Services
:: Washington County Clean Virginia Program, Beautification Program Award Entry, Washington County Courthouse
:: Health Department, Notice of flu shots, October 1993 schedule
:: Washington County Sheriff's Office, Request for Payment for Rest, Vacation and Compensatory Leave, Robert A. Clendenen, Jr.

Federal, State and Local Representatives:

:: Representative Joseph P. Johnson, Jr. concerning Washington County's resolution relative to Long Term Care and Aging Task Force proposals
:: Auditor of Public Accounts concerning:
  :: Statement of Treasurer's Accountability to the Commonwealth for funds collected in Washington County for the year ended June 30, 1993
  :: Review of Collections of Commonwealth Revenues by Treasurer, Commissioner of Revenue, Sheriff and Commonwealth's Attorney of the County of Washington, Virginia for the year ended June 30, 1993
:: Department of Health, Office of Water Programs, Hamilton Elementary School waterworks
:: Virginia Employment Commission, Virginia Population Projections 2010
:: Commonwealth, Unemployment Rates by County and City, June 1993

General Correspondence:

:: Thomas Whittaker request to be placed on Agenda for October 12, 1993 Board of Supervisors meeting; response to request
:: Southwest Virginia Emergency Medical Services Council, Inc. concerning FY 1993-94 contribution
:: Thompson & Litton concerning Solid Waste Transfer Station Permit to Operate; Design & Construction Standards Certification
:: White Elliott & Bundy concerning Robert Allen Burrow v. Washington County Buildings & Grounds
:: Virginia Association of Counties concerning Cable TV Rate Regulations
:: Virginia School Boards Association concerning National Unfunded Mandates Day

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f. Reminders. A calendar of meetings was distributed.

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g. Surplus Landfill Equipment and Transfer Station Operation

a. On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to declare the following equipment located at the Landfill as surplus property and authorize the County Administrator to advertise the equipment for sale and receive bids:

(1) 1989 Volvo six wheel drive 25 ton dump truck
(1) 1987 Caterpillar 250 six wheel drive 25 ton dump truck
(1) 1990 Caterpillar D-7 dozer with semi-u blade
(1) 1989 Caterpillar 973 track loader with a 4.5 cubic yard general purpose bucket
(1) 1990 Caterpillar 963 track loader with a 3.25 cubic yard general purpose bucket

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				

*****

b. On motion of Mr. Osborne, second by Mr. Parris, it was resolved to allow Smyth County solid waste payments to be deposited as revenues into the Solid Waste Department budget.

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				

*****

c. On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to authorize the purchase of a new farm tractor, bush hog and scraper blade in an amount up to $13,000, and that the funds be appropriated out of Account 8201 and 8208 of the Solid Waste Department budget.

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				

****

20. County Attorney's Reports

The following action was taken on County Attorney's Reports:

a. Appoint Road Viewing Committee

There was consensus agreement to place appointing a Road Viewing Committee on the Agenda for October 26, 1993.

*****

b. Request to Attend Conference, Local Government Attorneys of Virginia 1993 Fall Conference, Richmond, VA

Mr. Cliff Walsh informed the Supervisors he would be attending the 1993 Fall Conference of the Local Government Attorneys of Virginia, Inc. October 21-23, 1993, in Richmond.

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21. Consent Agenda:

The following action was taken on the Consent Agenda:

c. Request for the Appropriation of Funds and Request for an Increase in Petty Cash Account for the Washington County Sheriff's Office

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve appropriation of $199.50 in cash to the Washington County Sheriff's Office and that it be placed in Department No. 31200, Line Item 1300 for part-time help.

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				

With regard to Sheriff Mitchell's request to increase the amount of funds in the petty cash fund, Mr. Mathews made a motion, second by Mr. Osborne, to table action until Mr. Mark Seamon can advise the Board on the procedure.

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. Osborne, second by Mr. Barker, it was resolved to approve the following Consent Agenda Items:

a. Payment of Bills, October 1993
b. Approval for Payment - J. A. Street and Associates, Washington County Solid Waste Transfer Station, Payment No. 4

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				

****

22. Board Member Reports

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

WHEREAS, it appears that Starling Drive may qualify for upgrading and inclusion in the state system as a rural new addition;

NOW, THEREFORE, BE IT RESOLVED by the Washington County Board of Supervisors to direct the County Attorney to request the Virginia Department of Transportation to estimate the cost of improving the named street to state standards.

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				

Mr. Mathews presented information to the Supervisors on the potential for new industry in the Mount Rogers Planning District.

Mr. Mathews presented a map showing proposed I-73 routing alternatives pointing out that one route under discussion would be from Huntington, West Virginia to Route 19 and from Damascus to Mountain City.

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to authorize Kenneth G. Mathews to represent Washington County at the Virginia Association of Counties Annual Fall Meeting, November 7, 8, and 9, 1993, and approved reimbursing Mr. Mathews' expenses in connection with the conference.

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

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

Mr. Derting reminded the Supervisors of the Joint Meeting with Bristol, Virginia City Council on Thursday, October 14, 1993, 7:00 p.m. He suggested that there be a discussion on Virginia's industrial development funding policies.

****

23. Citizen Comments

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

Thomas Whittaker asked the Supervisors to take a vote on Mr. Walsh's attendance at the 1993 Fall Conference of the Local Government Attorneys of Virginia, Inc. October 21-23, 1993, in Richmond.

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to authorize Mr. Cliff Walsh to attend the 1993 Fall Conference of the Local Government Attorneys of Virginia, Inc. October 21-23, 1993, in Richmond.

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. Whittaker inquired into the status of the County's claim against Mr. Herb Peters for damages to the County van.

Patrick Mannix requested the use of Circuit Court to challenge the Board of Supervisor candidates for debate from the Wilson District and commented

on the Right of Way easement agreement between the School Board and Service Authority for the sewer line.

On motion of Mr. Parris, second by Mr. Osborne, it was resolved to allow Mr. Patrick Mannix to use the Washington County Circuit Court Room to hold a Debate with the provision that the other two Board of Supervisor candidates from the Wilson District confirm their attendance and participation in writing to the County Administrator and provided this event does not interfere with any other scheduled meeting in this room.

The vote on this motion was as follows (5-2):

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

Mr. Cliff Walsh addressed the Board of Supervisors as a citizen of Washington County requesting they assist him in paying legal expenses he incurred in connection with the litigation brought about by James P. Litton as a member of the Board of Supervisors. He stated: the legal proceedings were brought about by a member of the Board in the name of the Board; the proceedings were improper and the Circuit Court imposed sanctions upon the individual who started the proceedings; the proceedings provided a benefit for the Board of Supervisors and the County by establishing one Board Member cannot act on behalf of the entire Board; there is precedence set for assisting him; the Resolution adopted by the Board of Supervisors authorized the County Administrator to take all such steps as are necessary and proper to cause the suit to be dismissed.

Mr. Litton responded objecting to Mr. Walsh's request.

There was no action taken on Mr. Walsh's request.

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24. <u>Recess to October 14, 1993, 7:00 p.m., Upstairs Conference Room of County Administration Building, to meet jointly with Bristol, Virginia City Council on matters of mutual interest</u>

On motion of Mr. Osborne, second by Mr. Parris, it was resolved to recess to October 14, 1993, 7:00 p.m., Upstairs Conference Room of County Administration Building, to meet jointly with Bristol, Virginia City Council on matters of mutual interest.

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				

Joe W. Derting, Chairman