

PRESENT: William B. "Bill" Rasnick, Chairman  
Bill Wimmer, Vice-Chairman  
Dave R. Anderson, Member  
D. Michael Hymes, Member  
Seth R. White, Member  
Jim Spencer, County Administrator  
Eric Young, County Attorney  
Patricia Green, Assistant County Administrator  
Ruth Groseclose, Administrative Assistant  
Members of the Press: Warren Hinkle, Tazewell County Free Press; Jim Talbert, Clinch Valley News; Greg Jordon, Bluefield Daily Telegraph; Phillip Keene, The Voice

ABSENT: None

### MINUTES

The Chairman, William B. Rasnick, called the recessed meeting to order and presided, with all members in attendance. He then welcomed those present. Supervisor Wimmer gave the invocation with Supervisor Anderson leading those present in the pledge of allegiance to the US flag.

The Chairman then stated that the Board of Supervisors cancelled the May 6, 2008 regular meeting and scheduled agenda items for the regular May meeting would be considered during this meeting.

### AGENDA APPROVED AS AMENDED

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 April 30, 2008 agenda as hereby amended.

### MINUTES APPROVED AS WRITTEN

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 April 1, 2008 meeting Minutes as hereby written.

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### EXECUTIVE/CLOSED MEETING

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 enters into an Executive/Closed Meeting pursuant to Virginia Code, Section 2.2-3711:

1. 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 government unit would be adversely affected involving an office lease proposal.
2. 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 government unit would be adversely affected involving a solid waste disposal contract.
3. A-7 Legal matter - consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel involving an alleged nuisance.
4. 15.2-2907 (d) - discussion involving a proposed boundary adjustment
5. A-3 Property disposition involving disposition of publicly owned real property on School Street in Tazewell
6. A-3 Property acquisition involving a site in Richlands
7. A- 1 Personnel matter involving the County Administrator's office.

**RETURN, CERTIFICATION, REPORT OF ACTION**

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 returns from the Executive/Closed Meeting and hereby certifies that the Tazewell County Board of Supervisors, in the closed meeting, just concluded, that nothing was discussed except that the matters specifically identified in the motion to convene in an executive/closed session and lawfully permitted to be discussed under the provisions of The Virginia Freedom of Information Act that were cited in the motion to enter into the Executive/Closed meeting:

Roll Call Vote:

Supervisor White - Aye

Supervisor Hymes - Aye

Supervisor Wimmer - Aye

Supervisor Anderson - Aye

Supervisor Rasnick - Aye

**REPORT OF ACTION AS A RESULT OF  
THE EXECUTIVE/CLOSED SESSION****Old Jr. High School Property/DSS Building**

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 forms a committee to implement a plan of action for the Old Jr. High School Property/DSS Building once the building becomes vacant. The committee shall consist of Supervisor Mike Hymes, 1 member from the IDA and 2 representatives from the Town of Tazewell, Virginia. The Chairman further hereby authorizes Supervisor Hymes to solicit an IDA representative as well as the 2 individuals from the Town of Tazewell to serve in this capacity. The Committee will make a report/recommendation to the Board of Supervisors in the fall 2008.

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**BUSINESS APPRECIATION WEEK**

Following an announcement by the County Administrator, Jim Spencer, and 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 declares the week of May 11-17, 2008 as BUSINESS APPRECIATION WEEK IN TAZEWELL COUNTY, VIRGINIA and further approves a Virginia Business Appreciation Celebration for May 14, 2008 at the Bluestone Business and Technology Center. A Barbeque Luncheon will be served, tours of the site will be provided and networking opportunities with the County, Regional, and State representatives will be available.

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**CONSENT CALENDAR APPROVED**

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer, and adopted by a vote of 4 to 0, with Supervisor Rasnick abstaining from the vote, the Tazewell County Board of Supervisors hereby approves the following items as "Consent Calendar." Be it further approved that the County Administrator is hereby authorized and directed to issue said warrants in accordance with the following Consent Calendar items and which will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

**WARRANTS APPROVED AS PAID****February/March 2008**

Ordered that Warrant Nos. 127239 through 127329, and direct deposits totaling \$187,782.92 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending March 31, 2008, be approved.

Ordered that Warrant Nos. 127331 through 127423, and direct deposits totaling \$188,139.44 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending April 15, 2008, be approved.

Ordered that Warrant Nos. 438719 through 438883, for \$922,070.08 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 2008, be approved.

Ordered that Warrant Nos. 438885 through 438903, for \$133,454.68 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending March 31, 2008, be approved

Ordered that Warrant Nos. 438905 through 439039, for \$1,080,815.19 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of April 2008, be approved.

Ordered that Warrant Nos. 439041 through 439061, for \$133,063.81 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending April 15, 2008, be approved.

Ordered that Warrant Nos. 801224 through 801238 for \$81,530.68 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of March 2008, be approved.

**■ Transfers Approved**

- Transferred from the Contingent Expenditures Account (91050-7041) in the amount of \$1,013.41 to the Buildings & Grounds Budget (43020-3310). This is a reimbursement from Tannersville Rescue Squad for materials used in rewiring the fire station building.
- Transferred from the Contingent Expenditures Account (91050-7041) in the amount of \$2,300.00 to the Special Police budget (35010-6010). – Cattle auction proceeds.
- Transferred \$12,000.00 from the Sportsman's Fair Account No. 12060-5760 to the Museums- Capital Account No. 72020-8190 – this is for paving the Kiosk area near Crab Orchard Museum – (request by Supervisor Hymes)
- Transferred the amount of \$208.25 from the Contingent Grant/Expenditure line (91050-7041) to the Building Inspection Budget (34090-6001). This is a reimbursement of books ordered for the building inspector's office.

**■ Approved to relinquish rights of K-9 Abbi (retired) to Deputy Kevin Crisp.****■ Coyote Claims Approved:**

- \$50.00 to Dean Matney, PO Box 832, Tazewell, Virginia 24651 for 1 coyote killed with a snare on April 10, 2008.
- \$50.00 to Abigail Kitts, 618 West Main Street, Tazewell, Virginia 24651 for 1 coyote killed with a snare on February 28, 2008.
- \$50.00 to Ray Howell, 1477 Rosenbaum Road, Tazewell, Virginia 24651 for 1 coyote killed with a snare on March 14, 2008.
- \$50.00 to Ray Howell, 1477 Rosenbaum Road, Tazewell, Virginia 24651 for 1 coyote killed with a snare on March 22, 2008.

- \$150.00 to Ray Howell, 1477 Rosenbaum Road, Tazewell, Virginia 24651 for 3 coyotes killed with a snare on March 8, 2008.
  - \$50.00 to Phillip Ellison, 212 Concord Drive, North Tazewell, Virginia 24630 for 1 coyote killed with a rifle on April 9, 2008.
  - \$50.00 to Charles Ashworth, 293 Ashworth Lane, Bluefield, Virginia 24605 for 1 coyote killed on April 5, 2008 with a snare.
  - \$100.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651 for 2 coyotes killed on March 29, 2008 with a snare.
  - \$50.00 to A.C. Boothe, 5884 Baptist Valley Road, North Tazewell, Virginia 24630 for 1 coyote killed with a snare on March 30, 2008.
  - \$50.00 to Anthony Rasnick, 1498 Mundytown Road, North Tazewell, Virginia 24630 for 1 coyote killed on April 1, 2008 with a snare.
  - \$50.00 to Larry Lambert, Jr. 401 Plymouth Hollow Road, North Tazewell, Virginia 24630 for 1 coyote killed on January 25, 2008 with a rifle.
  - \$50.00 to Larry Lambert, Sr. 401 Plymouth Hollow Road, North Tazewell, Virginia 24630 for 1 coyote killed with a rifle on December 21, 2007.
  - \$100.00 to Larry Lambert, Sr. 401 Plymouth Hollow Road, North Tazewell, Virginia 24630 for 2 coyotes killed on March 29, 2009 with a rifle.
  - \$50.00 to Larry Lambert, Sr. 401 Plymouth Hollow Road, North Tazewell, Virginia 24630 for 1 coyote killed on March 31, 2008 with a rifle.
  - \$50.00 to Eddie Bowman, 3071 Mudfork Road, North Tazewell, Virginia 24630 for 1 coyote killed with a rifle on April 11, 2008.
  - \$50.00 to Ronald Holloway, 501 East Fincastle, Tazewell, Virginia 24651 for 1 coyote killed with a snare on April 7, 2008.
  - \$150.00 to Jessie A. Asbury, 4025 Hogback Road, Tazewell, Virginia 24651 for 3 coyotes killed with a snare on March 4, 2008.
  - \$50.00 to Jessie A. Asbury, 4025 Hogback Road, Tazewell, Virginia 24651 for 1 coyote killed on April 7, 2008 with a snare.
  - \$50.00 to Jessie A. Asbury, 4025 Hogback Road, Tazewell, Virginia 24651 for 1 coyote killed on March 29, 2008 with a snare.
  - \$50.00 to Jessie A. Asbury, 4025 Hogback Road, Tazewell, Virginia 24651 for 1 coyote killed on March 22, 2008 with a snare.
  - \$50.00 to Gregory Rasnick, Jr. 206 Rasnake Road, North Tazewell, Virginia 24630 for 1 coyote killed on March 9, 2008.
  - \$50.00 to Lige Scarberry, 6389 Clearfork Road, Bastian, Virginia 24314, for 1 coyote killed with a gun on April 18, 2008.
- Damage Claim Approved
    - \$100.00 to Craig Green, 1619 Peel Chestnut Pocahontas, Virginia 24635 for 2 pigs attacked by stray dogs on April 7, 2008.
  - Landfill Change Order Approved – A & A Energy
    - Approved \$48,500.00 for Landfill Change Order Phase 4 A-Remobilization, fuel and materials cost increase

Recessed Meeting – April 30, 2008

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 adopts the following resolution:

WHEREAS, the Board provided the School Board Twelve Million, One Hundred, Eighty-Two Thousand Dollars in fiscal year 2007-08;

WHEREAS, the School Board has requested Twelve Million, Eight Hundred and Seventy Thousand Dollars from local funds for fiscal year 2008-09, a Six Hundred and Eighty-Eight Thousand Dollar increase from the previous fiscal year;

WHEREAS subsequent to the joint committee's meeting on April 8<sup>th</sup>, the State has informed the Board of Supervisors that the County's revenues from the State for fiscal year 2008-09 have been reduced by Four Hundred and Six Thousand Dollars for fiscal year 2008-09;

WHEREAS the State has increased revenues for the school system from fiscal year 2007-08 by Three Million, One Hundred and Ninety-Nine Thousand Dollars for Fiscal Year 2008-09;

NOW THEREFORE, be it RESOLVED that the Board of Supervisors for Tazewell County approves a budget for the Tazewell County School Board for fiscal year 2008-09 from local funds in the amount of Twelve Million, One Hundred and Eighty-Two Thousand, Eight Hundred and Twelve Dollars, the same amount as in the previous fiscal year;

The Board further RESOLVES that any funds remaining from those appropriated to the school board for fiscal year 2007-08 as of June 30, 2008 shall be re-appropriated (carried over) to the School Board in addition to the funds above mentioned;

The Board further RESOLVES that the school board's budget later may be supplemented to include any revenues from a County meals tax;

The Board further resolves that the school board is encouraged to apply the increased state funding in excess of Three Million Dollars and the re-appropriated (carry-over) funds from fiscal year 2007-08 towards teacher's pay increases;

It is so RESOLVED by the Board on this the 30 day of April, 2008.

Supervisor Anderson requested that the School Board Facilities Committee continue to move forward with the Facilities Plan and that the Board of Supervisors work jointly with the Facilities Committee in this endeavor.

Supervisor White echoed Supervisor Anderson's comments and requested that the two boards continue to be mindful of the Facilities Plan.

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ROBINSON, FARMER, COX ASSOCIATES -

COUNTY AUDIT FOR THE YEAR ENDING JUNE 30, 2007

Deanna Cox, Managing Partner with the firm Robinson, Farmer, Cox Associates, presented the County Audit for the Year Ending June 30, 2007. During the course of the audit, it was noted that certain matters involving the internal control structure concerning Written Policies, Bank Accounts and School Board - Workers' Compensation Allocations needed to be addressed. The County's written policies do not address areas such as fund balance requirements, investment policies and debt management and the County maintains several bank accounts that are not in the custody of the Treasurer and the School Board's Worker's Compensation expenditure has in the past been recorded in the School Board expenditure report with the School Board's debt service. Ms. Cox addressed these issues and made recommendations with ways to better maintain the categories as mentioned. However, overall, the County's accounting procedures were in compliance in accordance with the Government Auditing Standards.

Ms. Cox stated that a letter was forwarded to the County Administrator regarding Management Control. The County Administrator said the he would forward the letter to the Board of Supervisors and have a report to the Board on these matters by next month.

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**PLEASANT VALLEY ESTATES ROAD CONCERNS**

Joe Robinson, a resident of Pleasant Valley Estates, appeared before the Board of Supervisors and once again addressed the road situation in Pleasant Valley Estates. The road is served by approximately 1.6 miles of roadway accessed from State Route 738, G.I. Brown Road. According to the County Attorney, a recorded deeded plat did not include a portion of a corner of the property which is needed in order to dedicate sufficient width of right of way for Pleasant Valley Road to be accepted into VDOT's road system. Land owner of the corner property, G.I. Brown, has indicated he would review a proposal whether he agrees to the right-of-way dedication. Chairman Rasnick requested that the County Attorney do what-ever is necessary to find a solution with regard to making repairs to the road in question. Eric Young, County Attorney said that the County could offer to buy or condemn the corner property that is needed in order to get the road up to a condition acceptable for inclusion in the State Road System.

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#### **SCHOOL SUPERINTENDENT -**

#### **SCHOOL BOARD MEMBER'S WELCOMED**

Supervisor Seth White welcomed to the meeting School Superintendent, Dr. Brenda Lawson and School Board members, Mike Dennis, Randy Conn, Cookie Johnson and Dave Woodard.

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#### **EMERGENCY SERVICES REPORT**

Supervisor Bill Wimmer, on behalf of the Tazewell County Emergency Services Committee reported the following emergency services report as a result of the April 28 ESC meeting:

#### **TOWN OF BLUEFIELD -**

#### **ARTICULATING AERIAL PLATFORM FIRE TRUCK**

Following presentation by Supervisor Wimmer, and as recommended by the Tazewell County Emergency Services Committee, the Board of Supervisors suggested that the ESC present a more logical funding request with regard to the Town of Bluefield's appeal for funding from the County in the amount of \$1,107,646.00 for the purchase of an Articulating Aerial Platform Fire Truck. The Town of Bluefield is requesting that the County contribute \$45,000.00 for the next ten years for the purchase of same.

#### **POCAHONTAS FIRE DEPARTMENT -**

#### **TURN OUT GEAR**

Upon motion of Supervisor Rasnick, 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 \$5,000.00 from the Northern District Fund, Acct. No. 91400-5650 payable to the Pocahontas Fire Department - Pocahontas, Virginia 24635, to assist in the purchase of new turn-out gear. The total amount needed is \$8,991.90 with Pocahontas Fire Dept. paying \$1,000.00 and \$7,991.90 requested from the County. Supervisor Rasnick said that the balance of \$2991.90 would have to be revisited after the new budget is adopted. There is no additional funding in the fire department budget to assist with this purchase.

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.

#### **EMS - FIVE YEAR EMERGENCY PLAN COMMITTEE -**

#### **MEMBER ADDED**

Upon motion of Supervisor Wimmer, seconded by Supervisor Rasnick 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 ratifies the appointment of an additional member to the Tazewell County

Emergency Medical Services – Five Year Emergency Plan Committee as recommended by the Tazewell County Emergency Services Committee:

- Gordon Russ, Captain of the Richlands Rescue Squad – Supervisor White questioned Mr. Earl Griffith with regard to his qualifications to serve in this capacity. Mr. Griffith said that Mr. Russ was a certified EMT.
- Other members include Bill Wimmer, George Pilkins, Randy Ann Davis, James Richardson, Jim Hardy, Bill Allison and Steve Nidiffer, as ratified by the Board of Supervisors at a meeting held April 1, 2008

#### APPOINTMENTS

##### Tazewell County Transportation Safety Commission

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 appoints Chief of Police, Brian Hieatt, to serve as a member of the Tazewell County Transportation Safety Commission, with a term commencing immediately and expiring June 30, 2008. This appointment fills the unexpired term of Walter Barrett who resigned.

##### Clinch Valley Community Action, Inc. – Board of Directors

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 reappoints the following individuals to serve as members of the Clinch Valley Community Action, Inc. Board of Director's, with a term commencing June 1, 2008 and expiring June 30, 2009:

- Ethel Bennett, Box 155, Bishop, VA 24604
- Don Neal, 1807 Lee Avenue, Bluefield, VA 24605
- Emma Hagy, 332 Earls Branch Road, Pounding Mill, VA 24637

##### Local Board of Building Code of Appeals

Consideration of appointing five (5) members and two (2) alternate members to the Local Board of Building Code of Appeals was deferred to the next regular meeting. Board members wanted to further review the membership of the BBCA.

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#### MOTHER OF CHRIST JULINOEL -

##### REQUEST FOR TAX EXEMPTION STATUS

Father Joseph Ekweariri, PHD – President and CEO, Mother of Christ Julinoel, requested the status of the pending application to the Board of Supervisors requesting tax exemption. The total real estate tax exemption request for the most recent year is \$11,859.00. The Mother of Christ Julinoel is located on 520 Dogwood Road, Tazewell, Virginia and is an assisted living facility providing care to the disadvantaged of the community with preferential option to the elderly. The facility previously operated as a business in the name of Dogwood Estates Assisted Living. The name was changed in December 2006 to the Mother of Christ Julinoel.

Father Ekweariri, updated the Board on the facility following his purchase. In the last 16 months of Mother of Christ's existence, the staff has increase from 18 full-time employees to 32. Current average payroll is \$10.20 per hour and an additional 10 staff expected at 97 beds full capacity, 12 hence. An estimated \$5,000,000.00 state of the art low-income cottage style homes for Alzheimer's program in the next five years, which is expected to create approximately 36 new jobs at an average payroll of \$12.00 per hour.

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 none against, the Tazewell County Board of Supervisors, and contingent upon legal review, hereby requests that Father Joseph appear before the Tazewell County Industrial Development Authority to see if the Assisted Living Facility might qualify for a grant to off-set the cost of the real estate taxes. The grant would assist Father Ekweariri with regard to new

job creation. Once the job creation is fulfilled and other requirements are met as well as all taxes paid, the IDA would provide Father Ekweariri with a grant which in turn could off-set the real estate tax burden.

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#### CLINCH RIVER FOREST PRODUCTS

#### MACHINERY & TOOL TAX - \$31,912.00 TO INDUSTRIAL DEVELOPMENT AUTHORITY FROM E.D.C. ACCOUNT

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 approves the amount of \$31,912.00 from the Econ. Development Account No. 12050-5690 to the Industrial Development Authority Account to pay the Machinery & Tools tax, Acct. 2008 Tax Bill no. 5848 - for Clinch River Forest Products. This action is contingent upon legal review. Once approved by legal counsel, these monies shall be transferred in accordance with this action and paid accordingly.

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#### NOTICE OF REFERENDUM -

The County Attorney, Eric Young stated that the Notice of Referendum - Petition by the Board of Supervisors to the Circuit Court regarding a Request for a Special Election was filed requesting a Special Election on July 29, 2008 to consider the following:

*“Should the County of Tazewell have the authority to levy a tax on food and beverages sold, for human consumption, by a restaurant, on the condition that all revenues from such tax are spent only for operation of the Pocahontas High School for two years, or for increasing teachers pay, or for planned school renovations?”*

Following the County Attorney’s update on the procedure for the referendum, Supervisor White questioned the other Board members as to their desire to continue with the Special Election.

Supervisor White then reiterated his admiration for the people of Pocahontas, but said that he did not want to continue giving them false hope and further said that he had received an outcry from people in his district who do not want another tax burden as well as uselessly spending \$25,000.00 on special election costs. He said the closure of Pocahontas High School had been decided and that the petition for the Special Election should be dismissed. And, for these reasons Supervisor White moved that the Special Election before the Court be dropped and the petition for the referendum be dismissed. Supervisor Anderson seconded the motion for discussion. Dr. Lawson and School Board member, Mike Dennis were asked if the School Board intended to reconsider the closure of Pocahontas High School. Mr. Dennis said that School Board discussed the meals tax proposal at their last meeting and no action was taken. He further said that the decision to close Pocahontas High School had been made.

The Chairman then called for a vote on Supervisor White’s motion and which motion failed by a vote of 1 to 4, with Supervisor Hymes, Wimmer, Rasnick and Anderson voting nay.

Supervisor Hymes wanted to know why Pocahontas could not stay open for another two years. He said that his objective was to get an additional stream of money for the schools. He further stated that some Pocahontas High School parents and students have indicated that they would neither attend Tazewell or Graham High Schools.

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#### VDOT SAFETY STUDY - ADVANCE WARNING LIGHTS

#### RTE. 834 (TOWN HOLLOW) RTE. 19 AT WARDELL

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 requests that the Virginia Department of Transportation perform a safety study for Advanced Warning Lights at the intersection of Rte. 834 (Town Hollow) and Rte. 19 in the Wardell section of Tazewell County, with Charge Cost Center Funds 1204007, Activity 501 - County 92. Further,

that the Virginia Department of Transportation provide a result from such findings to the Board of Supervisors as soon as possible.

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**RESOLUTION ADOPTED -**

**OLDER AMERICANS MONTH - AASC**

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 adopts the following resolution:

**Older Americans Month  
May 2008  
Proclamation**

WHEREAS, Tazewell County, Virginia is a community in which 9,239 citizens age 60 or older make their home; and

WHEREAS, older adults in Tazewell County and throughout the U.S. are a growing population with evolving needs; and

WHEREAS, older Americans are valuable members of our society who are rich with experience and deserving of our respect; and

WHEREAS, the number of baby boomers reaching traditional retirement age continues to increase, a fact that spotlights the need for increased attention to the needs of older adults; and

WHEREAS, our older citizens of today and tomorrow promise to be among the most active and engaged older adult populations in our Nation's history;

WHEREAS, it is the responsibility of this and all U.S. communities to work together and prepare for changing older adult populations by modernizing systems of care and providing consumers with more control over their lives; and

WHEREAS, overall quality of life can be greatly enhanced when supportive communities help their older citizens obtain:

Evidence-based approaches to making behavioral changes that can reduce risk of disease, disability, and injury.

The tools to make informed decisions about, and gain better access to, existing health and long-term care options.

More options to avoid placement in nursing homes and remain at home as long as possible

NOW THEREFORE, BE IT RESOLVED, THAT THE TAZEWELL COUNTY BOARD OF SUPERVISORS do hereby proclaim **May 2008** to be **Older Americans Month** and urge everyone to take time this May to honor our older adults and the professionals, family members, and citizens who care for older adults. AND FURTHER urge all citizens/communities in Tazewell County to work collaboratively to strengthen the services that Tazewell County provides to its older adults in ways that recognize the changing nature of their needs, and that provide older adults with more opportunities to make informed choices about their lives. Our efforts can improve the lives of our older citizens and help pave the way for future generations.

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**TAZEWELL COUNTY SCHOOL BOARD -**

**REQUEST RESPONSE REGARDING POSITION ON MEALS TAX REFERENDUM**

Now, upon motion of Supervisor Anderson, 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 requests that the Tazewell County School Board and the Tazewell Education Association (TEA) provide an official response by May 5, 2008 to the Tazewell County Board of Supervisors as to their approval or disapproval of the meals tax referendum and further inquire as to what affect the referendum would have on their decision to close Pocahontas High School. The County Attorney

Recessed Meeting – April 30, 2008

advised the Board that in order for the Board of Supervisors to consider the School Board's response, the hearing on the County's Petition for the referendum would need to be continued and a special meeting held.

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The Chairman called for a recess of ten (10) minutes, after which the meeting was duly reconvened.

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#### BOARD CONCERNS

Supervisor Anderson commended County employee, Dave White and members of the Animal Shelter Board for taking measures to correct the problems at the Animal Shelter facility.

Supervisor Anderson announced the May 17, 2008 – 6:00 & 7:00 p.m. Fallen Officer events at Graham High School.

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#### RICHLANDS HIGH SCHOOL - GIRLS SOFTBALL TEAM

\$1000.00 - \$500 NORTHWESTERN AND \$500 WESTERN

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 amount of \$1,000.00 payable to the Richlands High School - Girls Softball Team - \$500.00 from the Western and \$500.00 from the Northwestern District Youth funds. 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.

#### PINE TREE DRIVE -

Supervisor Wimmer requested that a speed limit be posted on Pine Tree Drive located in the Baptist Valley community.

Supervisor Wimmer stated with regard to the meals referendum issue, he felt that the meals tax would be a choice. He said that citizens do not have a choice when paying property taxes, but do have a choice of whether or not to eat out. He further said that he felt the tax was a needed revenue stream and he was tired of having to tell County departments, no.

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Supervisor White reminded those present about KIDS FISH DAY scheduled for May 3 at 8:30 a.m. at Cavitts Creek/Lake Jack Witten.

The County Administrator suggested that the KIDS DAY EVENT be coordinated with other youth activities in the County.

He then requested that the County Attorney continue with his efforts in contacting Mr. Simmons with regard to the property for a convenience box in Jewell Ridge due to the quickly approaching new budget year.

#### TOWN OF RICHLANDS - FIRE WORK CELEBRATION

\$500 - NORTHWESTERN \$500 - WESTERN

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 \$500.00 from the Northwestern District Fund and \$500.00 from the Western District Fund payable to the Town of Richlands, Richlands, Virginia - for fireworks, contingent upon the firework event taking place.

The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

The Greater Richlands area festival is scheduled for June 21, 2008.

Other:

Recessed Meeting – April 30, 2008

Supervisor White stated that he recently visited the Baker Hollow Road property and the defacement issues have not been resolved, however the property owners have 30 more days, from this date, to correct the problem.

Supervisor White then requested a 911 Road Sign for Scarlett Road in Raven beside the old Raven Theater. He then mentioned the proposed grade and gravel repairs to Devin Lane; paving is a possibility in the future.

**\$1,010.03 TRANSFER FROM NORTHWESTERN DISTRICT ROAD GRADING ACCOUNT TO NORTHWESTERN DISTRICT FUND**

Member Seth White requested that the Accounting Department transfer \$1,010.03 from Acct. No. 41010-3310 Northwestern District Road Grading to the Northwestern District Account No. 91400-5660 to cover deficient funding.

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**BUDGET HEARING(S) AUTHORIZED**

Upon motion of Supervisor Rasnick, 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 that the FY07-08 County Budget be re-advertised for public hearing on June 3, 2008 because the current year budget provides for an increase of at least one percent in the total amount of revenue anticipated from all tax sources and further that the public hearing for the proposed FY2008-2009 County Budget be advertised for June 3, 2008. The budget(s) will be considered for adoption at a meeting scheduled for June 30, 2008.

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**SOUTHERN DISTRICT FUNDS -**

\$2,000.00 - Southern District to Southern Recreation Fund

\$250.00 - to Tazewell Middle School - SOL Recognition

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 approves a transfer of \$2000.00 from the Southern District Fund to the Southern Youth Recreation Account and further hereby approves the amount of \$250.00 from the Southern District Recreation Account payable to Tazewell Middle School, Tazewell, Virginia 24651 to assist the purchase of prizes and games for SOL recognition.

The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

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**CAMP JOY SUMMER PROGRAM -**

\$6,000.00

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 following monies from district funds as set forth below, for the Clinch Valley Community Action, Inc. - Camp Joy Summer Program, PO Box 188, North Tazewell, Virginia 24630. The County Administrator is hereby authorized, empowered 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:

- Eastern District - \$2,500
- Southern District - \$2,500
- Northern District - \$1,000

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**TAZEWELL YOUTH FOOTBALL PROGRAM**

\$2,000.00

Recessed Meeting – April 30, 2008

Upon motion of Supervisor Hymes, seconded by Supervisor Rasnick 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 \$1,000.00 from the Southern District Fund and \$1,000.00 from the Northern District Fund payable to the Tazewell Youth Football League, Attn: Jody Comer, PO Box 778, North Tazewell, Virginia 24630. This money shall be used to assist with the purchase of team uniforms. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

Other:

Supervisor Hymes requested that the County Administrator determine why the Spring Clean Up-County dumpster was not made available in the Cove Community as promised. Cindy Gillespie is the contact person for the Cove Community.

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ADJOURN

Now, there being no further business to be transacted and 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, this meeting is hereby adjourned.

The next regular meeting is scheduled for June 3, 2008 at 6:00 p.m.

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William B. Rasnick, Chairman

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Adjourn: 9:16 pm.