V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, October 26, 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

At the request of Maurice Parris, Mr. Jackson Barker gave the Invocation and led in the pledge to the flag.

At this time, Mr. Litton was meeting with Mr. Halim and constituents from the Jefferson Magisterial District and was not seated at the Board table.

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3. Approval of Agenda

On motion of Mr. Mathews, second by Mr. Barker, it was resolved to approve the Agenda with the following additions:

5.b Cowan Drive
17.f Flu Shots

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

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

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4. Approval of Minutes:

The following action was taken on Approval of Minutes:

:: Regular meeting of October 12, 1993

On motion of Mr. Barker, second by Mr. Parris, it was resolved to approve the Minutes of October 12, 1993 with the following corrections:

Page 6847, Line 27-29, Line 32, Line 33-35

Delete Mary G. Rock and accompanying information
Change Lester Calhoun Tax Map Number to 139-3-3
Delete Jack Collins and accompanying information

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

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

:: Recessed meeting of October 14, 1993

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve the Minutes of October 14, 1993 as written.

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

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

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Mr. Litton returned to the meeting and took his seat at the table.

5. Public Hearing to receive comments regarding the 1994-2000 Six Year Secondary Road Construction Program for Washington County

Mr. Mike Halim, Assistant Resident Engineer, Virginia Department of Transportation, was present to respond to questions from the Board of Supervisors on the Six Year Plan.

Mr. Derting invited comments both in support of and in opposition to the Six Year Secondary Road Construction Program for Washington County, as presented.

Mr. Halim commented on the funding for railroad crossings stating Washington County would be responsible for 100% cost for three crossings and 10% funding for four crossings from the secondary road fund. He confirmed that Washington County will not have to pay for the cost of constructing/installing a railroad crossing device on Route 80 in Meadowview.

Mr. Litton inquired about the description of Route 611 Project 0611-095-P on the Six Year Plan. Description should read "From Route 80 to 1.0 Mi. W. Rt. 80." Mr. Halim agreed to change.

Sherill Moran, Tyler District, Cowan Drive addressed the Board of Supervisors requesting .70/.80 Mi. of SR 647 be paved stating the distance would complete the paving of the road. He explained the road is dusty and this presents health problems for the people who reside at that location. He added the road is heavily traveled and estimated the volume of cars in the evening to be approximately 250.

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

On motion of Mr. Litton, second by Mr. Barker, it was resolved to accept the Virginia Department of Transportation Six Year Construction Program for the Secondary System for Washington County for the years 1994-95 through 1999-2000 with the change of description noted above and as submitted by the Assistant Resident Engineer on October 26, 1993 and signed by the Chairman of the Board on October 27, 1993.

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

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

Mr. Barker left the room to meet with residents of State Routes 909 and 632 relative to its placement in the Six Year Plan construction program.

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7. Dog Damage Claim, Travis Adkins, $180.00

Mr. Travis Adkins appeared before the Board of Supervisors to respond to their questions on his dog damage claim for four goats killed by stray dogs.

On motion of Mr. Parris, second by Mr. Litton, it was resolved to reimburse Travis Adkins in the amount of $180.00 for four goats killed by dogs.

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

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

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6. Mr. Litton's Reports and Comments

Mr. Litton reported he accompanied Mrs. Holley to the Washington County Service Authority meeting and stated the Commissioners have requested that a joint meeting of the Board of Supervisors and Service Authority be scheduled to discuss water projects.

On motion of Mr. Litton, second by Mr. Parris, it was resolved to schedule a joint meeting with the Washington County Service Authority to discuss water projects at a date and time to be arranged by the County Administrator and the General Manager of the Service Authority.

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

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

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Mr. Mannix spoke to Mr. Litton stating he asked Mr. Bentley for permission to be placed on the Agenda and Mr. Bentley denied his request.

Mr. Litton made a motion, with no second, to place Mr. Mannix on the Agenda as requested.

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

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

Mr. Litton called Mr. Yeary to the podium allowing him to speak to the Board during his (Mr. Litton's) reports and comments.

Mr. Yeary reported attending the October 14, 1993 joint meeting of the Board of Supervisors and the Bristol, Virginia City Council. He expressed disappointment that he and other members of the audience were not allowed to speak on the matter of the Bristol Beltway proposal submitted by the Bristol, Virginia City Council. He expressed his hope that the Board of Supervisors will allow citizens to participate as members on the joint Commission which was voted to be established at the October 14, 1993 meeting, and cautioned the Board about becoming a closed government.

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8. Virginian Sewer Laterals (A); Easements (B)

a. On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to appropriate $17,900 from Reserves for Contingencies to the Washington County Service Authority for additional costs in connection with laterals for the Virginian Sewer.

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

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

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b. On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to appropriate $29,430 to the Washington County Service Authority to complete the Virginian Sewer Project.

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

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

Mr. Derting turned the gavel over to Mr. Osborne to conduct the meeting, and briefly left the meeting room.

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9. Request to Increase Petty Cash Account, Washington County Sheriff's Office

Sheriff Joe D. Mitchell, Sr. addressed the Supervisors concerning the petty cash fund and explaining there have been occasions he has used his personal bank card to cover departmental expenses due to the petty cash account limit of $200.00. He requested the Supervisors consider increasing the petty cash amount to $1,000.

On motion of Mr. Parris, with no second, to approve request of Sheriff Joe D. Mitchell to increase the Sheriff Department Petty Cash Account from $200 to $1,000.

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

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

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Mr. Derting returned and resumed the Chairmanship.

Mr. Barker returned to the meeting.

10. Approval of Project Documents, Southwest Virginia Microenterprise Development Project

Rob Goldsmith, Executive Director, People Incorporated, was present to respond to questions from the Board on the Southwest Virginia Microenterprise Development Project.

On motion of Mr. Osborne, second by Mr. Barker, it was resolved to approve the following documents in connection with the Southwest Virginia Microenterprise Development Project:

1. Project Program Design and Project Oversight Committee By-Laws;
2. Project Management Plan;
3. Agreement between the Counties of Washington, Dickenson and Buchanan for regional implementation of the project;
4. Proposed Revised Project Budget.

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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On motion of Mr. Osborne, second by Mr. Parris, it was resolved to appoint Mr. Jackson Barker, Jr. to represent Washington County on the Microenterprise Project Oversight Committee.

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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11. Approval of Contract Documents, Emory/Meadowview Sewer Improvements Project:

Mr. Dave Barrett, Deputy Director, Mount Rogers Planning District Commission, was present to respond to questions from the Board on the Emory/Meadowview Sewer Improvement Project.

a. County/DHCD Agreement for CDBG Funds

b. County/Mt. Rogers PDC Agreement for CDBG Project Management

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to approve Agreement between Virginia Department of Housing and Community Development and Washington County for CDBG funding up to $700,000 for the Emory/Meadowview Sewer Improvement Project, and further it was resolved to appoint Mount Rogers Planning

District Commission as managers for the Emory/Meadowview Sewer Improvement Project.

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

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

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12. Recess

On motion of Mr. Parris, second by Mr. Osborne, 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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13. Appointment of Roadviewer Committee

The following appointments were made to the Roadviewer Committee:

On motion of Mr. Parris, second by Mr. Litton, it was resolved to appoint Ralph M. Barr, Jr. of the Taylor Magisterial District to the Roadviewer Committee.

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. Parris, it was resolved to appoint Don Montgomery of the Madison Magisterial District to the Roadviewer Committee.

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. Mathews, second by Mr. Osborne, it was resolved to appoint Mike Smith of the Harrison Magisterial District to the Roadviewer Committee.

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				

There was consensus agreement to continue appointments at the November 9, 1993 meeting.

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14. Award of Contracts:

The following action was taken on award of contracts:

a. County Insurance Bids

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to accept bid of Clifton Insurance Agency, Inc. in the amount of $46,539.00 for County Fleet, General Liability, Property and Inland Marine Insurance coverages. The bid award is for a three year period with the annual premiums being adjusted only for additions, deletions, changes in coverages and changes in operating expenses.

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. Mathews explained he would not vote on this motion because his son, Dan Mathews, is an employee of Clifton Insurance Agency, Inc.

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b. Trash Roll-Off Truck Bids

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to accept bid of Cavalier Equipment Corporation for the lease/purchase of three new trash roll off trucks in the amount of $4,219.74 per month for a period of five years, and further, it was resolved to notify Waste Management of Tri Cities, Inc. of the County's intent to terminate our current convenience stations service agreement in 90 days.

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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15. Consideration of Post-Closure Groundwater Testing and Professional Engineering Services for County Landfill

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to advertise for an engineering firm for services needed during the extended post closure period at the landfill.

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. Simcox, it was resolved to appoint the following members to a Selection Committee to further study the role of the professional engineering firm, to draft and review a Request for Proposal for professional engineering services, advertise and conduct interview, and to formulate a recommendation to the Board of Supervisors on the consulting firm and contractual arrangement:

James T. Osborne
Kenneth G. Mathews
Bruce E. Bentley
Mark K. Reeter
Clifton Walsh
Coy Martin

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				

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16. Appointment to Highlands Community Services Board, Jefferson District (Resignation of Leslie Hindle)

Mr. Litton requested that Appointment to Highlands Community Services Board be placed on the November 9, 1993 meeting Agenda.

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17. County Administrator Comments:

The following action was taken on County Administrator Comments:

a. Voting Machine Storage

Received communication from B. R. Munsey, Chairman, Washington County Electoral Board, notifying Washington County the voting machines will have to be moved.

Mr. Canter reported on his efforts to locate a permanent facility to house the voting machines explaining the present building is also being used to house school board equipment outside of the secured area where the voting machines are stored. Mr. Canter will provide additional information at a later date.

There was consensus agreement to monitor storage of the voting machines and take no further action at this time.

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At the request of Mr. Barker, Mr. Canter commented on the status of the boiler repair at Hamilton School. Mr. Barker reported there is no heat in the building and it became necessary for People Incorporated to cancel the Head Start program for several days.

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to authorize the County Administrator, or his designee, to allow the next lowest bidder for the contract if they can get on the job by Monday, November 1, 1993 and provided the next lowest bidder can get the job done promptly. The amount would be $495.00 more.

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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b. Request to Attend VACo Meeting, November 7, 8, and 9, 1993

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to authorize the County Administrator to attend the Virginia Association of Counties Annual Meeting, November 7, 8, and 9, 1993.

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				

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c. Appointments

On motion of Mr. Mathews, second by Mr. Barker, it was resolved to appoint Maurice Parris, James T. Osborne, and Clifton Walsh to serve on the E-911 Commission from Washington County to review and oversee the E-911 operations, and further it was resolved that the E-911 Commission will present their report to the Board of Supervisors in 30 days.

The vote on this motion was as follows (4-1-2):

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

Mr. Derting stated he would make appointments of two Supervisors and one member-at-large at the November 9, 1993 meeting who will investigate and make recommendations to both the Board of Supervisors and the Bristol, Virginia City Council concerning matters of mutual concern.

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d. Communications The following communications were received:

Interoffice Communications:

:: Director of Accounting to Supervisor James P. Litton concerning summary of Bristol telephone bills;

Mr. Litton stated his request was for Mr. Clifton Walsh's telephone bills and not for the entire County. Mr. Seamon will provide the information for the November 9, 1993 Board of Supervisors meeting.

:: Resource Management Consultant concerning:
  :: Lighting Survey;
  :: Underground storage tank/heating and cooling of Treasurer's Building;

:: Emergency Services Coordinator concerning:
  :: Sign Status Report;
  :: Newspaper Article, October 14, 1993, Bristol Herald;

:: Washington County School Board concerning composite index calculated for Washington County;
:: Judge Charles B. Flannagan, II, concerning the Board of Supervisors action authorizing use of the Circuit Courtroom on the 4th Monday of each calendar month, and receiving prior permission of the court.

There was consensus agreement to take no action on the correspondence from Judge Flannagan.

Federal, State and Local Representatives:
:: Department of Environmental Quality concerning:
  :: Review of Groundwater Statistical Evaluation, First Semi-Annual Phase I Confirmational Event, Washington County Sanitary Landfill, Permit #406;
  :: Groundwater Statistical Increase, Washington County Sanitary Landfill, Permit #406;
  :: PBR #003, Washington County Solid Waste Transfer Station;
  :: Extension of Federal Deadline for certain landfills to comply with final landfill management standards;
:: Department of Health, Office of Water Programs, concerning waterline extension at Price Bridge Road;
:: Department of Transportation concerning roundtable meeting to be scheduled;

General Correspondence:
:: Coalition for Equity in Educational Funding Corporation concerning action by Supreme Court on Appeal from decision of Circuit Court of City of Richmond;
:: Hamilton Elementary School Waterworks Notice to Customers;
:: Johnson Memorial Hospital concerning construction of parking facility and entrance to hospital;
:: Municipal Analysis Services, Inc. News Release concerning Government Alert, Bristol City Achieves High Performance
:: New River-Mount Rogers Private Industry Council, Inc. concerning vacancies in the Private Sector;
:: Virginia Association of Counties:
  :: Long-Term Care & Aging Services, Final Report;
  :: Draft, 1994 Legislative Program and Policy Statements;
:: Virginia Highlands Community College concerning:
  :: Small Business Development Center Quarterly Counseling Report;
  Mr. Osborne asked Mr. Bentley to provide the Board with information on the locations of the 29 jobs that were created through the efforts of the Small Business Development Center.
  :: VHCC Local Funds Financial Statement for year ending June 30, 1993;

:: Virginia-Maryland Regional College of Veterinary Medicine Programs for Continuing Education, certificate to Raymond E. Gregory;

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e. Reminders

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f. Flu Shots

Received communication from Mrs. Becky Patrick, Personnel, inquiring about the Board of Supervisors position relative to paying the cost for County employees to receive flu shots from the Health Department.

No action was taken.

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18. County Attorney's Reports There were no items for this section.

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19. Consent Agenda:

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

a. Appropriation of federal and state grants to 1993-94 School Board Budget

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. Barker filed a statement disclosing he has a personal interest in certain aspects of the Washington County Budget related to appropriations to the Washington County School Board; that he is an employee of the Washington County School Board and appropriations to the Board could indirectly affect his position, salary, employment benefits, etc.; that he is a member of a group of employees which are affected by the amount of the appropriation to the Washington County School Board; that he can participate in this transaction fairly, objectively and in the public interest.

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20. Board Member Reports

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to request the Virginia Department of Transportation to conduct a traffic count on Route 627, Cowan Drive.

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. Barker requested a current map of E911 addresses. Mr. Bentley advised the Board that he would like the Board of Supervisors to determine the cost for the map and who will be provided with maps and addresses. Mr. Bentley will provide more information to the Board at a later date.

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21. Citizen Comments:

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

Thomas Whittaker addressed the Supervisors concerning access to public records at no charge; status of the collecting for damages to the County van that was involved in an accident; letters written by Mr. Barker to his constituents relative to the comprehensive rezoning public hearings conducted by the Board of Supervisors, and a second letter to teacher colleagues.

Mr. Litton made a motion, with no second, to allow any citizen of the County to see records except the ones listed in the Supervisor's Manual that are exempt from public access.

Mr. Mathews made a substitute motion with no second that anyone who desires to see the County records to present their request to Mr. Walsh, County Attorney, and give him an opportunity to review the County and State Codes.

The vote on this motion was as follows (4-1-2):

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

Bob Turner, Sheriff's Department, addressed the Supervisors concerning the 911 street signs yet to be installed. He reported the absence of 911 street signs is causing some problems.

Bill Bish, addressed the Supervisors concerning E911: data base; confidentiality of the 911 information collected; consistency in putting 911 in service throughout County.

Pat Mannix addressed the Supervisors making general comments on his observations during the election campaign for Board of Supervisors.

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22. Adjournment

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

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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Joe W. Derting, Chairman