

VIRGINIA: At a regular meeting of the Tazewell County Board of Supervisors held April 7, 2009 at 5:30 p.m. in the Tazewell County Administration Building, 108 East Main Street, Tazewell, Virginia 24651

PRESENT: David R. Anderson, Chairman
Bill Wimmer, Vice Chairman
D. Michael Hymes, Member
Seth R. White, Member
Thomas Brewster, Member
James H. Spencer, III – County Administrator
C. Eric Young, County Attorney
Patricia Green, Assistant County Administrator
Ruth Groseclose, Administrative Assistant
Members of the Press: Jim Talbert, Clinch Valley News/Richlands News Press;
Earl Cole, Phillip Keene, TheVoice/Cedar Bluff Review; Warren Hinkle,
Tazewell County Free Press; Charles Owens, Bluefield Daily Telegraph

ABSENT: None

The Chairman, David R. Anderson, called the regular meeting to order and presided with all members in attendance.

Supervisor White gave the invocation with Supervisor Brewster leading those present in the pledge of allegiance to the United States flag.

AGENDA APPROVED AS AMENDED

Upon motion of Supervisor Brewster, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the April 7, 2009 agenda format as hereby amended.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the March 3, 2009 Board of Supervisors meeting minutes as written.

EXECUTIVE/CLOSED SESSION

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enters into an executive/closed meeting pursuant to Virginia Code Section 2.2-3711, with one additional A-3 – Property Disposition matters added to the executive/closed session.

- 15-2-2907 (D) Discussion regarding boundary concerns and fire protection services
- A(7) Legal Consultation regarding Cedar Bluff vs. Richlands vs. Tazewell County
- A-6 Discussion or consideration of the investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the County would be adversely affected relating to a Regional Solid Waste Contract.
- A(3) One (1) Property Disposition involving Pocahontas High School
- A(3) One (1) Property Disposition matter involving the Falls Mills School
- A(7) Legal Consultation regarding Moonlite Junkyard
- A(7) two (2) Legal matters - Consultation regarding Landfill
- A(7) Legal Consultation regarding Regional Jail Contract
- A(6) Discussion of contractual matters where bargaining is involved regarding Bluestone/IDA leases and Participation Agreement
- A (6) Discussion or consideration of investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the County would be adversely affected involving the Baptist Valley Sewer Agreement

Upon motion of Supervisor Wimmer, seconded by Supervisor White and

adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors returned from the Executive/Closed Meeting and adopted the following resolution, read by Supervisor Hymes.

CERTIFICATION OF EXECUTIVE/CLOSED MEETING

Whereas, the Tazewell County Board of Supervisors has convened an executive/closed meeting on this date pursuant to an affirmative vote and in accordance with the Virginia freedom of information act; and

Whereas, 2.2-3712 of the code of Virginia requires a certification by the Tazewell County Board of Supervisors that such executive/closed meeting was conducted in conformity with Virginia law;

Now, Therefore, Be It Resolved, that the Tazewell County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) that only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive/closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Tazewell County Board of Supervisors.

Ayes – Supervisor White, Hymes, Brewster, Wimmer and Anderson

Nays – None

Absent – None

The Chairman, David R. Anderson, reported for the record, that the Board of Supervisors would need to return to the executive/closed meeting prior to the adjournment of this meeting to complete unfinished business.

PUBLIC HEARING –

VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS \$437,500.00

RESOLUTION ADOPTED – FOLLOWING PUBLIC HEARING

The Chairman, David R. Anderson, called to order a public hearing that was duly advertised according to law entitled, **“A PUBLIC HEARING TO SOLICIT INPUT ON A PROPOSED COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**

APPLICATION TO BE SUBMITTED TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE MIDDLE CREEK WATER PROJECT.”

The Chairman then called for public comments from the floor with regard to the subject public hearing as advertised.

Debbie McReynolds, Project Manager, Cumberland Plateau Planning District, reported that the grant from VDHC was for \$437,500.00 and if approved, the money would be used to provide water to 35 homes in the Middle Creek section of Tazewell County.

A group of approximately 20 individuals from the Middle Creek community were in attendance. Supervisor Wimmer requested that those in favor of the project stand. A large crowd stood in favor of the water project.

Now, the Chairman called for further comments from the floor with regard to the subject public hearing:

- Kathy Lawson Alley, 1753 Middle Creek Road, voiced support of the water project and stated that coal mining had polluted the springs and wells in their community making the water unsafe to drink. She said her family had to haul water and buy their drinking water and only used their well water for bathing and laundry. Ms. Alley said the water problem was a disadvantage to the older people in the Middle Creek area – some of which were too old to haul and carry water to their homes. She requested the Board of Supervisors full support of the water project.
- Tamera S. Smith, 739 Middle Creek Road, Cedar Bluff, voiced her support of the Middle Creek Water project. She said that her well water had a terrible odor and had black shell sediment that left debris in her commodes which had to be scraped off. Ms. Smith said her family did bathe in the water but if used for cooking it had to be boiled.
- Johnnie Smith, PO Box 1269, Cedar Bluff, said that the water was badly needed in the community and the Cedar Bluff Town Council endorsed the grant application was well. He said 30 years he developed hepatitis from being in the creek there and he has relapses every year from being in the stream at Middle Creek. Mr. Smith said that at least 15 houses in his neighborhood have

undrinkable water. He duly requested the Board of Supervisors full support of the water project.

- Jim Spencer, County & PSA Administrator reiterated that the project was for only water right now, but the County expects to apply for sewer funding in the future. He said that project was originally intended to be a self-help project but after consultation with the funding agency it was decided to take the project through the construction phase.

The Chairman then called for final comments from the floor and there being none, he declared the public hearing closed. He requested that those in favor of the Middle Creek Project step to the front and sign their name and address for the record.

Now, upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts the following resolution subsequent to a public hearing duly held this date:

RESOLUTION

WHEREAS, Tazewell County, Virginia has as a primary objective the provision of adequate water facilities; and

WHEREAS, the County wishes to apply for Virginia Community Development Block Grant funds in the 2009 funding cycle; and

WHEREAS, the title of the County's grant project is the Middle Creek Waterline Extension Project; and

WHEREAS, the County is requesting \$437,500 Virginia Community Development Block Grant Funds; and

WHEREAS, the County will apply for additional funding through the Southwest Virginia Water/Wastewater Fund and local funding; and

WHEREAS, 35 households, representing 53 LMI persons, will be served; and

WHEREAS, two public hearings have been advertised and properly conducted and one other form of public notice and necessary assurances executed; and

NOW, THEREFORE BE IT RESOLVED, that the Tazewell County Board of Supervisors authorizes the submission of this grant proposal in the amount of \$437,500 to the Virginia Department of Housing and Community Development for the Middle Creek Waterline Extension Project, and designates the County Administrator as its representative to sign all documents pertaining thereto.

PUBLIC HEARING – JOINT PUBLIC HEARING WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO RECEIVE COMMENT ON THE PROPOSED SECONDARY SIX-YEAR PLAN FOR FISCAL YEARS 2009-10 THROUGH 2014-15 AND ON THE SECONDARY SYSTEM CONSTRUCTION BUDGET FOR FISCAL YEAR 2009/10

The Chairman of the Tazewell County Board of Supervisors called to order a public hearing entitled A JOINT PUBLIC HEARING WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) TO RECEIVE COMMENTS ON THE PROPOSED SECONDARY SIX-YEAR PLAN FOR FISCAL YEARS 2009-10 THROUGH 2014-15 AND ON THE SECONDARY SYSTEM CONSTRUCTION BUDGET FOR FISCAL YEAR 2009/10

Marty Halloway, Tazewell Resident Administrator, VDOT, appeared before the Board and presented the Secondary System Construction Program – Estimated Allocations for 2009/10 through 2014/15) as well as the Construction Priority List for 2009/10. Mr. Halloway recommended approval of the Secondary System – Construction Program/Estimated Allocations for FY10-15, totaling \$3,834,677.00.

Now, the Chairman called for comments from the floor three times and there being none, he declared the public hearing closed.

Then, upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following resolution:

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan, and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2009/10 through 2014/15) as well as the Construction Priority List (2009/10) on April 7, 2009 after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Marty Halloway, Residency Administrator, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2009/10 through 2014/15) and the Construction Priority List (2009/10) for Tazewell County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Tazewell County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2009/10 through 2014/15) and Construction Priority List (2009/10) are hereby approved as presented at the public hearing.

Mr. Halloway thanked the Board for their assistance and reminded the Board that he sent a copy of VDOT's monthly update to Ms. Groseclose to disseminate for review and comments as applicable. A copy of which is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

The County Attorney, C. Eric Young, reminded the Board of Supervisors that they needed to take action on one matter as a result of the Executive/Closed Meeting held earlier this date.

ACTION AS A RESULT OF THE EXECUTIVE/CLOSED HEARING

--PUBLIC SERVICE AUTHORITY – \$450,000.00

LOAN FROM TAZEWELL COUNTY TO THE

TAZEWELL COUNTY PSA FOR BAPTIST VALLEY EAST SEWER PROJECT

Upon motion of Supervisor Brewster, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby transfers the amount of \$450,000.00 from

Account No. 9701-8212 Courthouse HVAC System Fund to Account No. 9701-8161 P.S.A. Water & Sewer Projects Fund for the purpose of loaning money to the Tazewell County Public Service Authority (PSA) to acquire land rights and easements necessary for the Baptist Valley East Sewer Project.

CONSENT CALENDAR APPROVED

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following items as Consent Calendar as set forth below. The County Administrator is hereby further authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

Coyote Claims Approved:

- \$350 to William Daugherty, PO Box 1227, Grundy, VA 24614 for 6 coyotes killed on March 11, 2009 with a rifle
- \$50.00 to William Rhudy, 175 Rhudy Creek Rd. Tazewell, VA 24651 for 1 coyote killed on March 23, 2009 with a rifle
- \$100.00 to Michael Kinder, 160 Axle Street, North Tazewell, VA 24651 for 2 coyotes killed on February 24, 2009 with a rifle
- \$50.00 to Ronald Halloway, 501 East Fincastle Tpk. Tazewell, VA 24651 for 1 coyote killed on February 13, 2009 with a snare
- \$50.00 to Douglas Boothe, Rt. 1, Box 328-A3, Bluefield, VA 24605 for 1 coyote killed on February 19, 2009 with a trap & rifle
- \$50.00 to Steven Short, PO Box 698, Steels Lane, North Tazewell, VA 24630 for 1 coyote killed on February 16, 2009 with a snare
- \$50.00 to Rickie Vandyke, 184 Montgomery Lane, North Tazewell, VA 24630 for 1 coyote killed on February 25, 2009 with a rifle
- \$50.00 to Ronnie Shrader, 287 Mundy Town Road, North Tazewell, VA 24630 for 1 coyote killed on February 8, 2009 with a snare
- \$50.00 to Ronnie Shrader, 287 Mundy Town Road, North Tazewell, VA 24630 for 1 coyote killed on February 16, 2009 with a snare

- \$50.00 to Michael Hagy, 148 Woodbrier Lane Dr. Lebanon, VA 24266 for 1 coyote killed on February 8, 2009 with a rifle
- \$250.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 5 coyotes killed on January 1, 2009 with a snare
- \$550.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 11 coyotes killed on February 2, 2009 with a snare
- \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 1 coyote killed on December 20, 2008 with a snare
- \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 1 coyote killed on November 27, 2008 with a snare
- \$250.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 5 coyotes killed on Feb. 22, 2009 with a snare
- \$50.00 to Ronald Holloway, 501 East Fincastle, Tazewell, VA 24651 for 1 coyote killed on March 24, 2009 with a snare
- \$50.00 to Ira Horne, 519 Grays Branch Road, Cedar Bluff, VA 24609 for 1 coyote killed on Feb. 23, 2009 with a trap
- \$150.00 to Larry Lambert, Jr. 401 Plymouth Hollow Road, North Tazewell, Virginia 24630 for 3 coyotes killed on February 9, 2009 with a snare
- \$200.00 to Larry Lambert, Jr. 401 Plymouth Hollow Road, North Tazewell, Virginia 24630 for 4 coyotes killed on January 17, 2009 with a snare
- \$150.00 to Larry Lambert, Jr. 401 Plymouth Hollow Road, North Tazewell, Virginia 24630 for 3 coyotes killed on February 26, 2009 with a snare
- \$50.00 to Kenneth Farmer, 1765 Tip Top Road, North Tazewell, Virginia 24630 for 1 coyote killed on March 4, 2009 with a rifle
- \$50.00 to Anthony Rasnick, 1498 Mundy Town Road, North Tazewell, Virginia 24630 for 1 coyote killed on March 6, 2009 with a rifle
- \$100.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 2 coyotes killed on March 5, 2009 with a snare
- \$50.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 1 coyote killed on February 27, 2009 with a snare

- \$50.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 1 coyote killed on March 14, 2009 with a snare
 - \$50.00 to Roy Broadwine, 1598 Mundy Town Road, North Tazewell, Virginia 24630 for 1 coyote killed on March 19, 2009 with a snare
 - \$50.00 to John Keene, PO Box 1360 Cedar Bluff, Virginia 24609 for 1 coyote killed on March 14, 2009 with a rifle
 - \$150.00 to John Keene, PO Box 1360 Cedar Buff, Virginia 24609 for 3 coyotes killed on January 28, 2009 with a rifle
 - \$50.00 to Earl White, 166 Comstock Lane, Bluefield, Virginia 24605 for 1 coyote killed on March 23, 2009 with a trap/rifle
 - \$50.00 to Ronald Halloway, 501 East Fincastle Tpk, Tazewell, Virginia 24651 for 1 coyote killed on March 14, 2009 with a snare
 - \$100.00 to Martin Atkinson, 4053 Thompson Valley Road, Tazewell, Virginia 24651 for 2 coyotes killed on March 21, 2009
 - \$50.00 to Jessie Asbury, 4025 Hogback Road, Tazewell, Virginia 24651 for 1 coyote killed on February 25, 2009 with a snare
 - \$50.00 to Jessie Asbury, 4025 Hogback Road, Tazewell, Virginia 24651 for 1 coyote killed on March 7, 2009 with a snare
 - \$200.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651 for 4 coyotes killed on March 10, 2009 with a snare
 - \$100.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651 for 2 coyotes killed on March 21, 2009 with a snare
 - \$100.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651 for 2 coyotes killed on March 17, 2009 with a snare
 - \$100.00 to Dillard Putman, 2084 Virginia Avenue, Bluefield, Virginia 24605 for 2 coyotes killed on March 2, 2009 with a snare
 - \$500.00 to Roger Daugherty, Rt. 3, Box 323-A Grundy, Virginia 24614, for 10 coyotes killed on March 28, 2009 with a snare/rifle
- Damage Claim from Claims & Bounties Account Approved:**
- \$150.00 to Orrin K. Walker, PO Box 364, 134 High Street, Bluefield, Virginia 24605 for 3 goats killed by stray dogs on February 6, 2009.

WARRANTS APPROVED AS PAID

Ordered that Warrant Nos. 129313 through 129402, and direct deposits totaling \$200,496.61 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending February 28, 2009, be approved.

Ordered that Warrant Nos. 129404 through 129492, and direct deposits totaling \$203,584.30 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending March 15, 2009, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 442704 through 442844, for \$757,220.23 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of February 2009, be approved.

Ordered that Warrant Nos. 442846 through 442863, for \$139,990.34 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending February 28, 2009, be approved

Ordered that Warrant Nos. 442865 through 442980, for \$515,393.18 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of March 2009, be approved.

Ordered that Warrant Nos. 442982 through 443000, for \$139,753.86 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending March 15, 2009, be approved.

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Ordered that Warrant Nos. 801337 through 801339 for \$18,753.00 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of February 2009, be approved.

- Ratified the transfer of Revenue Sharing Journal balances in the amount of \$661,038.58 to Route 747 Project (March 16, 2009 letter to VDOT)

- Declared the Month of April 2009 as Spring/River Clean-up Month in Tazewell County, Virginia – approved the use of County dumpsters and 4-wheelers.

- Designated the May 2, 2009 as Kids Fish Day/Donnie Lowe Day at Lake Jack Witten

- Declared the Month of May 2009 as Foster Care Month in Tazewell County, Virginia

- Special Police Budget/Vehicles: Transferred the amount of \$3,591.43 to the Special Police budget – monies received from insurance claims filed and placed in general fund.

- Sheriff's Budget:
 - Approved Consol Energy \$250.00 donation to DARE Supply line item 31060-6021
 - Federal Forfeiture Account –Appropriated \$5,915.00 to the Sheriff's Office Federal Forfeiture Account as cash received from a court ordered forfeiture

- Library Budget: Transferred the amount of \$1,130.67 from the FY2008-09 Contingent Grant Account No. 91050-7041 to the Library Budget accounts to cover special funds/donations:
 - 6001 Supplies Account - \$30.67 from Oriental Trading Company
 - 3310 Repairs Maintenance - \$100.00 from Fincastle Garden Club
 - 6012 Books Account - \$1,000.00 from Laura Rinehart

- Approved the transfer of County Funds – Authorized and directed the County Administrator to transfer monies between County Funds and departments as may be necessary through June 30, 2009.

- Commissioner of the Revenue – Transferred the amount of \$182.93 from the FY2008-09 Contingent Grant Account No. 91050-7041 to Commissioner of Revenue’s travel expense account No. 12090-5510 – reimbursement for lodging.

- Landfill Equipment Purchase – Approved three to five year financing on an 826-H Compactor for the County Landfill in the amount of \$383,441.00

- Northwestern District Funds (Supervisor White) Approved \$5,000 to Richlands Teen Center

- Northern District Funds (Supervisor Brewster) Approved \$500 to Clinch River Kiwanis Club Special Field Day and \$1000 to Tazewell Little League

- Northern District Funds (Supervisor Brewster) Approved \$2,000 to Historic Pocahontas for Cemetery repairs and general maintenance of Historic Pocahontas Incorporated properties

- Olympic Drive Extension (Supervisor Hymes) Accepted 218 feet beyond the end of state maintenance to be included in the County’s orphan road program

- Garland Lane (Supervisor Hymes) approved the adoption of a resolution requesting VDOT to place “watch for children” signs on Garland Street, Rolling Hill Subdivision/Gratton area.

ASSIGN A HIGHWAY PROGRAM ANNOUNCEMENT

Chairman Anderson announced that Sheriff Caudill would be taking the lead in the revitalization of the County’s Assign A Highway Program at the request of Judge Chafin. The Sheriff will be taking on the program without additional manpower. The Board of Supervisors requested that a letter be sent to the Sheriff offering the County’s temporary assistance to the

Sheriff with regard to administrative assignments, etc. The Board further requested that the letter confirm the Board of Supervisors gratitude to the Sheriff for his efforts.

The Board of Supervisors and the County Administrator have received numerous complaints regarding the amount of garbage along the County highways. The County Administrator, Jim Spencer reiterated the County's intent to eliminate the garbage situation on County highways and said that the citizenry should see improvements in the next few months once the Assign A Highway Program has been reinstated.

VARIANCE GRANTED FOR PRELIMINARY SUBDIVISION – SMALL 4 LOT/AT THE REQUEST OF CHARLIE ABSHER – GRANNY ROAD NEAR CLAYPOOL HILL

Darrell Absher, H. Paul Buskell and Associates, on behalf of Charlie Absher, was present and appealed the Tazewell County Planning Commission's denial of a variance for a proposed small 4 lot subdivision on Granny Road in Claypool Hill, Virginia. The Planning Commission denied the variance by a tie vote of 3 to 3 at their March 12, 2009 regular meeting.

The request was that the Board of Supervisors grant a variance to the County's subdivision ordinance requirement that all lots front a state maintained road or one of the several listed County Orphan Roads which list does not include Granny Road.

Now, upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors grant the variance for a proposed small 4 lot subdivision on Granny Road in Claypool Hill, Virginia, contingent upon the developer increasing the right of way by 10 ft. The Planning Commission will be notified of the Board of Supervisors decision to grant the variance for Charlie Absher.

CITIZEN COMMENTS – UNSCHEDULED

Mr. Shane Hayes, 320 Walker Street, North Tazewell, Virginia voiced concern about the Tazewell County School System's budget proposal to cut 2 of the pre-school classes in the

County, Springville Elementary and Tazewell Elementary. He said that the classes will only be offered to low-income and at-risk children. Mr. Hayes spoke of the importance of the pre-k program and the disadvantages the elimination would cause. He further said that his daughter should be heading to pre-k this fall but now would not have the opportunity now. Mr. Hayes spoke of research that shows that 90% of brain development occurs before a child turns five. He requested that the Board of Supervisors find a solution to continue with the pre-k programs.

Supervisor Anderson said that the County Budget Committee met with the school board once and was just beginning to review and absorb the school budget. The pre-k issue will be addressed by the County Budget Committee at its next meeting with the School System. Supervisor Hymes reiterated the importance of educating pre-school children and requested that Supervisor Brewster speak on the subject and importance of pre-school education.

Supervisor Brewster stated that students must be ready for the first round of testing by the third grade and pre-k was extremely important and reiterated the need for more funding into the Governor's Smart-Start Campaign.

Supervisor Anderson said that he felt the critical need was in the classroom and that is where the emphasis on the money should be.

Robert "Spot" Steele was present and thanked the Board for the County's donation of \$1500 to the SKILLS USA members at the Tazewell County Career & Technical Center. He said the team had five - 1st place winners, as well as several 3rd and 2nd place winners and one national winner who will be traveling to Kansas. The Board said that they would like to recognize the students at a future meeting.

The County Administrator reiterated the importance of vocational/trade skills vs. a college degree. He said that people can be just as successful having trade skills and stated that companies are desperate for people with certain trade skills. He said he recently heard that a gas company was in need of welders and the starting salary was \$60.00 per hour.

Mr. Steele said that if an arrangement could be worked out with the County he would like to see the County utilize the Vo-tech students on certain field projects. Supervisor Hymes mentioned the need for the installation of bathrooms at the Burkes Garden School and the possibility of the School Board allowing the Vo-tech students involvement in the project. Supervisor Hymes said the County would contact Dr. Lawson regarding this matter.

COUNTY RADIO SYSTEM

A brief introduction by Tom Harmon, L. Robert Kimball & Associates regarding Radio Engineering Consulting services for the County Radio System was made. The project will be to essentially conduct an assessment of the public safety communication needs in the County. L. Robert Kimball & Associates will be visiting all radio sites as well as the 911 Dispatch Center and all emergency responders in the County to find out what their needs are. Once the information has been gathered, a report of costs, aging equipment, etc., as well as a list of recommendations will be sent to the County and questions will be answered accordingly.

Supervisor Wimmer stated that he would like to have a cost effective, integrated radio system in the county, one that would serve the entire county. His thoughts included the possibility of a major incident in the County and the possibility that the County might not be able to handle a huge crisis because of deprived telecommunications.

With this in mind, Supervisor Wimmer requested that County consider contacting Ms. Pokey Harris with the Virginia Information Technology Agency/Wireless 911 Board. Supervisor Wimmer stated that it was his understanding that Ms. Harris would provide a free recommendation to the County with regard to telecommunication improvements in Tazewell County.

Now, upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby request that Erwin Ernest, Tazewell County 911 Director, on behalf of the Board of Supervisors, contact Ms. Harris to see if she

would be available and agreeable to give the County free advice with regarding to improvements to the County’s telecommunication/ system.

TOWN OF TAZEWELL – BOUNDARY LINE ADJUSTMENT

Supervisor Hymes stated that the Town of Tazewell – Boundary Line Adjustment Committee recently met. The committee consists of Jerry Wood, D. Buchanan, and Dr. Grindstaff, as well as Supervisor Hymes, Supervisor Brewster and Eric Young, County legal counsel. The present status is that an assessment on the value of the PSA lines is needed and a contractor will be required to accomplish this. Once the PSA lines-value assessment is made, the Committee will meet again and hopefully start moving forward.

FAIRGROUND PROPOSAL AT CHRISTMAS TIME

The County Administrator, Jim Spencer stated that a committee meeting will be held with regard to the proposal for the Fairground’s Christmas display on Wednesday, April 8, 2009 at 1:30 p.m. with Donnie Yates, Viola Asbury and County staff to discuss the logistics of the proposed project.

EMPLOYEE HOSPITALIZATION RATES APPROVED

Upon motion of Supervisor Hymes, seconded by Supervisor Brewster and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and on one against the same, the Tazewell County Board of Supervisors hereby approves the following Tazewell County Hospitalization rates for FY2009-2010 as set forth below:

Type of Coverage	Total Monthly Premium	Employee’s Monthly Share	Employer’s Monthly Share
Single	\$540.00	\$54.00	\$486.00
Subscriber/Dependent	\$999.00	\$191.70	\$807.30

Family	\$1,458.00	\$329.40	\$1,128.60
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Note: Based on 90% employer share for single, and 70% employer share for the difference in dual and family.

PPEA – RFP FOR DESIGN & CONSTRUCTION OF SANITARY SEWER LINE AT OR NEAR “THE DIVIDES” – EVALUATION COMMITTEE ESTABLISHED

The County Administrator, Jim Spencer, stated that the County received two (2) proposals from qualified engineering firms for the design and construction of a sanitary sewer line at or near “The Divides”. The proposal is for a design/build agreement whereby the successful proposer would submit a proposal to design and build the sewer line. Mr. Spencer requested that the board appoint a committee of two-(2) members of the Board of Supervisors and staff to evaluate the proposals. The consensus of the Board was to appoint Supervisor Anderson and Supervisor Brewster to serve as the BOS representatives on the evaluation committee. Staff will be appointed as needed by the County Administrator and will need to meet in the next week or so. A report on this subject will be made at the May 5, 2009 regular meeting.

ZONING RFP UPDATE – POLICY STUDY

Supervisor Hymes said that he turned in the rating forms to Gary Earp for THM Consulting. He said that THM is experienced in zoning in rural areas in Southwest Virginia and recently performed zoning for Scott County. Supervisor White said THM included the public in community meetings and they could be as extensive or conservative as the county desires. The next step will be contract negotiations with THM and would be addressed at the May 5, 2009 regular meeting.

ETHICS HOTLINE – EMPLOYEE RELATIONS, INC. & TAZEWELL COUNTY, VIRGINIA FOR EMPLOYEE HOTLINE SERVICES

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enters into twelve (12) month AGREEMENT BETWEEN EMPLOYEE RELATIONS, INC. AND TAZEWELL COUNTY, VIRGINIA FOR EMPLOYEE HOTLINE SERVICES, \$0.20 per month per employee, Minimum \$50.00 per month. The Contractor, Employee Relations, Inc. will operate a toll-free call center through which COUNTY constituent agency employees may report, 24 hours per day, 7 days per week, suspicions of acts of ethics violations, embezzlement, theft, discrimination, harassment or other unlawful or criminal behavior. Callers may report such acts or behavior anonymously if desired. Call center operators will transcribe, not record, caller's concerns. Operators will not give advice to callers, but will encourage callers to provide information that may assist in any subsequent investigation of the caller's concerns. A copy of the agreement in a form as hereby approved and as executed by all parties will be on file in the office of the County Administrator and County Attorney, 108 East Main Street, Tazewell, Virginia 24651.

Supervisor Hymes requested that the employee hotline service be extended to all county government employees, including the Tazewell County School Board and its employees.

TREE IN CLINCH – \$5,000 FROM NUISANCE ACCOUNT

A & A ENERGY

The Board of Supervisors agreed to approve the amount of \$5,000.00 from the Nuisance Clean-up Account No. 35010-5804 to A & A Energy for a tree removal project in the Clinch River, Raven, Virginia area. The amount of \$5,000.00 will provide for the complete removal of the tree and disposal thereof (the County Attorney will confirm). Trash collection on the PSA sewer lines in the Clinch should be addressed by the Tazewell County PSA.

DAMAGE STAMP FUND –

CONSIDERATION OF RESCINDING ORDINANCE COUNTY CODE, SECTION 3-48

It was a consensus of the Board of Supervisors that the County Administrator's office notify the Farm Bureau of the County's intent to possibly rescind the Damage Stamp Fund Ordinance– County Code, Section 3-48 and to obtain feed-back from the Farm Bureau with regard to same. The fund is depleted and has not collected any money since the late 1980's. This matter will be placed on the May 5, 2009 Board of Supervisors agenda for further discussion.

RIDGELINE PROTECTION ORDINANCE - STEERING COMMITTEE UPDATE

Supervisor Anderson stated that the Steering Committee for Ridgeline Protection Ordinance continues to meet with regard to the proposed Ridgeline Protection Ordinance. He stated some progress has been made on the wording of the ordinance but there continues to be disagreement with regard to requirements relating to setbacks, heights and those types of provision and said he believed that the steering committee would ever agree on those issues. He further stated that the steering committee addressed the topic of a Wind Energy Economic Analysis/Environmental Analysis Study and voted 7 to 1 against the study. Supervisor Anderson said the ordinance would more than likely go back to the Planning Commission and a recommendation made to the Board of Supervisors with regard to its adoption.

Supervisor Brewster said that he would like for a study to be conducted so that the County could seek information specific to the Boards concerns as well as questions answered in a balanced way tailored to the needs of Tazewell County and its residents.

Supervisor White reiterated the need for a study and requested that the cost of such study be determined and brought to the Board of Supervisors for consideration.

A gentleman from the audience suggested that the voters be allowed to decide on the proposed ordinance and recommended a referendum on the subject.

TOURISM COMMITTEE MOTION/RECOMMENDATION

Supervisor Anderson stated that the County Tourism Committee has voiced its opposition to the windmill projects with the Steering Committee requesting that another public hearing be

held on this subject. For the record, the County Administrator, Jim Spencer read the following statement submitted to the Board of Supervisors by the Tazewell County Tourism Committee:

“Upon motion of Mr. Childress, seconded by Ms. Peery and unanimously adopted, with all members present voting in favor: The Tazewell County Tourism Committee supports development of alternative energy resources in Tazewell County with the proviso that the County weigh both the benefit and the long-term impact of said development. We consider tourism to be a major component of the economic development future of Tazewell County. In the County Tourism Strategic Plan which was officially adopted at the Board of Supervisors meeting on December 4, 2007 – natural beauty is listed as one of the County’s strengths. We the Tourism Committee support the proposed Tall Structure Ordinance and request careful consideration of the long-term impact of the Windmill Project on tourism development in Tazewell County.”

BURKES GARDEN POST OFFICE – RESOLUTION OPPOSING CLOSURE

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a resolution opposing the closure of the Burkes Garden, Virginia Post Office. The resolution will be forwarded to state and federal officials seeking their support of the resolution.

A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

COURTHOUSE/ADMINISTRATION BUILDING PARKING AREAS

The County Administrator, Jim Spencer stated that the County Engineer, Gary Earp is working on a plan to eliminate the grassy areas around the County Courthouse and County Administration Building to create fourteen (14) additional parking spaces. It was a consensus of

the Board to allow the County Administrator to proceed with the Plan as well as including parking areas in compliance with the Americans with Disabilities Act.

APPOINTMENTS –

Disability Services Board: One at-large appointment was deferred to the May 5, 2009 regular meeting.

Recreation and Parks Facility Authority:

Upon motion of Supervisor Brewster, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoint Jerry C. Gravely, 343 Paradise Street, PO Box 603, Pocahontas, Virginia 24635 to the Tazewell County Recreation and Parks Facility Authority, with a term commencing immediately and expiring June 30, 2011. This appointment fills the unexpired term of Bill Rasnick who resigned.

EMERGENCY SERVICES COMMITTEE

RECOMMENDATIONS –

Tazewell County Funded Rescue Squads Approves Guidelines permission to perform out-of-area emergency transports:

Upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves guidelines as recommended by the Emergency Services Committee for Tazewell County funded rescue squads to perform out of area emergency transports for area hospitals when a paid service is not available, this action is subject to legal review and approval. According to the ESC Committee minutes of the March 16, 2009 meeting, the requesting hospital will complete a “request for transport” and the summoned rescue squad will only perform the transport if there is not a paid service available.

\$20,000.00 – Baptist Valley Escrow Account be returned to the County with interest:

Upon motion of Supervisor Brewster, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the Baptist Valley Fire Rescue to return the \$20,000.00 plus interest to the County and that the funds be placed in an escrow account and earmarked for use by Tazewell County Fire Rescue to acquire/build a building to house a rescue unit in the Baptist Valley Community.. It was further suggested that the Emergency Services Committee determine the equipment needs of the Baptist Valley Fire Department and to make a report to the Board of Supervisors at the May 5, 2009 regular meeting. Supervisor Anderson reported that Rhudy Keith mentioned to him the need for equipment at the Baptist Valley Fire Station.

Tanker Task Force Committee & by-laws:

Upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the Tanker Task Force Committee and by-laws as recommended by the Emergency Services Committee, contingent upon legal review and approval.

Tazewell County Fire Rescue – Ford Expedition authorized for out of area use for training/meeting purposes:

Upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby grants the Tazewell County Fire/Rescue permission to take their Ford Expedition tagged and insured by the County out of area for meeting and training purposes, contingent upon legal review and approval.

ESC Meeting Date Changed – every-other-month/unless emergency arises:

Upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby grants the Emergency Services Committee

permission to change their meeting dates to every other month unless an emergency arises that would require the committee to meet.

GPS for Emergency Vehicles & Vehicle Inventory

Supervisor Anderson requested that the Emergency Services Committee discuss at their next scheduled meeting the need for GPS units in emergency vehicles as well as keeping the Board of Supervisors routinely updated with regard to inventory of emergency vehicles/equipment.

Virginia Office of Emergency Medical Services (OEMS) 100% Grant (no County match)

Following presentation by Jason Kinder, Tazewell County Fire & Rescue, and upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the County's application of a 100% funding grant from the Virginia Office of Emergency Medical Services (OEMS) for emergency tough book computers for EMS patient transport vehicles for use in completing the newly upgraded EMS Registry (EMSR) data for Pre-Hospital Patient Care Reports (PPCR). The computer(s) awarded must be used in completing EMSR information in order to maintain compliance under Section 32.1-116.1 of the Code of Virginia. The average cost of the laptops is \$3,400.00 each.

Mr. Kinder said the laptop (paperless office) would save approximately 80 hours each month for each department vs. manually having to enter data. The computers will be property of the County and will be maintained by the County's IT Department. The Board further requested that Mark Profitt work with Mr. Kinder to determine if GPS programs could be tied into the new laptops.

Russell Stowers – Clearfork Fire Department/Tanker Repairs

Russell Stowers, Clearfork Fire Department, appeared before the Board and reported that the 1981 Tanker Pumper is leaking and beyond repair. He requested that monies be made available to have the tank replaced. The Board requested that Mr. Stowers present this matter to the Emergency Services Committee at their April 2009 meeting for recommendation to the Board of Supervisors.

Jewell Ridge Fire Dept. & Buchanan County – Mutual Aid Agreement Requested

Supervisor White requested that the Emergency Services Committee contact Buchanan County to see if some type of mutual aid agreement could be reached with regard to emergency calls in the Jewell Ridge Virginia/Buchanan County line area. He said that an accident recently happened in the Jewell Ridge area and several Buchanan County emergency units were called out when Jewell Ridge could have responded within ten (10) minutes.

HORSEPEN WATER PROJECT

Upon motion of Supervisor Wimmer seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes, empowers and directs the County of Tazewell, Virginia to enter into an agreement, contingent upon legal review, to serve as fiscal agent for water services in the Horsepen, Virginia area - between the Virginia Department of Mines, Minerals and Energy (DMME), Division of Mined Land Reclamation and the Tazewell County Board of Supervisors. DMME and will provide funding to the County for this project and the County will approve the invoices and authorize payments & funds with regard to the funding received from AML/DMME. The County Administrator, Jim Spencer stated that this would be AML funds for VA and WV because it is a state line- water project.

A copy of the agreement once executed by all parties will be on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enter into and executive/closed meeting pursuant to Virginia Code Section – 2.2-3711:

- A(3) Two (2) Property Disposition involving Pocahontas High School

- A(7) Legal Consultation regarding Moonlite Junkyard

- A(7) two (2) Legal matters - Consultation regarding Landfill

- A(7) Legal Consultation regarding Regional Jail Contract

- A(6) Discussion of contractual matters where bargaining is involved regarding Bluestone/IDA leases and Participation Agreement

- A (6) Discussion or consideration of investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the County would be adversely affected involving the Baptist Valley Sewer Agreement

Now, upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed Meeting and hereby adopts the following resolution:

Whereas, the Tazewell County Board of Supervisors has convened an executive/closed meeting on this date pursuant to an affirmative vote and in accordance with the Virginia Freedom of Information Act; and

Whereas, 2.2-3712 of the code of Virginia requires a certification by the Tazewell County Board of Supervisors that such executive/closed meeting was conducted in conformity with Virginia law;

Now, therefore, be it resolved, that the Tazewell County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) that only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive/closed meeting to which this certification resolution applies, and (ii) only such public

business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Tazewell county board of supervisors.

Ayes: None

Nays: All five - Supervisor White, Hymes, Brewster, Wimmer and Anderson

Absent: None

ACTION AS A RESULT OF THE EXECUTIVE/CLOSED MEETING:

POCAHONTAS HIGH SCHOOL PROPERTY TO THE INDUSTRIAL DEVELOPMENT AUTHORITY (IDA)

Upon motion of Supervisor Brewster, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs that the Pocahontas High School property located in Pocahontas, Virginia be turned over to the Tazewell County, Virginia Industrial Development Authority (IDA).

BLUESTONE REGIONAL BUSINESS & TECHNOLOGY PARK – PRIME LEASE, DEVELOPMENT LEASE & DEVELOPMENT AGREEMENT WITH THE TAZEWELL COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY

Upon motion of Supervisor Brewster, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enters into a PRIME LEASE, LEASE AGREEMENT, AND A DEVELOPMENT AGREEMENT with the Tazewell County Industrial Development Authority (IDA) for the Bluestone Regional Business and Technology Park. Copies of the documents, once executed by all parties, will be on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

**ENGINEERING DESIGN AGREEMENT– T & L / ASSIGNED TO THE IDA
BLUESTONE REGIONAL BUSINESS AND TECHNOLOGY PARK**

Upon motion of Supervisor Brewster, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby assigns the T &L Engineering Design

Agreement, dated August 19,2003 – Standard Form of Agreement Between Owner & Engineer for Professional Services, to the Tazewell County Industrial Development Authority with regard to the Bluestone Regional Business and Technology Park.

WELL MONITORING EASEMENT AGREEMENT/TAZEWEEL COUNTY LANDFILL
-HAROLD L. WEBB & TERESA G. WEBB \$10,000.00

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors (GRANTEE) hereby enters into WELL MONITORING EASEMENT AGREEMENT WITH HAROLD L. WEBB AND TERESA G. WEBB, (GRANTORS) RR 5, BOX 720, BLUEFIELD, VA 24605, FOR AND IN CONSIDERATION OF THE SUM OF TEN THOUSAND DOLLARS (\$10,000). A copy of the Easement Agreement in its executed form will be on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

NORTHWESTERN DISTRICT FUNDS –
\$500.00 TO JEWELL RIDGE FIRE DEPARTMENT

Upon motion of Supervisor White, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 from the Northwestern District Fund, payable to the Jewell Ridge Fire Department, attn: Mike Richardson, 805 Jewell Ridge Road, PO Box 97, Jewell Ridge, VA 24622. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

CLINCH RIVER KIWANIS – SPECIAL OLYMPICS FIELD DAY

Upon motion of Supervisor Anderson seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 from the Northwestern District Fund, \$100.00 from Eastern District Fund and \$100.00 from Southern District Fund (total \$700.00) to the Clinch River Kiwanis – Special Olympics Field Day event.

(See Consent Calendar for Northern District allocation to this organization – total amount to Kiwanis \$1,200.00). The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

SOUTHERN DISTRICT FUND \$1,000 TO SOUTHERN DISTRICT RECREATION/YOUTH FUND

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and approves a \$1,000.00 transfer from Southern District funds to the Southern District Recreation/Youth funds. The County Administrator is hereby authorized and directed to make this transfer in accordance with this action.

COUNTY JUNKYARD ORDINANCE TO BE REVIEWED

Supervisor Hymes requested that the County Attorney and Planning Commission review the County's current Junkyard Ordinance to determine its compliance with State Code relative to DEQ requirements; setbacks etc. and bring back a recommendation to the Board of Supervisors with regard to suggested amendments if any. If the ordinance is proposed for changes, the Board of Supervisors will need to hold a public hearing to amend same.

SCHOOL REVENUE - TRIENNIAL CENSUS

Supervisor Brewster stated that last year there were two legislative bills regarding sales tax /school census that did not pass and suggested that county, town and school officials weigh in on the subject. He said even though the bills did not pass last year, he has heard that there is movement to do away with the School Triennial Census and the County should do everything

possible to preserve the revenue for the benefit of our children. Supervisor Anderson requested that both parties keep in touch with their elective officials regarding this matter.

COUNTRY FARMS ROAD

Supervisor Wimmer requested that the PSA determine the legalities with regard to removal of rock from a road on Country Farms Road.

\$250.00 FOR FOSTER CARE EVENT MAY 1, 2009 – SPONSORED BY TAZEWELL COUNTY DEPARTMENT OF SOCIAL SERVICES

Upon motion of Supervisor Wimmer, seconded by Supervisor Brewster and adopted by a vote of 5 to 0, with all members present and voting thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$250.00 from the Western District Fund for the May 1, 2009 Foster Care Event sponsored by the Tazewell County Department of Social Services. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

A copy of the resolution with regard to declaring the Month of May 2009 as Foster Care Month in Tazewell County was read by Supervisor Wimmer. The resolution was duly adopted by the Board this date as part of the Consent Calendar.

BLUEFIELD VIRGINIA LITTLE LEAGUE - \$1,699.00 NORTHERN AND \$3,000.00 EASTERN (\$4,699.00)

Upon motion of Supervisor Brewster, seconded by Supervisor Anderson and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and approves the amount of \$1,699.00 from the Northern District Fund and the amount of \$3,000.00 from the Eastern District

Fund - total amount \$4,699.00 payable to the Bluefield Virginia Little League, PO Box 661, Bluefield, VA 24605, attn: Ronnie Holbrook, to assist in the purchase of two (2) score boards for the softball and baseball fields located behind Bluefield Beverage. The fields are used by County Little League Programs and Graham High School softball teams as well as the Bluefield College -Women's Softball Team. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

REAL WORLD ACADEMY, SVCC - \$500.00 (\$100 FROM EACH DISTRICT FUND)

Upon motion of Supervisor Brewster, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 (\$100 from each district fund) payable to the Real World Academy, Southwest Virginia Tech Prep-Career Pathways Consortium, Attn. Sharon Peery, Box SVCC, Richlands, VA 24641. This two (2) day event is a new program developed in partnership with the Tazewell County School System and SVCC for college seniors from each Tazewell County High School. The purpose is to increase the number of high school graduates who pursue postsecondary education to help with high skills, high demand or high wage employment. The County Administrator is hereby authorized, empowered and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

\$530.00 FROM EASTERN DISTRICT FUND TO GRAHAM INTERMEDIATE SCHOOL FOR MOVIE SCREEN PROJECT BALANCE

Upon motion of Supervisor Anderson, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$530.00 from the Eastern District Fund, payable to Graham Intermediate School, Bluefield, Virginia 24605 to assist with the remaining balance for the outdoor/indoor movie screen project for use with a Wii

Video Game for the Physical Education Programs to be used by both the Dudley Primary and Graham Intermediate Schools. The County Administrator is hereby authorized and directed to issue said warrant to the Graham Intermediate School, 808 Greever Avenue, Bluefield, VA 24605 Memo – Dudley Primary & Graham Intermediate Outdoor/Indoor Movie Screen.

CAMP 31 – COUNTY ADMINISTRATOR TO WORK OUT AGREEMENT WITH GENE JOHNSON FOR PLACEMENT OF CONVENIENCE AREA/COUNTY DUMPSTER

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator, Jim Spencer, to work with Camp 31 /DOC Official, Gene Johnson with regard to reaching an agreement for the County to use the Camp 31 property to place a convenience center/county dumpster. The County Administrator will make a report to the Board on this subject at the May 5, 2009 regular meeting.

ANNUAL AGRICULTURE SAFETY DAY ANNOUNCED

Supervisor Hymes announced May 9, 2009 as the first Annual Agriculture Safety Day at the Thompson Valley Community Center. The safety day will promote safety to farmers and the Community Center will be distributing free fire extinguishers and install them for each participant that brings their tractor(s) to the community center.

COUNTY WIDE GARBAGE PICK-UP

Supervisor White questioned the status of the County-wide garbage pickup proposal. The County Administrator explained that he has a plan/plat outlined and would show the plan to Supervisor White after the meeting.

COAL SEVERANCE FUNDING – PSA REQUEST

Supervisor Anderson, on behalf of the Tazewell County Public Service Authority, requested that the Tazewell County Board of Supervisors and the Tazewell County Coal & Gas Road Improvement consider on-going annual appropriations to the PSA for Capital Projects from the Coal Severance Funding.

ROC – RECOVERY OUTREACH CENTER

Supervisor Anderson and White recommended that the County Budget Committee consider allocating funds to the ROC – Recovery Outreach Center. It has been established and identified as a 501C-3 organization. It was further recommended that the Center be forwarded a County budget packet & funding request form at such time as may be appropriate. A house for the facility will need to be identified.

CUMBERLAND PLATEAU PLANNING DISTRICT – STIMULUS MONEY FOR BROADBAND

Supervisor Anderson mentioned the \$100,000,000.00 in stimulus monies for 9th District Broadband development. He said that this was announced by Congressman Boucher's office and recently addressed by the Cumberland Plateau Planning District.

CAMP JOY - SMALL PROPERTY EXPANSION REQUESTED

Supervisor Anderson requested that the County consider expanding the edge of the bank/county owned property at Camp Joy to allow for the placement of a water slide, etc. Supervisor Anderson said that the swimming pool would not be utilized at Camp Joy this summer. He requested that the County Administrator take a look at the site and make a recommendation concerning this project. This matter will be discussed by the Board at a future meeting of the Board of Supervisors.

Supervisor Anderson suggested that the Tazewell County School Board attend the May 5, 2009 regular meeting of the Board of Supervisors. A local funding allocation to the School

Board for FY2009-10 will need to be approved by the Board of Supervisors during the May meeting.

ADJOURN

Now, upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adjourns this meeting.

The next regular meeting is scheduled for May 5, 2009 at 5:30 p.m.

David R. Anderson, Chairman

By: rg

Adjourn time – 11:21 p.m.