

VIRGINIA: At an Annual/Organizational meeting of the Tazewell County Board of Supervisors, 108 East Main Street, Tazewell, Virginia 24651 held January 6, 2009 at 6:00 p.m.

PRESENT: Bill Wimmer, Member
Dave Anderson, Member
Seth R. White, Member
D. Michael Hymes, Member
C. Eric Young, County Attorney
Jim Spencer, County Administrator
Patricia Green, Assistant County Administrator
Ruth Groseclose, Administrative Assistant
Gary Earp, County Engineer
Members of the Press: Warren Hinkle, Tazewell County Free Press; Jim Talbert, Clinch Valley News/Richlands News Press; Charles Owens, Bluefield Daily Telegraph; William Paine, Adventure Radio; Carter Johnson, WVVA –TV6 Other media present: Jared Morrison

ABSENT: William B. Rasnick, Member

Vice Chairman Bill Wimmer called the annual/organizational meeting to order and presided. Chairman William B. Rasnick was absent from the meeting.

Supervisor White gave the invocation with Supervisor Hymes leading those present in the pledge of allegiance to the US Flag.

Vice Chairman Bill Wimmer then announced that Northern District Board of Supervisor Member, William B. Rasnick notified him that he would be submitting a written resignation as a member of the Tazewell County Board of Supervisors at a later date. He said that Mr. Rasnick has given this decision serious consideration and because of matters involving his family's health, his own health and personal matters he would be resigning. Supervisor Wimmer stated that Supervisor Hymes would speak to the audience and make additional comments on behalf of Mr. Rasnick following the executive/closed meeting. Supervisor Wimmer said that it has been a pleasure working with Mr. Rasnick.

AGENDA APPROVED AS AMENDED

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby approves the January 6, 2009 agenda as hereby amended, and with two (2) additional matters to be discussed in the executive/closed session, pursuant to Va. Code Section 15.2-2907-D, regarding potential annexation, as requested by Richlands and Cedar Bluff.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Anderson, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby approves the December 2, 2008 meeting minutes as written.

ORGANIZATIONAL STRUCTURING

ELECTION OF A CHAIRMAN

The County Administrator, Jim Spencer, opened the floor for nominations for Chairman of the Tazewell County Board of Supervisors.

The name of Dave R. Anderson was placed in nomination by Supervisor Wimmer, with Supervisor White seconding the foregoing. The County Administrator then asked for further nominations for Chairman of the Board of Supervisors. Now, there being none, the County Administrator then asked for a roll call vote of those voting in favor or opposing Dave R. Anderson as Chairman of the Board of Supervisors for calendar year 2009 or until his successor is duly elected. Supervisor Wimmer moved that nominations be closed and that Dave R. Anderson be elected Chairman of the Board of Supervisors by acclamation, with Supervisor Rasnick absent from the vote, and with Supervisor White seconding the foregoing, and with Dave R. Anderson hereby appointed as Chairman of the Tazewell County Board of Supervisors for a term of one (1) year, or until his successor is duly elected. The following roll call vote is hereby recorded:

Supervisor White – Aye	Supervisor Hymes – Aye
Supervisor Wimmer – Aye	Supervisor Anderson – Aye
Supervisor Rasnick – Absent	

The County Administrator, Jim Spencer, then turned the meeting over to the newly elected Chairman, David R. Anderson.

ELECTION OF A VICE CHAIRMAN

The Chairman, David R. Anderson, called for nominations from the floor for Vice Chairman of the Tazewell County Board of Supervisors.

The name of Bill Wimmer was placed in nomination by Supervisor Hymes with Supervisor White seconding the foregoing motion. The

Chairman then called for further nominations for a Vice Chairman of the Board of Supervisors. There being none, the Chairman declared nominations closed, with Supervisor Hymes moving and with Supervisor Wimmer seconding the foregoing to close nominations and that Bill Wimmer be elected as Vice Chairman of the Tazewell County Board of Supervisors by acclamation for a term of one (1) or until his successor is duly elected. The following roll call vote is hereby recorded:

Supervisor White – Aye Supervisor Hymes – Aye
Supervisor Anderson – Aye Supervisor Wimmer – Aye
Supervisor Rasnick – Absent

REGULAR MEETINGS – DATE, TIME AND LOCATION

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Rasnick absent, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby designates the first Tuesday of each month, beginning at 5:30 p.m. in the Tazewell County Administration Building, 108 East Main Street, Tazewell, Virginia 24651 as the meeting date, time and location of the Tazewell County Board of Supervisors regular meetings for calendar year 2009.

ROBERT’S RULES OF ORDER ADOPTED

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and with all members present voting in favor thereof and no one against, the Tazewell County Board of Supervisors hereby adopts Robert’s Rules of Order, as the official rules of procedure for conducting meetings/business of the Tazewell County Board of Supervisors for calendar year 2009.

CLERK OF THE BOARD NAMED, JAMES H. SPENCER, III

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and with all members present voting in favor thereof and no one against, the Tazewell County Board of Supervisors hereby appoints James H. Spencer, III, as the Clerk to the Board of Supervisors for calendar year 2009.

DIRECTOR OF EMERGENCY SERVICES NAMED

Upon motion of Supervisor White, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and with all members present voting in favor thereof and no one against, the Tazewell County Board of Supervisors hereby appoints James H. Spencer, III, as the Director of Emergency Services for Tazewell County, Virginia for calendar year 2009.

VACo/COUNTY LEGISLATIVE CONTACT – SETH R. WHITE

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Supervisor Seth R. White, to serve as Tazewell County's legislative contact to work with VACO during the upcoming 2009 General Assembly, with Supervisor Bill Wimmer named as alternate.

BUDGET COMMITTEE, FY 2009-10 NAMED

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and with all members present voting in favor thereof and no one

against the same, the Tazewell County Board of Supervisors hereby appoints Supervisor Anderson and Supervisor Hymes to serve as the Board of Supervisors representatives on the Tazewell County Budget Committee, FY2009-10, with all other Board of Supervisors attending budget meetings on an alternating basis in order to keep all members of the board apprised of on-going budget matters.

EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby enters into an executive/closed meeting, pursuant to Virginia Code Section 2.2-3711:

- A-6 The investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the County may be adversely affected involving CVCA, Pre-Trial Program
- A-1 Personnel - Two (2) matters involving County Administration
- A-7 Legal Consultation involving the Bluestone Participation Agreement
- A-7 Legal Consultation involving a consultant's invoice for services
- A-7 Legal Consultation involving solid waste matter

- A-6 The investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the County may be adversely affected involving the Landfill/Convenience area
- A-5 Prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding in the Cedar Bluff area.
- 15.2-2907 – D (two) matters involving annexation (requests from Cedar Bluff and Richlands)

RETURN/CERTIFICATION/REPORT OF ACTION

Upon motion of Supervisor Wimmer and adopted by a vote of 4 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 Session 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 meeting 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 Anderson – Aye

Supervisor Wimmer – Aye

Absent – Supervisor Rasnick

There was no action to report as a result of the Executive/Closed Session.

The Chairman announced that the Board would return to the Executive/Closed meeting upon completion of the remaining agenda items to conclude their discussion of the executive/closed session matters.

The Chairman called for approval from the Board of Supervisors to rearrange the agenda format to allow the Board to address the Richlands and Cedar Bluff proposed annexation subject following the executive session. Now, upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Rasnick absent, the request is hereby approved to move the Richlands and Cedar Bluff annexation subject to the front of the agenda format.

Then, Supervisor Hymes, at the request of Supervisor Rasnick, stated that Mr. Rasnick asked him to express his love for Tazewell County, its people and all that they do for Tazewell County. Also, he expressed Mr. Rasnick's enjoyment with working with various members of the Board of Supervisors and county staff over the many years. He said that Mr. Rasnick moreover wanted to see the County to continue to move forward and further conveyed thanks and gratitude to all the residents of the Northern District who re-elected him.

RESOLUTION HONORING MR. RASNICK AUTHORIZED

Now, upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from

the meeting, and 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 a resolution be presented to Mr. Rasnick honoring his many years of service as a member of the Tazewell County Board of Supervisors and as a member of the Tazewell County Public Service Authority.

CONSENT CALENDAR APPROVED

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Rasnick absent, and with all members present 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. Be it further approved, that the County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrant will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

WARRANTS APPROVED AS PAID

November/December 2008

Ordered that Warrant Nos. 128760 through 128850, and direct deposits totaling \$203,614.95 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending November 30, 2008, be approved.

Ordered that Warrant Nos. 128852 through 128941, and direct deposits totaling \$204,083.01 from the General, Landfill Enterprise, and 911 Funds,

covering payroll for the various County agencies, for the period ending December 15, 2008, be approved.

Ordered that Warrant Nos. 441756 through 441906, for \$636,347.15 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of November 2008, be approved.

Ordered that Warrant Nos. 441908 through 441925, for \$139,705.93 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending November 30, 2008, be approved

Ordered that Warrant Nos. 441927 through 442083, for \$1,401,228.64 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of December 2008, be approved.

Ordered that Warrant Nos. 442085 through 442103, for \$139,217.18 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending December 15, 2008, be approved.

Ordered that Warrant Nos. 801312 through 801318 for \$18,139.59 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of November 2008, be approved.

- Coyote Claims Approved

- \$50.00 to George Hicks, PO Box 414, North Tazewell, VA 24630 for 1 coyote killed with a rifle on December 17, 2008
- \$200.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, VA 24605 for 4 coyotes killed with a snare on December 12, 2008
- \$50.00 to William Rhudy, 175 Rhudy Creek Road, Tazewell, VA 24651 for 1 coyote killed with a rifle on December 5, 2008
- \$50.00 to Ryan Shrader, 140 Landcaster Road, North Tazewell, VA 24630 for 1 coyote killed with a bow on December 6, 2008
- \$50.00 to Jimmy Mcquire, 503 Carter Hill Road, North Tazewell, VA 24651 for 1 coyote killed with a rifle on November 27, 2008
- \$50.00 to Tony Watson, 207 Deer Run Road, Tazewell, VA 24651 for 1 coyote killed with a rifle on November 19, 2008
- \$50.00 to Ira Horne, 619 Gray's Branch Road, Cedar Bluff, VA 24609 for 1 coyote killed with a snare on December 3, 2008
- \$50.00 to William Bandy, 231 Gillespie Road, Pounding Mill, VA 24637 for 1 coyote killed on December 4, 2008 with a gun.
- \$50.00 to William Bandy, 232 Gillespie Road, Pounding Mill, VA 24637 for 1 coyote killed on December 7, 2008 with a gun.

- \$50.00 to Jack Howery, 230 Ferndale Rd.
Cedar Bluff, VA 24609 for 1 coyote killed on
December 4, 2008 with a rifle.
- \$150.00 to Larry Lambert, 401 Plymouth
Hollow Road, North Tazewell, VA 24630 for 3
coyotes killed on December 8, 2008 with a
rifle.
- \$50.00 to Larry Breedlove, 2906 Pounding Mill
Branch Road, Pounding Mill, VA 24637 for 1
coyote killed on December 27, 2008 with a
rifle.
- \$50.00 to Ira Horne, 519 Grays Branch Road,
Cedar Bluff, VA 24609 for 1 coyote killed on
December 27, 2008 with trap.
- \$50.00 to Jerry Jackson, 2317 Crab Orchard
Road, Tazewell, VA 24651 for 1 coyote killed
on December 22, 2008 with a snare.
- \$50.00 to Charles Ashworth, 294 Ashworth
Lane, Bluefield, VA 24605 for 1 coyote killed
on December 24, 2008 with a snare.
- \$50.00 to William Wimmer, 202 Shenley Ave.
Bluefield, VA 24605 for 1 coyote killed on
December 5, 2008 with a shotgun.
- \$50.00 to George Hicks, PO Box 414, North
Tazewell, VA 24630 for 1 coyote killed on
December 24, 2008 with a gun.

- \$50.00 to Steven Short, Box 698, Steeles Lane, Tazewell, VA 24651 for 1 coyote killed on January 3, 2009 with a snare.
- \$50.00 to Travis Bandy, 231 Gillespie Road, Pounding Mill, VA 24657 for 1 coyote killed on December 15, 2008 with a snare.
- \$50.00 to Albert Hagy, 1149 Dawning Road, Vansant, VA 24656 for 1 coyote killed on December 22, 2008 with a rifle.
- \$50.00 to Rick Kinder, 137 Barnett Avenue, North Tazewell, VA 24630 for 1 coyote killed on December 24, 2008 with a rifle.

DAMAGE CLAIM APPROVED (Damage Stamp Fund)

- \$200.00 to James H. Compton, 8289 Clearfork Rd. Bastian, VA 24314, for 1 cow attacked and killed by dogs on December 22, 2008.
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BOUNDARY ADJUSTMENT ACTION

TOWN OF CEDAR BLUFF & TOWN OF RICHLANDS, VIRGINIA

The County Administrator, Jim Spencer, provided each member of the Board of Supervisors a copy of the responses from the Towns of Richlands and Cedar Bluff with regard to the questions requested by the Board of Supervisors at their December 2, 2008 meeting relative to the proposed boundary adjustments. Copies were made available to the public as well.

Chairman Anderson then stated that he anticipated that the proposed boundary adjustments would continue to be an important topic. He said that over the past several years there have been friendly annexation proposals and unfortunately this particular boundary adjustment has developed into controversy.

Supervisor White said that he considered the Richlands boundary adjustment a friendly proposal, because the people most affected by the proposal did not object to the change. He further stated that both towns answered the questions extremely well, but the Town of Richlands proposed adjustment would be most beneficial and would clearly be able to handle all the services to the overall boundary adjustment area. With this in mind, Supervisor White moved that the Tazewell County Board of Supervisors approve the Town of Richlands Boundary Adjustment Agreement as proposed. The motion died for a lack of a second.

Supervisor Wimmer stated that the Town of Cedar Bluff was well deserved of the boundary adjustment proposal and continues to grow and would be able to handle all the services to the overall boundary adjustment area. He said that he understands that both he and Supervisor White knows what side they have to choose and apologized to Supervisor Hymes and Anderson for having to be deciding factor in the boundary adjustment decision, and reiterated that it was not taking sides, it was considered growth and it was way past time for Cedar Bluff to be given the opportunity to grow. With this in mind, Supervisor Wimmer then moved that the Tazewell County Board of Supervisors approve the Cedar Bluff Boundary Adjustment Agreement as proposed. The motion died for a lack of a second.

Now, Chairman Anderson stated that he did not believe that the Town of Cedar Bluff or Richlands wanted his vote or Supervisor Hymes vote to be

the deciding factor in the boundary adjustment proposal affecting the two localities. Therefore, he said that he thought the best solution to the problem would be for both towns to set down and work together and to reach a solution that would be advantageous to both towns. Then Supervisor Anderson moved that any action approved by the Tazewell County Board of Supervisors must also be approved by the Circuit Court. He said that whichever town is denied they would likely file suit in circuit court to block any decision in favor of the other. At the same time, these towns are already in court, litigating a boundary dispute along their mutual boundary. He further said that it seemed that whatever course the Board of Supervisors take, should ultimately be resolved by the Circuit Court. Therefore, he said to avoid prejudging either side in those proceedings, he moved that the Board of Supervisors take no action on these requests and recommend that both Towns file petitions with the Circuit Court to annex the territory, so the judicial system might resolve all issues between the parties. Supervisor White then said that the Board of Supervisors were elected to make decisions for the entire county. Supervisor Anderson said that either decision would end up in court. Now, Supervisor Hymes seconded the foregoing motion made by Supervisor Anderson with Supervisor Wimmer abstaining from the vote and which said motion was approved by a vote of 2 to 1, with Supervisor White voting nay and with Supervisor Rasnick absent from the meeting.

ORDINANCE TO REGULATE THE CONSTRUCTION OF TALL
STRUCTURES ON CERTAIN RIDGELINES IN TAZEWELL COUNTY,
VIRGINIA – PUBLIC HEARING AUTHORIZED

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes and directs that the County Administrator advertise a joint public hearing with the Tazewell County Planning Commission to hear concerns regarding a proposed ORDINANCE TO REGULATE CONSTRUCTION OF TALL STRUCTURES ON CERTAIN RIDGELINES IN TAZEWELL COUNTY, VIRGINIA. The joint public hearing will be held at the Tazewell Middle School, Tazewell, Virginia. The time of the public hearing will be announced at a later date. And, further, that the Board of Supervisors is hereby requested to contact the County Attorney or the Tazewell County Planning Commission by week ending, January 9, 2009, with regard to proposed Sections 15-110 Regulation of Mountain Ridge Construction, and unless otherwise specified, the advertisement for the public hearing will show Ridgeline as D-zone (the least stringent). A map outlining the protected mountain ridge lines will be advertised as well.

STORMWATER – RAIN GARDEN

– TAZEWELL COUNTY HEALTH DEPARTMENT

Jerry Wood, Town Manager, Town of Tazewell briefly addressed the stormwater/flood problem areas that have been identified along the Clinch River in the Town of Tazewell. He said that the Town of Tazewell applied for and was granted a \$200,000 WQIA grant to install six rain gardens and a series of 40 gabion structures to control the quantity and quality of storm water runoff along the Clinch River. He said that the Town of Tazewell is charged with the responsibility of protecting the water from pollutions and

that the Town has taken on the challenge and initiative to design and to install rain gardens in critical areas, one of which is located on the Tazewell County Health Department property, Ben Bolt Avenue, Tazewell. Mr. Wood said that in order to keep the funding the project at Ben Bolt must continue.

The Board of Supervisors, at their November 6, 2008 meeting, authorized and directed the County Attorney to write a letter to the Town of Tazewell, Virginia requesting that the Town of Tazewell make repairs to pit/hole at the health department to pre-damage condition. A deadline of December 1, 2008 was given to make the repairs.

Mr. Wood provided literature to the Board that included a design process and a report from a Growth Readiness Workshop held several years ago in which representatives from the County and Towns attended the workshops. He duly requested that the Town of Tazewell be permitted to continue because if the project is not completed the Town will have to return the \$200,000 WQIA grant money.

Now, following discussion and questions regarding the project funding, Supervisor Hymes moved to allow the Town of Tazewell to continue with the rain garden project on the property of the Tazewell County Health Department and further that any future rain garden projects proposed for construction on County property be prior approved by resolution of the Tazewell County Board of Supervisors. Further, that the rain garden located on the Health Department property be adequately maintained by the Town's maintenance department and that the Town be responsible and liable for any and all damages to the health department property that might result with regard to this project. The foregoing motion was seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent

from the meeting and with all members present voting in favor thereof and no one against the same.

TOURISM COMMITTEE – TOURISM ZONES IN THE COUNTY

Joan Yates, member of the Tazewell County Tourism Committee, thanked the Board for their support and said the Tourism Committee appreciated everything the Board of Supervisors do for the Tourism Committee. Mrs. Yates then requested that the Board adopt an ordinance to create a tourism zone in the County. She said that this was one of the goals set out in the Strategic Plan adopted by the Board several years ago. The tourism zone ordinance could provide tax incentives for up to 20 years and provide certain regulatory flexibility in a tourism zone. She said the latest statistics from the Virginia Tourism Corporation indicate that tourism in Tazewell County has increased 8.3% through the year 2007. Mrs. Yates said the goal of the Tourism Committee was to create new jobs and to bring more people to Tazewell County.

Randy Rose, Virginia Tourism Authority, spoke on the subject as well and said the proposal was relatively new legislation and there were not many examples throughout the State for comparison. He said the tourism zone incentives would be different for every locality depending on what the counties decide for the incentives. The Board of Supervisors would have complete control of the incentives offered.

Supervisor Anderson suggested that the tourism zone topic be included in the Comprehensive Plan and that this matter be brought before the Planning Commission and a recommendation from the Planning Commission be brought to the Board on this subject.

JOE ROBINSON – PLEASANT VALLEY ESTATES ROAD MATTER

Joe Robinson, a resident from the Pleasant Valley Estates area spoke to the Board concerning the lack of paving repairs to the Pleasant Valley Estates road. He said that Supervisor Wimmer advised him three months ago that there was \$12,000.00 budgeted for paving repairs to the Pleasant Valley Estates road and as of today they have one drain pipe. Gary Earp, County Engineer was present and said the road would be worked in the spring because the asphalt plants shut down before the County could get the materials to pave the road. Mr. Earp assured Mr. Robinson that the \$12,000.00 was set aside in the budget for the repairs once weather permits.

CITIZEN COMMENTS – UNSCHEDULED

The Chairman, Dave Anderson, called for citizens comments from the floor.

The following people addressed the board:

- William Osborne, Tannersville, Virginia requested that the upcoming budget advertisement in local newspapers be in larger print and show individual line items.
- Wayne Evans, Bluefield, Virginia spoke on the proposed Tall Structure Ordinance, Paragraph A, where windmills are excluded from the definition of tall buildings and structures. He said that the term windmill was not defined at all. He said he thought the ordinance was designed to regulate windmills and they are not defined. Mr. Evans requested that the ordinance be drafted more clearly.
- Don Giecek, Invenergy Wind, LLC, an independent developer and owner of a large scale power generation projects in North

America & Europe. The company is based in Chicago but he works in Virginia. He said that his company is engaging landowners and is discussing the potential for wind-energy projects in Southwest Virginia, including Tazewell County. The development process usually takes three to five years from start to finish. He said that his company supports the County's effort to be proactive and to plan for proper management of a facility and location. He said the Board should consider local revenue enhancement and to plan for decommissioning. He said that there is a large stimulus in the project including long-term employment provided. In closing Mr. Giecek said that he would be happy to serve as resource while the Board is considering these matters. Supervisor Anderson requested that Mr. Giecek look at the County's proposed ordinance and provide feed-back as well as attend the public hearing on this subject on February 3, 2009. He further requested that his company provide an open-house/or provide pictures in order for the public to review.

- Rebecca Peterson, 1221 Triangle Road, Bluefield, VA 24605. She said that she and her husband own property on the north side of 460 opposite of East River Mt. She wanted to know if there had been studies on other ridges in the area other than East River Mt. She said that they owned property on Stoney Mt. Ridge. The County Administrator said the he would provide a map to Ms. Peterson that showed all the red areas and hot spots.

- Teresa Paine, Bluefield, VA 24605 voiced opposition to the construction of windmills in the County. She said the wind turbines would deter the County's beauty and would drop property values and would be a tremendous deficient to our area.
- Will Adams, Pounding Mill spoke from the floor and said that he could not hear the board members or citizen comments and requested that the sound system be turned up.
- Jerry Blackburn, 1260 Burton Hollow Road, Tazewell, VA 24605. He said that Cave Springs, headwater of the Clinch was in his back door and he is also an adjoining property owner of the proposed wind farm area. Mr. Blackburn spoke of the proposed road that ties the Cove Creek section end with Dial Rock. He further said that he was not necessarily opposed to the economic advantages of the wind turbines, but he was against the construction of a road in that area.

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

REGISTRAR'S OFFICE – ELECTRONIC POLL BOOKS AND ASSOCIATED EXPENSES

Upon request and presentation by Sandra Warden, Secretary of the Tazewell County Electoral Board, with Debbie Barrett, County Registrar & Shea Cook, Electoral Board member in attendance as well, and upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent, and with all members present

voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves a transfer of \$14,867.54 from the Contingent & Grant Resource Account, Account No. 91050-7041, to the Registrar's budget (this was received in July 2008 and deposited in the County's General Fund) as a reimbursement from the State from the February Presidential Primary, and hereby further approves the amount of \$5,024.46 from the FY2008-09 Contingency Fund, Account No. 91050-7023, to cover expenses associated with the purchase of Electronic Poll Books & Equipment for the Tazewell County Registrar's office. The total estimated expenses for the electronic poll books & associated equipment was announced at \$19,892.00.

EMERGENCY SERVICES REPORT

& RECOMMENDATION

1999 JEEP CHEROKEE

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby grants approval for the Rescue 945 to use the 1999 Jeep Cherokee, green in color, VIN # 154FJ28597L324361 and that the vehicle remain in the name of Tazewell County for insurance purposes.

BAPTIST VALLEY \$20,000.00 ESCROW

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by vote of 4 to 0, with Supervisor Rasnick absent, and 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 County Administrator to send a certified letter to the Baptist Valley Fire Department and request that they provide to the County of Tazewell verification of the \$20,000.00 plus interest that was allocated to the Baptist Valley Fire Department to use for the construction of an additional bay or to acquire a new building to house a rescue squad. And further, that the \$20,000 plus interest be returned to the County which shall be set aside in a special building fund for the Baptist Valley Fire/Rescue Volunteer Department. Copies of the letter shall be also be sent to Howard Rose and Keith Rhudy.

APPOINTMENTS

Airport Authority – One at-large appointment to the Tazewell Airport Authority was deferred to the February 3, 2009 regular meeting.

Disability Services Board – One at-large appointment was deferred. Then, upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent, the Tazewell County Board of Supervisors hereby reappoints Mrs. Linda Hayes, 107 Maple Street, Tazewell, Virginia 24651 as a member of the Tazewell County Disability Services Board, with a term commencing January 1, 2009 and expiring December 31, 2011 (three-year term).

Social Services Board

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent, the Tazewell County Board of Supervisors hereby appoints Ms. Veda Counts,

248 Maple Street, Pounding Mill, VA 24637 as a member of the Tazewell County Social Services Board with a term commencing January 1, 2009 and expiring December 31, 2012 (four (4) year term). This appointment fills the expiring term of Earl W. Griffith.

Regional Jail Authority

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby appoints Patricia Green, Assistant County Administrator, 108 East Main Street, Tazewell, Virginia 24651, to serve as a member to represent the Board of Supervisors on the Southwest Virginia Regional Jail Authority. This appointment replaces the County Administrator, Jim Spencer. Mr. Spencer's eventful schedule does not permit to attend.

Tazewell County Orphan Road Committee

The County Attorney, Eric Young will draft guidelines for the proposed Tazewell County Orphan Road Committee and send each Board member a copy for their review. The County Administrator suggested that the proposed committee consist of individuals who live on one of the orphan roads or who has construction or road building experience to qualify as a member. He further said that the County Engineer, Gary Earp suggested that the committee meet twice a year, once in the spring and fall. It was a consensus of the Board to appoint members to the Orphan Road Committee once a procedure is drafted and presented to the Board of Supervisors.

COMPREHENSIVE PLAN – JOINT PUBLIC HEARING

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the

meeting, and 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 to advertise for a joint public hearing with the Tazewell County Planning Commission to be held on February 3, 2009 to hear concerns regarding the Tazewell County Comprehensive Plan. The public hearing will be held at the Tazewell Middle School, Tazewell, Virginia.

ZONING – REQUEST FOR PROPOSALS

Jim Spencer, County Administrator reported the County's receipt of two RFP's for a zoning consultant. He suggested that the RFP committee appointed by the Board at their December 2, 2008 meeting complete the interviews the second or third week of January. Board of Supervisor representatives on the RFP zoning committee are Supervisor Hymes and Supervisor White.

SPANDEK BOND PAYOFF

The County Attorney, Eric Young stated that the recent bond repayment by Spandek was paid directly to the Board Trustee pursuant to the redemption provisions of the 1998 Bond Issue Agreement. No proceeds were received by the County Government for the Industrial Development Authority. He further said that the Industrial Development bonds are sold to investors and the proceeds are loaned to the industry. When the industry repays the bonds, the repayment funds are held in trust to repay the investors. The IDA and county government do not receive any funds other than reimbursement for their costs involved in issuing the bonds.

BLUESTONE REGIONAL BUSINESS AND TECHNOLOGY UPDATE

The County Administrator, Jim Spencer, stated that the County is working diligently trying to get the Bluestone Regional Business & Technology Center out to bid. Another endangered species study will need to be done prior to breaking ground on the project.

BUILDING INSPECTORS MONTHLY REPORT

The County Administrator reported that the monthly report for the County Building Inspector's Office would continue to be e- mailed out to each board member. He said that the Town of Bluefield does it own inspections therefore contributing to the lower number of permits in the Eastern District.

911 OFFICE RELOCATION UPDATE

The County Administrator stated that he scheduled and held a meeting with Appalachian Agency for Senior Citizens (AASC) who currently occupies the old cafeteria at the former Social Services building. AASC informed the County that over \$15,000 meals were prepared in the commercial kitchen last year, some of which were home delivery. The kitchen is vital to the AASC operation. It was a consensus of the 911 Relocation Committee to leave AASC (Sr. Citizen facility) in their current space and offer the old courtroom space as the proposed new 911 Center. A pre-examination of the old courtroom facility is needed to determine exactly what the County needs to do to make the facility operational for the 911 Center. Mr. Spencer stated that a gentleman from North Carolina originally from Bluefield, WV, and a retired colonel, with expertise in this field, will meet with county officials on Friday, January 16 at 9:00 a.m. He designed a 911 Center in Amherst, Virginia. There is no fee or contract with him and he is performing the service free of charge.

Supervisor Wimmer reiterated the County's need for a dollar amount for the 911 relocation process.

POCAHONTAS HIGH SCHOOL LOCKERS

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the donation of the wooden lockers located in the Pocahontas High School Football Locker room to the Tazewell High School Wrestling Club and that THS Coach Chuck Burton be notified of this action and be permitted to inspect and choose the wooden lockers that would be most beneficial to the THS Wrestling Club.

VIRGINIA DEPARTMENT OF HEALTH - \$34,449.88

The County Administrator stated that at the present time, the County is not going to grant the Health Department's request to re-appropriate the \$34,449.88 back to their budget. He said that this amount would come back to the county. The County may entertain a future request from the health department.

PROPOSED ETHIC'S HOTLINE (RFP)

The County Attorney, Eric Young, stated that the personnel committee met and reviewed the RFP's for the proposed Ethic's Hotline. The leading candidate was an agency that was procured through the National Association of Counties (NACo).

The fee for this service for employees under authority of the County Administrator would be \$25.00 per month. The County Attorney noted that following negotiations, the firm does not provide a method of responding to

the person who made the complaint. He said the Committee would need to decide how important it was for the complainant to receive a response; a new level of costs would occur if this takes place. Supervisor Hymes said that feedback needs to be closed somehow. He further said that he thought any person or agency receiving money from the County should be included in the Ethic's Hotline proposal.

TOWN OF TAZEWELL & COUNTY

BOUNDARY ADJUSTMENT PROPOSAL – PUBLIC HEARING

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and 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 to hold a joint public hearing with the Town of Tazewell at the March 3, 2009 regular meeting with regard to a proposed boundary adjustment agreement.

VACO – RESOLUTION REGARDING THE COMMONWEALTH' S FY2009-10 BUDGET

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a resolution offering budget and revenue recommendations for the 2009 legislative session to the Governor and Virginia General Assembly, contingent upon approval of the County Attorney. A copy of same will be

on file in the office of the Tazewell County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

LEGISLATIVE MEETING – TAZEWELL COUNTY COUNCIL

The County Administrator said that the Tazewell County Council, Annual Legislative meeting in Richmond has been set for January 28-30. Meetings with different legislative departments and state agencies will be held on Thursday 29, 2009.

ANIMAL SHELTER - \$6,000 DESIGN OF SEWAGE TREATMENT SYSTEM

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$6,000.00 payable to Maxim Engineering, Inc. 514 Front Street, W. PO Drawer 1997, Coeburn, VA 24230-1997, from the Animal Shelter Capital Outlay, Account No. 3507-8109. This is for the bid on the design of the sewage treatment system for the Tazewell County Animal Shelter. 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.

MAINTENANCE CONTRACT – BAILEY & WELLS

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby

approves and awards a Maintenance Contract to Bailey & Wells PO Box 370 Pounding Mill, Virginia 24637 to perform on an as needed emergency basis, “operators & equipment” to execute various projects throughout the County. This action is contingent upon final approval of the County Attorney, and once approved by same, the County Administrator is hereby authorized, empowered and directed to enter into and execute all documents relating to this action. A copy of the contract, once executed will be on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

K9 JAKE TO RADFORD POLICE DEPARTMENT

Upon motion of Supervisor White, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and approves the release and transfer of K-9 Jake from the Tazewell County Sheriff’s Department to the Radford Police Department.

CAREER FAIR – USE OF NUCKOLLS HALL TABLE & CHAIRS FOR ONE-DAY EVENT

Upon motion of Supervisor White, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby grants a one-time permission for the Career Fair Event – scheduled for January 13, 2009 at Tazewell High School to borrow 40 tables and 80 chairs from the Nuckolls Hall/Fairground facility, under the discretion of the County Administrator.

PARTNERSHIP AGREEMENT –
CLINCH VALLEY COMMUNITY ACTION - BLUESTONE
WORKFORCE TRAINING CENTER – YOUTH BUILD GRANT
APPLICATION

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 3 to 0, with Supervisor Wimmer abstaining and with Supervisor Rasnick absent, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to enter into and execute on behalf of the Tazewell County Board of Supervisors an agreement by and between the County of Tazewell, a political subdivision of the Commonwealth of Virginia doing business at the Bluestone Workforce Training Center (BWTC), and Clinch Valley Community Action (CVA) ([acting as sub-contractor of the Wise Workforce Center, (WWC)]). The Wise Workforce Center is submitting a proposal for a Youth-build grant to further objectives to assist very low income young people between the ages of 16 & 24 in the counties served by Workforce Area One. The in-kind monetary value of the services is \$50,000.00 over the life of the grant. There will be no funds paid to the Bluestone Workforce Training Center as part of this partnership agreement. A copy of the agreement, once executed, will be on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

TOWN OF RICHLANDS – DCJS GRANT

Upon motion of Supervisor White, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent and with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the application by the Town of Richlands of a DCJS – Grant in an approximate amount of \$350,000.00 with Memmex for hardware, software, lights and update equipment. Further, that the approval be contingent upon legal review and approval from the grant monitor who is charged with the responsibility of authorizing the amount of grant funds paid and the grant monitor will also make certain that the equipment will be purchase from no other company. The County of Tazewell will manage the grant and will have no monies involved the grant transaction, except for a minimal amount that will be allocated to the County for administering the grant funds. Chief Puckett, Town of Richlands will forward a grant letter to the County outlining the application process. A copy of the grant will be on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

RESOLUTION –

SAFE IN OUR COMMUNITIES, CVCA, INC.

Upon motion of Supervisor Hymes, seconded by Supervisor White, and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, 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 authorizing the application for recognition by the Attorney General’s Community Recognition Program for Promising Practices in Domestic Violence Response and that the Tazewell County Board of Supervisors fully supports all reasonable efforts to meet the application

requirements established by the Office of the Attorney General for such application and that the Board of Supervisors fully endorses and designates Clinch Valley Community Action, Inc. to represent Tazewell for participation in this program.

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 24651.

Supervisor Hymes suggested that the County Administrator consider placing county surplus equipment on govdeals.com. He said that this would be a good way for the County to get rid of old surplus as well as searching for needed items/equipment for the County.

ROTC – TEACHER ACKNOWLEDGMENT

Supervisor White requested that the resolution acknowledging the ROTC teachers be deferred until the County Administrator's office receives further information.

FALLS MILLS SCHOOL PROPERTY – PUBLIC HEARING AUTHORIZED FOR EASEMENT – SEWER & POTENTIAL WATER PROJECT

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes and directs the advertisement for a public hearing by the Board of Supervisors to consider the dedication of a water & sewer easement for the development of a private lot adjacent to the Falls Mills School property. The development in

question would involve an easement across County owned property for sewer services and potential water services which requires a public hearing to consider the disposition of same.

EXECUTIVE/CLOSED SESSION

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby enters into an executive/closed meeting pursuant to Virginia Code, Section 2.2-3711:

- A-6 The investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the County may be adversely affected involving CVCA, Pre-Trial Program
- A-1 Personnel - Two (2) matters involving County Administration
- A-7 Legal Consultation involving a consultant's invoice for services
- A-7 Legal Consultation involving solid waste matter
- A-6 The investment of public funds where competition or bargaining is involved, where if made public initially, the financial interest of the County may be adversely affected involving the Landfill/Convenience area.

RETURN/CERTIFICATION/REPORT OF ACTION

Now, upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed meeting, pursuant to Virginia Code Section 2.2-3712 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 meeting 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 5 to 0:

- Supervisor White – Aye
- Supervisor Hymes – Aye
- Supervisor Anderson – Aye
- Supervisor Rasnick – Absent
- Supervisor Wimmer – Aye

REPORT OF ACTION AS A RESULT OF THE EXECUTIVE/CLOSED MEETING:

AGREEMENT – CLINCH VALLEY COMMUNITY ACTION, INC. – CONTRACT TO PROVIDE COMMUNITY CORRECTION SERVICES TO THE COUNTY OF TAZEWELL (PRE-TRIAL PROGRAM)

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 3 to 0, with Supervisor Wimmer abstaining, and with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes the Chairman of the Board of Supervisors to execute, on behalf of the Board of Supervisors, an agreement

between Clinch Valley Community Action, Inc. and the County of Tazewell, Virginia, to provide Community Correction Services to the County of Tazewell, Virginia – Pre-trial Program, for an amount not to exceed \$65,000.00 ([1/2 \$32,500.00]) Said monies are hereby further approved from the County’s Contingent Expenditure & Grant Account, No. 91050-7041. A copy of the agreement in a form as hereby approved and as executed is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

THOMPSON & LITTON –

CHANGE ORDER FOR TAZEWELL COUNTY LANDFILL
CONVENIENCE CENTER, T & L PROJECT NUMBER 8243-05

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 3 to 1, with Supervisor White voting nay and with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby approves a change order for the Tazewell County Landfill Convenience Center, T & L Project No. 8243-05 in the amount of \$10,425.10 - subcontract, Little B. Enterprises, Inc. from Landfill Account 42050-8167 Phase IV-A Construction. These services shall replace base stone, install guardrail next to the wall, install trash chute, and the installation of five foot precast concrete curb stops in the parking lot. A copy of the change order in a form as hereby approved is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

COUNTY ADMINISTRATOR’S EMPLOYMENT CONTRACT

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes and approves an extension of the County Administrator's current employment contract to February 6, 2009.

TCBOS RESIGNATION PROCESS

Supervisor Anderson requested that the County Attorney provide the Board with a set of guidelines/legal requirements with regard to the Board's consideration of an appointment as a result of Mr. Rasnick's forthcoming resignation as a member of the Tazewell County Board of Supervisors. He said that he thought the Board should accept resumes and conduct interviews accordingly. The County Attorney said that the board had 45 days from the date Mr. Rasnick officially resigns to appoint a replacement. The circuit court judge will confirm the appointment. If the Board does not consider an appointment within the 45 day time-line, the circuit court judge will choose an individual for the appointment. The selection will be a pro tem appointment until the November 2009 election.

MODEL ORDINANCE – CELL TOWERS

Supervisor Hymes requested that the County Attorney contact Bland County, Virginia and request a copy of their Cell Tower Ordinance. He said that the County needs to implement a similar ordinance regulating cell towers and to include a provision requiring bonds on the towers. As it stands now, the County would be responsible for removing the towers and the County has no money to do so.

LAW SUIT AGAINST SCHOOL SYSTEM –UPDATE

Supervisor White requested an update on the recent lawsuit against the school system and County. Eric Young, County Attorney said that the Attorney representing the County neglected to advise him that the County and School Board had been dismissed from the lawsuit. However, he said that it was his understanding that suits against the individuals named in the lawsuit are still on-going.

LANDFILL – CURB SIDE GARBAGE PICK UP

Supervisor White requested that the County Administrator schedule a meeting with the private companies who have a potential interest in curb-side garbage pick-up in Tazewell County. The County Administrator said that he and several county employees have already started an internal investigation with regard to the pros and cons on this topic.

Supervisor Wimmer requested that a date be scheduled to meet with the gentleman regarding the PSA fire hydrant issue. The County Administrator said that this matter would be addressed at the January 12, 2009 PSA meeting.

Supervisor White announced that Darrell Addison resigned as a member of the Emergency Services Committee.

TOWN OF CEDAR BLUFF, VIRGINIA – COMMUNITY WATCH PROGRAM \$1,000.00 – WESTERN DISTRICT FUNDS

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the

meeting, and with all members present voting in favor thereof, the Tazewell County Board of Supervisors hereby authorizes and approves the amount of \$1,000.00 from the Western District Fund, payable to the Cedar Bluff, Virginia 24609, Community Watch Program. 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.

COMCAST CABLE RATES – RESOLUTION OPPOSING

Upon motion of Supervisor Anderson, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and with all members present voting in favor thereof, the Tazewell County Board of Supervisors hereby authorizes and directs the County Attorney to draft a resolution opposing the most recent rate increase implemented by Comcast Cable Company. A copy of the resolution, once executed will be on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

**BUDGET COMMITTEE TO MEET AS SOON AS POSSIBLE –
AND UNITED WAY TEMPLATE BE USED AS GUIDE TO SEND
COUNTY AGENCIES FY09-10 BUDGET REQUEST INFORMATION**

It was a consensus of the Board of Supervisors to begin the FY09-10 Budget process as soon as possible and that the United Way template be used as a guide to send to county agencies seeking budget requests for FY09-10.

ADJOURN

Now, there being no further business to be transacted, and upon motion Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick absent from the meeting, and 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 will be held Tuesday, February 3, 2009 at 5:30 p.m., 108 East Main Street, Tazewell, Virginia.

David R. Anderson, Chairman

By: rg

Recess time 11:40 p.m.