V I R G I N I A:

At a meeting of the Washington County Board of Supervisors held Tuesday, December 28, 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. (Arrived at 7:10 p.m.)
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 - Joe W. Derting

Chairman Derting gave the Invocation and led in the Pledge of Allegiance.

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3. Approval of Agenda

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

10.c Amendment for Solid Waste Collection Services by Waste Management of Tri-Cities

12.b Request for Funds for Hayter's Gap Library Project (Charlotte Lewis, Director, W. C. Public Library)

12.c Building Permit for Airport Hangar (Emmitt Yeary, Chairman, Virginia Highlands Airport Commission)

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

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

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4. Approval of Minutes:

The following action was taken on approval of minutes:

:: Recessed Meeting of December 9, 1993

On motion of Mr. Osborne, second by Mr. Simcox, it was resolved to approve the minutes of December 9, 1993, as written.

The vote on this motion was as follows (5-0-1):

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

Mr. Mathews abstained for the reason he was absent from the December 9, 1993 meeting.

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:: Regular Meeting of December 14, 1993

On motion of Mr. Litton, second by Mr. Simcox, it was resolved to approve the minutes of December 14, 1993, as written.

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

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

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At 7:10 p.m., Mr. Barker arrived at the Board Meeting and took his seat.

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5.a. Presentation of Plaques (Joe Derting, Chairman)
:: James P. Litton, Jefferson Magisterial District
:: Cecil K. Simcox, Wilson Magisterial District

Chairman Joe Derting presented plaques to Supervisors James P. Litton and Cecil K. Simcox expressing appreciation for their dedicated service to the people of Washington County for four years.

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b. Further Comments, Herschel Stevens, Washington County School Board

Mr. Herschel Stevens, member of the Washington County School Board, appeared before the Supervisors to pay tribute to Messrs. Simcox and Litton for their years of service to Washington County while serving on the Board. He thanked the Supervisors for their support and called attention to the accomplishments of the School Board over the past four years and giving credit to the Supervisors for their assistance.

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6. Mr. Litton's Reports and Comments

Mr. Litton requested his reports and comments be delayed.

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7. Michael Somers Request for Payment of Rabies Shots

Mr. Michael Somers appeared before the Board of Supervisors requesting payment for medical bills he incurred as a result of receiving a bite from a kitten that he brought to the C. C. Porter Animal Shelter.

Mr. Somers presented the Supervisors with a synopsis of the incident which explained chronologically and in detail how the wound was sustained, contacts with the Shelter personnel, contacts with the Health Department, rabies incidents reported in 1993 in Virginia, the physician's report of Mr. Somers' injury, the Animal Exposure Report provided by the Health Department, and statements for services provided by Johnson Memorial Hospital amounting to $1,260.00. Mr. Somers explained his position that the Shelter personnel did not act appropriately in having the deceased animal tested by the Health Department, and he does not feel the insurance company should be responsible for paying for the medical services he received.

Mr. Bobby Jessee, Chief Animal Warden, was present to respond to Mr. Somers' claim of negligence on the part of the Animal Control Department explaining that Mr. Somers placed himself at risk when he picked up the stray kitten.

At the request of the Supervisors, County Attorney Clifton Walsh suggested that the Board not pay the claim on the basis that Mr. Somers' act was not something that the County had control of; the County did not cause, direct or instruct Mr. Somers to pick up the cat; and the claim for $1,260.00 is excessive.

After brief questioning of Mr. Somers and Mr. Jessee, there was no action taken on the claim.

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8. Washington County Historical Society Request for Funds for Re-Repair of Summers Law Office (L. C. Angle)

Mr. L. C. Angle, President of the Washington County Historical Society, addressed the Supervisors requesting financial assistance in the amount of $3,500 for repair and maintenance of the Summers Law Office Building which was deeded in 1969 to the Historical Society. Mr. Angle explained the Town of Abingdon is willing to contribute $3,500 provided the Board of Supervisors will contribute a like amount.

Discussion ensued. On motion of Mr. Mathews, second by Mr. Barker, it was resolved to request Mr. Angle to provide the Board of Supervisors with a prioritized list of work to be completed on the Summers Law Office Building along with associated costs, and that this information be presented to the Supervisors at their January 11, 1994 meeting.

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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9. Request for Resolution Supporting Budget Amendment to Fund Office on Youth (Buckey Boone)

Mr. Buckey Boone, Director, Washington County Office on Youth, addressed the Supervisors expressing appreciation for speaking in support of Office on Youth funding before the Senate Budget Hearing at Virginia Highlands Community College.

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

WHEREAS, the Washington County Board of Supervisors established in 1988 the Youth Services Board and the Office On Youth for Washington County to identify, develop and provide a comprehensive, integrated service plan which would foster wholesome youth development and the prevention of juvenile delinquency; and,

WHEREAS, the Board of Supervisors established this program in partnership with the Commonwealth of Virginia under the Delinquency Prevention and Youth Development Act of 1979; and,

WHEREAS, the 1994-1996 Executive Budget of the Commonwealth of Virginia does not include the state's share of funding for Offices On Youth; and,

WHEREAS, the Youth Services Board and Office On Youth have acted effectively to assist agencies and citizens to plan and work together to create a healthier community for children; and,

WHEREAS, there is still a need for a program like the Office On Youth which focuses prevention efforts on the whole community; and,

WHEREAS, the well being of children and youth are crucial to and can not be separated from the best interests of Washington County;

NOW, THEREFORE, BE IT RESOLVED, that the Washington County Board of Supervisors requests that the Virginia General Assembly include moneys in the 1994-96 budget for funding necessary to continue Offices On Youth.

BE IT FURTHER RESOLVED, that the Washington County Board of Supervisors requests that the Delegates and Senators representing Washington County make every reasonable effort to encourage their fellow legislators to provide funding for Offices On Youth in Virginia.

BE IT FURTHER RESOLVED, this Resolution of the Washington County Board of Supervisors be forwarded to Senator William Wampler, Senator Jack Reasor, Delegate Joe Johnson, Delegate Terry Kilgore, Delegate Barnes Kidd, Delegate Whittington W.Clement, Senator Richard J. Holland, Mr. Tom Taylor, Legislative Liaison, and Mr. Jerry Kilgore, Secretary Designate of Public Safety.

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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10. Washington County Landfill Site

a. Report on Future Use Options

Mark Reeter, Assistant County Administrator, presented information from Draper Aden Associates concerning possible future uses of the Landfill property which consists of two parcels of land equalling 100 acres.

Mrs. Lynn Croy, Project Manager, Draper Aden Associates, proposed considering possibilities of developing a housing project or utilizing the property for agricultural purposes. Mrs. Croy addressed the technical aspects of the two proposals.

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b. Proposed Resubdivision of Landfill Property

Mr. Reeter reported that the Virginia Department of Environmental Quality requires landfill sites to be legally resubdivided and recorded upon closure, and submitted recommendations regarding the resubdivision of the landfill site.

Discussion ensued. On motion of Mr. Osborne, second by Mr. Mathews, it was resolved that the 100.375 acres of the landfill site be resubdivided into two parcels as follows: Parcel "A" consisting of 5.375 acres; and, Parcel "B" consisting of 95.00 acres.

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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c. Amendment for Solid Waste Collection Services by Waste Management of Tri-Cities

Mr. Bentley proposed the Board of Supervisors consider an amendment to the contract with Waste Management of Tri-Cities to terminate one month early the solid waste collection services at the convenience stations in Washington County.

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved effective January 3, 1994 to terminate the solid waste collection agreement between Washington County and Waste Management of Tri-Cities for the county convenience stations for the sum of $8,500.00 payable to Waste Management of Tri-Cities in February, 1994.

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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11. Request to School Board for Donation of Property for Health De-Department/Social Services Building

Mr. Bentley presented the preliminary site plan for the Washington County Health and Human Services Building for the Supervisors to review pointing out that the building size and acreage was expanded.

Mr. Bentley commented on the proposed project explaining that the property, zoned as residential, would have to be donated to the County from the School Board and get authority to request rezoning.

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

RESOLUTION TO REQUEST SCHOOL BOARD CONSIDERATION OF PROPERTY DONATION

WHEREAS, the Washington County Board of Supervisors supports in principle the efforts of People, Incorporated, of Southwest Virginia to undertake the financing and construction of a new office building to house the Washington County Departments of Health and Social Services, and

WHEREAS, to continue to study the feasibility of said office building, it is necessary for the Board of Supervisors to request a decision from the Washington County School Board on the matter of the donation of approximately six (6) acres of property adjoining Abingdon High School along Waldon Road within the Town of Abingdon, said property to be further evaluated as a site for the proposed office building, and

WHEREAS, the Board of Supervisors warrants that should said property be donated for this purpose to the County of Washington, the Board shall in turn donate the property to People, Incorporated of Southwest Virginia subject to the Board of Supervisors final approval of the office building project, and only for the purpose of said office building, and

WHEREAS, the Board of Supervisors hereby agrees that it shall return in fee-simple title said property to the Washington County School Board in the event the office building project is not undertaken;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors requests the Washington County School Board to consider and adopt a binding Resolution of Intent to donate in fee-simple title the aforementioned property to the County of Washington upon request of the Board of Supervisors subject to the conditions set forth herein, said Resolution to be binding for a period of one (1) year from the date of adoption of the Resolution of Intent.

BE IT FURTHER RESOLVED that the Board of Supervisors requests the grant of power-of-attorney from the Washington County School Board regarding the subdivision and/or rezoning of the property as necessary to be compatible with the office building project.

BE IT FURTHER RESOLVED that the Board of Supervisors requests permission from the Washington County School Board on behalf of People, Incorporated of Southwest Virginia to have access to and undertake various architectural, engineering and archeological studies of the property in support of the office building 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				

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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12. Roof Repair, Mendota Community Center

On motion of Mr. Barker, second by Mr. Litton, it was resolved to accept the low bid of Abingdon Roofing Co., Inc. in the amount of $700.00 to repair the leaks on the Mendota Community Center roof.

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.b Request for Funds for Hayter's Gap Library Project (Charlotte Lewis, Director, W. C. Public Library)

Mrs. Charlotte Lewis, Director, Washington County Library, addressed the Supervisors requesting an appropriation of $3,000 to purchase a computer and a copy machine for the Hayter's Gap Branch Library.

On motion of Mr. Litton, second by Mr. Barker, it was resolved to appropriate $3,000 from reserves for contingencies to the Washington County Library for the purchase of a computer and a copy machine for the Hayter's Gap Branch Library.

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.c Building Permit for Airport Hangar (Emmit Yeary, Chairman, Virginia Highlands Airport Commission)

Mr. Emmit Yeary, Chairman, Virginia Highlands Airport Commission, appeared before the Supervisors requesting to go into executive session concerning a legal issue and possible litigation.

Discussion ensued relative to the appropriateness of going into executive session.

Mr. Litton made a motion, with no second, to go into executive session pursuant to Section 2.1-344(a)(6) of the 1950 Code of Virginia, as amended, in order to discuss possible litigation with the Virginia Highlands Airport Commission, specifically construction of a facility to house the new MedFlight helicopter and possible Planning & Zoning issues related to it.

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				

Mr. Yeary stated he was prepared to discuss the matter and would do so in open session.

Mr. Yeary informed the Supervisors that he recently learned that the zoning ordinances will not allow for the Airport Commission to be given a building permit to construct a hangar to house the new MedFlight twin engine helicopter unless he goes through the public hearing process for a conditional use permit. He explained that the Airport Commission is unable to obtain funding for the construction project if the airport property is designated as a conditional use. He conveyed that the Airport Commission voted to begin legal proceedings if a building permit is not allowed. He stated further the Airport Commission will petition for a writ of mandamus that a building permit be issued and that the Airport Commission be reimbursed for costs or damages. Mr. Yeary emphasized that the Airport Commission does not want to go through the public hearing process with the Planning Commission and Board of Supervisors.

Discussion ensued with Mr. Walsh pointing out that the Airport Commission was informed in the past to identify growth potential and they declined to avert this problem.

Mr. Mathews made a motion, second by Mr. Parris, that all cases be treated alike, that a building permit be issued to Virginia Highlands Airport Commission provided they consent to going through the public hearing process to obtain a conditional use permit.

Mr. Litton made a substitute motion, with no second, to issue a building permit to Virginia Highlands Airport Commission without going through the Planning Commission and Board of Supervisors public hearing process.

The vote on Mr. Litton's substitute motion was as follows (1-6):

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

The vote on Mr. Mathews' 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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13. Recess

On motion of Mr. Mathews, second by Mr. Parris, 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				

At 8:45 p.m. Mr. Simcox left the meeting.

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14. County Administrator Comments:

The following action was taken on County Administrator Comments:

a. Joint Meeting of Board of Supervisors and Washington County Service Authority to Discuss Water Projects

On motion of Mr. Mathews, second by Mr. Barker, it was resolved to postpone the joint meeting with the Washington County Service Authority Board of Commissioners proposed for Wednesday, December 29, 1993 until the newly elected Supervisors from the Jefferson and Wilson Magisterial Districts take office and the Board of Supervisors submits a prioritized list of water projects to the Service Authority for discussion.

Mr. Litton made a substitute motion to meet with the Washington County Service Authority as they requested.

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

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

Mr. Litton commented during his motion that the Service Authority has a prioritized list of projects from the Board of Supervisors.

Mrs. Brenda Holley, resident of Blackwell's Chapel community, urged the Board of Supervisors to meet with the Service Authority now because her water is contaminated. She stated that the Service Authority has agreed that the medical conditions that exist in her family make her situation different.

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

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

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b. Request to Install Metal Door, Hayter's Gap Community Center

Mr. Bentley presented request from Hayter's Gap Community Center for authorization to install a metal entrance door on the backside of the Community Center building.

On motion of Mr. Parris, second by Mr. Mathews, it was resolved to authorize the modification of the Hayter's Gap Community Center building by allowing a metal entrance door to be installed on the backside of the building as requested by Tony Worley.

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

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

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c. Request for Comments, Mount Rogers Planning District Commission:
:: Virginia Highlands Airport Land Acquisition Project

On motion of Mr. Osborne, with no second, it was resolved to recommend a favorable review of the Virginia Highlands Airport Commission Land Acquisition Project.

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

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

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:: Virginia Highlands Community College Talent Search Program

On motion of Mr. Parris, second by Mr. Barker, it was resolved to recommend a favorable review of the Virginia Highlands Community College Talent Search Program Project.

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

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

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d. Vacation Days Request

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to authorize vacation days for the County Administrator for Friday, January 14, 1994 and Monday, January 17, 1994.

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e. Communications

The following communications were received:

Interoffice Communications:

:: County Administrator to:

:: Steve Buston, Resident Engineer, Virginia Department of Transportation concerning Sanitary Landfill, Transfer Station, Animal Shelter directional signs;

:: Resolution to Abandon a Portion of Virginia Secondary Highway Number 904; and Notice of Request to Abandon Highway;

:: Illustration of Health Department Outbuilding for Storage and rental of parking for $450/Mo.;

:: Patrick Mannix concerning request for information relative to the address of the County Attorney; Response to request from County Attorney;

:: Tony Worley, Hayter's Gap Community Action Group relative to receipt of Hayter's Gap Building drawings;

:: Recycling Coordinator concerning inquiry from Dick Wolfe of Coal Technologies Corporation relative to disposal of tires;

Federal, State and Local Representatives:
:: Office of the Attorney General concerning Clendenen vs. Board of Supervisors, et al;
:: Department of Health, Office of Water Programs, Hamilton Elementary School/Mendota Community Center;
:: Department of Transportation concerning:
:: Proposed National Highway System;
:: Red Fox Lane and requirements for bring new roads into the state secondary system;
:: Wythe County Resolution, Interstate 73;

On motion of Mr. Osborne, with no second, it was resolved that Washington County not support the Wythe County Resolution on Interstate 73, and further that Washington County favors a route coming down 19 across to Interstate 81.

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

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

General Correspondence:
:: Highlands Community Services to Kevin Downs relative to appointment on Board;
:: Patrick J. Mannix, Sr. concerning:
:: request for free access to County records; Criminal Complaint and General District Court Decision relative to to motion to quash the witness subpoenas; Request to inspect petition for Declaratory judgment filed in Circuit Court against Crown American Corporation;
Virginia State Bar Grievance Department; Notice of Appeal, trespassing conviction of December 15, 1993;
:: Summons and Criminal Complaint against County Administrator;

Mr. Bentley informed the Supervisors that it may be necessary for him to obtain council to represent him in the criminal complaint filed by Patrick Mannix.

Mr. Walsh suggested to the Supervisors that they should authorize the County Attorney to represent the County Administrator in the matter of the criminal complaint as Mr. Bentley was acting in his official capacity.

:: New River/Mount Rogers Private Industry Council, Request for Proposal to conduct programs under Titles II-A and II-C of the Job Training Partnership Act;
:: Thompson & Litton, Inc. concerning Transfer Station Project #5127-06, Environmental Monitoring, Inc. Analytical Results and Sample Log Sheet;
:: Virginia Association of Counties Alert concerning Governor's Budget;

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f. Reminders of meetings were distributed.

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15. County Attorney's Reports

On motion of Mr. Osborne, second by Mr. Mathews, it was resolved to request the Department of Transportation to do a cost survey of a road in the Fitzgerald land subdivision located on the South side of Route 11 close to Route 737.

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

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

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16. Consent Agenda:

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

a. Supplemental Appropriation, $277.40 - Washington County Dare Program
b. Approval for Payment - J. A. Street & Assoc., Washington County Solid Waste Transfer Station, Final Payment, $282,299.05

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

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

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17. Board Member Reports

The following Board Member Reports were given:

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to request the Virginia Department of Transportation and legislators to support an emergency appropriation for the slide on Route 616 and that the funds not be taken from the Six Year Plan funding.

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

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

On motion of Mr. Barker, second by Mr. Osborne, it was resolved to contact Virginia Department of Transportation and obtain a new cost estimate for the Mabe Hill Subdivision road.

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

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

Mr. Litton commented on the trespass charge against Mr. Whittaker being dropped by the prosecuting attorney and made a motion, with no second, to reimburse Mr. Tom Whittaker for his cost and attorney fees in the amount of $660.00.

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

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

The motion failed to pass.

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18. Citizen Comments:

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

Patrick Mannix responded to comments Mr. Yeary made about him during discussions of the Airport construction project, and commented on the payment to Waste Management of Tri-Cities of $8,500.00;

Joe Johnson spoke on several matters of legislative consequence that will be brought up during General Assembly sessions: Educational funding, Standards of Quality, Family Court.

Tom Whittaker asked if there is a follow-up response from the Army Corps of Engineers on the transfer station property.

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19. Adjournment/Recess, depending on meeting with Washington County Service Authority

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

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

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

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Joe W. Derting, Chairman