

**VIRGINIA – AT A RECESSED MEETING OF THE TAZEVELL COUNTY BOARD OF SUPERVISORS  
HELD JUNE 29, 2007 AT 5:30 P.M. IN THE TAZEVELL COUNTY PUBLIC  
SERVICE AUTHORITY BUILDING, TAZEVELL, VIRGINIA 24651**

**PRESENT: WILLIAM B. “BILL” RASNICK, CHAIRMAN  
BILL WIMMER, VICE-CHAIRMAN  
EARL GRIFFITH, MEMBER  
DAVE ANDERSON, MEMBER  
D. MICHAEL HYMES, MEMBER  
JIM SPENCER, COUNTY ADMINISTRATOR  
ERIC YOUNG, COUNTY ATTORNEY  
PATRICIA GREEN, ASSISTANT COUNTY ADMINISTRATOR  
RUTH GROSECLOSE, ADMINISTRATIVE ASSISTANT  
MEMBERS OF THE PRESS**

**ABSENT: NONE**

**MINUTES**

The Chairman of the Board of Supervisors, Bill Rasnick, called the recessed meeting to order and presided with all members in attendance.

Supervisor Hymes gave the invocation with Supervisor Griffith leading those in the pledge of allegiance.

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**AGENDA APPROVED**

Upon motion of Supervisor Griffith, 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 June 29, 2007 agenda format as hereby amended.

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**EXECUTIVE/CLOSED MEETING**

Upon motion of Supervisor Wimmer, seconded by Supervisor Griffith 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:

- o A-7 Legal matter involving a junkyard permit
- o A-7 Legal matter involving a road right-of-way
- o A-7 Legal matter involving a personnel suit
- o A-6 Discussion involving contract negotiations for transportation of solid waste

Now, upon motion of Supervisor Wimmer, seconded by Supervisor Griffith 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 the matters specifically identified in the motion to convene 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 Hymes –	Aye
Supervisor Wimmer –	Aye
Supervisor Rasnick-	Aye
Supervisor Griffith –	Aye
Supervisor Anderson –	Aye

**ACTION AS A RESULT OF THE EXECUTIVE/CLOSED MEETING**

There was no action to report as a result of the executive/closed meeting.

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**TAZEVELL COUNTY BUDGET PRESENTATION  
FY07-08**

Jim Spencer, County Administrator, presented a power-point presentation that showed funding graphs with regard to where County money comes from and what funds the Board of Supervisors basically control. The charts indicated that school funding has increased from \$45,357,665 in FY2000 to \$58,480,122 in 2007, while school enrollment has declined by nearly 440 students.

The presentation focused on teacher salaries in Tazewell County versus other teacher salaries in surrounding Virginia counties, as well as comparing the average teacher salaries to the average household income in the County. The

average FY2007 teacher salary in Tazewell County, based on information from the Virginia Department of Education Salary Survey is \$42,872.00.

Kathy McClanahan a resident and teacher in Tazewell County said that the figures as presented were not exactly right. She said that the numbers could be read in different ways. She stated that it appears that Tazewell County teachers are making more because there are so many teachers in the County on the high end of the scale. She suggested that the Board of Supervisors look at the teachers on the low end of the scale who are young and just starting their careers.

The Chairman thanked Ms. McClanahan for her comments and the County Administrator for the budget presentation.

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## TAZEWELL COUNTY BUDGET MATTERS

### TAZEWELL COUNTY BUDGET AMENDMENTS APPROVED FY07-08

Now, upon motion of Supervisor Griffith, 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 Tazewell County Budget amendments to the proposed Tazewell County Budget Ordinance as hereby recommended by the Tazewell County Budget Committee. A copy of the complete list of the budget amendments is attached hereto and incorporated hereby by reference thereto, dated June 29, 2007:

## Tazewell County Budget, FY07-08 As Amended from Advertisement Revenue & Expense Summary FY2007-2008

### General Fund

<u>Account Title</u>	<u>Net Change</u>
<u>BEGINNING BALANCE AS ADVERTISED:</u>	<u>\$ 1,000,000</u>
<u>REVENUE AS ADVERTISED:</u>	<u>\$ 42,154,642</u>
<u>Additions/Subtractions to Advertised FY2007-2008 Budget:</u>	
<u>Increase Beginning Balance</u>	<u>\$ 575,672</u>
<u>MOU Staff Support Grant</u>	<u>\$ 7,750</u>
<u>Interest on Investments</u>	<u>\$ 50,000</u>
<u>Federal Reim. - Workforce Investment Act</u>	<u>\$ 200,000</u>
<u>Library of Virginia Records Preservation Grant</u>	<u>\$ 4,536</u>
<u>Transfer from Other Funds</u>	<u>\$ (50,000)</u>
<u>Total Revenues with Adjustments:</u>	<u>\$ 43,942,600</u>
<u>EXPENDITURES AS ADVERTISED</u>	<u>\$ 43,135,333</u>
<u>Additions/Subtractions to Advertised FY2007-2008 Budget:</u>	
<u>At Risk Youth &amp; Family - Contractual Services</u>	<u>\$ 7,750</u>
<u>Finance Department - Contractual Services</u>	<u>\$ 660</u>
<u>Clerk of Court - Records Preservation Grant</u>	<u>\$ 4,536</u>
<u>Workforce Consortium</u>	<u>\$ 200,000</u>
<u>Fire Department Capital</u>	<u>\$ 55,000</u>
<u>Road Fund Carryovers:</u>	
<u>Eastern - Road Fund</u>	<u>\$ 39,346</u>
<u>Northern - Road Fund</u>	<u>\$ 54,688</u>
<u>Western - Road Fund</u>	<u>\$ 3,936</u>
<u>Youth Sports/Activities Carryovers:</u>	
<u>Northern District Fund</u>	<u>\$ 2,830</u>
<u>Southern District Fund</u>	<u>\$ 1,255</u>
<u>District Fund Carryovers :</u>	
<u>Eastern District Fund</u>	<u>\$ 34,759</u>
<u>Northern District Fund</u>	<u>\$ 16,200</u>
<u>Northwestern District Fund</u>	<u>\$ 6,253</u>
<u>Southern District Fund</u>	<u>\$ 1,965</u>
<u>Western District Fund</u>	<u>\$ 14,440</u>
<u>Transfer to School System</u>	<u>\$ 400,000</u>
<u>Transfer from Coal Severance Fund</u>	<u>\$ (50,000)</u>
<u>Total Additions to Expenditures:</u>	<u>\$ 793,618</u>
<u>Total Expenditures with Additions:</u>	<u>\$ 43,928,951</u>
<u>Ending Balance after Adjustments:</u>	<u>\$ 13,649</u>

### Capital Projects Fund:

<u>Account Title</u>	<u>Net Change</u>
BEGINNING BALANCE AS ADVERTISED:	\$ 5,497,931
REVENUE AS ADVERTISED:	\$ 11,502,106
<b>Additions/Subtractions to Advertised FY2007-2008 Budget:</b>	
Decrease Beginning Balance	\$ (400,000)
Bluestone - Wired Grant	\$ (1,000,000)
ISTEA - Walking Trail Grant	\$ 300,000
<b>Total Revenues with Adjustments:</b>	<b>\$ 15,900,037</b>
EXPENDITURES AS ADVERTISED:	\$ 16,761,640
<b>Additions/Subtractions to Advertised FY2007-2008 Budget:</b>	
Industrial Park Payment - Stowers Property	\$ (400,000)
Bluestone - Wired Grant	\$ (1,000,000)
Walking Trail Grant	\$ 300,000
<b>Total Additions to Expenditures:</b>	<b>\$ (1,100,000)</b>
<b>Total Expenditures with Additions:</b>	<b>\$ 15,661,640</b>
<b>Ending Balance after Adjustments:</b>	<b><u>\$ 238,398</u></b>

**School Fund:**

<u>Account Title</u>	<u>Net Change</u>
BEGINNING BALANCE AS ADVERTISED:	\$ -
REVENUE AS ADVERTISED:	\$ 58,883,066
<b>Additions/Subtractions to Advertised FY2007-2008 Budget:</b>	
Increase in Beginning Balance	\$ 458,532
Increase in Transfer from General Fund	\$ 400,000
Interim Financing Proceeds	\$ 350,000
<b>Total Revenues with Adjustments:</b>	<b>\$ 60,091,598</b>
EXPENDITURES AS ADVERTISED:	\$ 58,883,066
<b>Additions/Subtractions to Advertised FY2007-2008 Budget:</b>	
Facilities - RHS Field House Construction	\$ 350,000
Instruction	\$ 858,532
<b>Total Additions to Expenditures:</b>	<b>\$ 1,208,532</b>
<b>Total Expenditures with Additions:</b>	<b>\$ 60,091,598</b>
<b>Ending Balance after Adjustments:</b>	<b><u>\$ -</u></b>

**COAL ROAD IMPROVEMENT FUND:**

<u>Account Title</u>	<u>Net Change</u>
BEGINNING BALANCE AS ADVERTISED:	\$ 900,000
REVENUE AS ADVERTISED:	\$ 500,000
<b>Additions/Subtractions to Advertised FY2007-2008 Budget:</b>	
<b>Total Revenues with Adjustments:</b>	<b>\$ 1,400,000</b>
EXPENDITURES AS ADVERTISED:	\$ 623,000
<b>Additions/Subtractions to Advertised FY2007-2008 Budget:</b>	
Coal Road Improvements	\$ 275,000
Transfer to General Fund	\$ (50,000)
<b>Total Additions to Expenditures:</b>	<b>\$ 225,000</b>
<b>Total Expenditures with Additions:</b>	<b>\$ 848,000</b>
<b>Ending Balance after Adjustments:</b>	<b><u>\$ 552,000</u></b>

**911 FUND:**

<u>Account Title</u>	<u>Net Change</u>
BEGINNING BALANCE AS ADVERTISED:	\$ 85,000
REVENUE AS ADVERTISED:	\$ 484,000
<b>Additions/Subtractions to Advertised FY2007-2008 Budget:</b>	
Increase Beginning Balance	\$ 45,000
<b>Total Revenues with Adjustments:</b>	<b>\$ 614,000</b>
EXPENDITURES AS ADVERTISED:	\$ 566,509
<b>Additions/Subtractions to Advertised FY2007-2008 Budget:</b>	
Vehicle Purchase	\$ 20,000

<u>Telecommunications - Network Control Modems</u>	<u>\$ 2,745</u>
<u>Total Additions to Expenditures:</u>	<u>\$ 22,745</u>
<u>Total Expenditures with Additions:</u>	<u>\$ 589,254</u>
<u>Ending Balance after Adjustments:</u>	<u>\$ 24,746</u>

**SUMMARY ALL FUND:**

**Account Title**

<u>BEGINNING BALANCE AS ADVERTISED:</u>	<u>\$ 12,807,110</u>
<u>REVENUE AS ADVERTISED:</u>	<u>\$ 108,369,945</u>
<u>Additions/Subtractions to Advertised FY2007-2008 Budget:</u>	
<u>Change in Beginning Balance</u>	<u>\$ 679,204</u>
<u>Change in Current Revenues</u>	<u>\$ (137,714)</u>
<u>Total Revenues with Adjustments:</u>	<u>\$ 121,718,545</u>
<u>EXPENDITURES AS ADVERTISED:</u>	<u>\$ 116,868,804</u>
<u>Additions/Subtractions to Advertised FY2007-2008 Budget:</u>	
	<u>\$ 749,895</u>
<u>Total Additions to Expenditures:</u>	<u>\$ 749,895</u>
<u>Total Expenditures with Additions:</u>	<u>\$ 117,618,699</u>
<u>Ending Balance after Adjustments:</u>	<u>\$ 4,099,846</u>

**TAZEWELL COUNTY BUDGET ADOPTED**

**FY2007-2008**

Now, after a public hearing on the proposed budget for fiscal year FY2007-2008 was duly held on June 5, 2007, in accordance with applicable Virginia Codes, and which public hearing was advertised in a local newspaper having general circulation within Tazewell County, with said certificate of publication attached hereto and incorporated herein by reference, and after amendments were made to the aforementioned budget by a vote of 5 to 0, and now upon motion of Supervisor Griffith, 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 "AN ORDINANCE ADOPTING LOCAL LEVIES AND BUDGET FOR THE COUNTY OF TAZEWELL, VIRGINIA, FOR FISCAL YEAR BEGINNING JULY 1, 2007 AND ENDING JUNE 30, 2008 IN ACCORDANCE WITH SECTION 15.2-2500 & 15.2-2507 OF THE CODE OF VIRGINIA, 1950, AS AMENDED" to be effective July 1, 2007 at 12:01 a.m. A copy of the complete budget ordinance as hereby amended and has hereby adopted in its amended form is on file in the office of the County Administrator. The roll call vote as hereby recorded adopting said budget ordinance is set forth below:

- o Supervisor Hymes Aye
- o Supervisor Wimmer Aye
- o Supervisor Rasnick Aye
- o Supervisor Griffith Aye
- o Supervisor Anderson Aye

**TAX LEVIES ADOPTED, FY07-08**

Upon motion of Supervisor Griffith, 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 and fixes the tax rates and levies for the current year and calendar years FY2007-2008 in accordance with Section 58.1-3001 of the Code of Virginia, 1950, as amended. A complete copy of the tax rates and levies as hereby adopted and fixed are set forth in the County Budget Ordinance as hereby adopted, and which said budget ordinance in its amended form as adopted, is attached hereto and incorporated herein by reference thereto.

**ANNUAL APPROPRIATION OF COUNTY FUNDS, FY2007-2008**

Upon motion of Supervisor Griffith, 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 AN ANNUAL APPROPRIATION for the operation of all General County Agency Budgets, to be effective July 1, 2007 at 12:01 a.m. except that the School Board Fund for FY2007-2008 be hereby appropriated in the following major classifications, upon motion of Supervisor Griffith, seconded by Supervisor Anderson and adopted by a vote of 4 to 1, with Supervisor Hymes voting nay:

- o Administration/Attendance/Health

- Instruction
- Operation & Maintenance
- Other School Food Services
- Pupil Transportation
- Facilities
- Debt Service
- Technology

A complete copy of the FY2007-2008 Budget Ordinance in its amended form setting forth these funds is attached hereto and incorporated herein by reference thereto.

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#### **QUARTERLY MEETINGS REQUESTED WITH SCHOOL BOARD**

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 requests that quarterly meetings with the Tazewell County School Board be held in order to initiate the FY2008-2009 budget process. The Board of Supervisors agreed to appoint Supervisor Wimmer and Supervisor Griffith as alternate members of the Tazewell County Budget Committee. They will serve in the absence of Supervisor Rasnick and Supervisor Anderson. The County Administrator was further requested to coordinate the dates, times and places for the quarterly meetings.

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Supervisor Wimmer stated for the record, that he thought the June 5, 2007 motion regarding the \$350,000 was additional monies from the County to the School Board. He said that he seconded the motion with the understanding that the \$350,000 would be additional funding to the school system and paid back to the County when the School Financing monies were obtained.

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#### **CITIZEN COMMENTS – UNSCHEDULED**

Ms. Thelma Massey, representing the Tazewell Education Association (TEA) questioned the Board of Supervisors June 5 support of the 5% salary increase for teachers. She wanted to know what changed their minds and reiterated that the Board of Supervisors are the stewards of Tazewell County. She told the board that several years ago, following her husband's unemployment, she was forced to give up her health insurance to make ends meet and had to sign up on state funded insurance assistance for her children. She further said that many teachers have to work second jobs to make ends meet, or they tutor or teach homebound students for extra pay.

Mike Dennis, School Board Chairman, said that the School Board needed a total of \$3.3 million in order to give school employees the 5% increase, plus step, and that \$1.5 million of the \$3.3 million would need to come from the County.

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#### **CONSENT CALENDAR APPROVED**

Upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Rasnick abstaining, 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". 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 warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia. Further, that the Lubricant bids are hereby rejected and that quotes for name brands of lubricant products be obtained pursuant to the County's Small Purchasing Procedures and awarded accordingly.

#### **ANNUAL BIDS**

Approved the annual bids for July 1-2007 – June 30, 2008 as follows, except that the lubricants (oil) bids are hereby rejected and that the lubricant bids be purchased under the County's small procurement purchases procedures.

Tires – to Kidd Tire, 127 Walnut Street, North Tazewell, Virginia 24630

Fuel - to Petroleum Products, Inc. – PO Box 459, 200 Viscose Road, Nitro,  
WV 25143

Lubricants – rejected all bids.

Pest Control – to Goodman Pest Control, Inc. PO Box 613, Marion, VA 24354

LP GAS – to Ferrellgas, 611 West Riverside Drive, North Tazewell, VA 24630

#### **DARE SUPPLIES ACCOUNT**

Approved the transfer of \$500.00 from the Contingent Expenditures & Grant Account No. 91050-7041 to the DARE SUPPLIES ACCOUNT No. 31060-6021. This is a donation from Jewell Ridge Smokeless Coal Company to the **DARE PROGRAM.**

**CUMBERLAND PLATEAU REGIONAL HOUSING AUTHORITY –  
WAIVER OF CPRHA PAYMENT IN LIEU OF TAXES**

Approved the Cumberland Plateau Regional Housing Authority – PO BOX 1328, Lebanon, Virginia 24266, request for waiver of the Authority's payment in lieu of taxes in order for the Housing Authority to maintain and a reserve account in an acceptable amount per the Department of Housing and Urban Development's requirements. The amount of the taxes is \$8,150.34.

**RICHLANDS FIRE & RESCUE - \$3,000.00 FROM WESTERN DISTRICT FUND**

Ratified the amount of \$3,000.00 to the Richlands Fire & Rescue from the Western District Fund to assist in the renovation project for various office spaces at the Claypool Hill Fire & Rescue Station.

**COYOTE CLAIMS**

Approved the following coyote claims as follows:

- o \$100.00 to Ricky Looney, PO Box 379, Grundy, Virginia 24614 for 2 coyotes killed on March 6, 2007 with a rifle.
- o \$50.00 to Scott Rasnick, 1498 Mundy Town Road, North Tazewell, Virginia 24630 for 1 coyote killed on May 19, 2007 with a snare.

**APPROVED WARRANTS AS PAID FOR THE MONTH OF MAY/JUNE 2007:**

**May/June 2007**

Ordered that Warrant Nos. 125422 through 125512, and direct deposits totaling \$184,734.93 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending May 31, 2007, be approved.

Ordered that Warrant Nos. 125514 through 125605, and direct deposits totaling \$195,819.72 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending June 15, 2007, be approved.

Ordered that Warrant Nos. 434855 through 434995, for \$328,503.13 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of May 2007, be approved.

Ordered that Warrant Nos. 434997 through 435045, for \$193,900.71, from the General Fund, covering operating expenses for the At Risk Youth Program (CSA) for the month May 2007, be approved.

Ordered that Warrant Nos. 435047 through 435066, for \$128,852.34 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending May 31, 2007, be approved

Ordered that Warrant Nos. 435068 through 435235, for \$295,084.57 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 Funds, covering operating expenses for the various County agencies for the month of June 2007, be approved.

Ordered that Warrant Nos. 435237 through 435257, for \$131,423.35 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending June 15, 2007, be approved.

Ordered that Warrant Nos. 435259 through 435343, for \$11,075.00 from the General Fund, covering operating expenses for the month of June 2007, be approved.

Ordered that Warrant Nos. 801110 through 801125 for \$95,018.86 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of May 2007, be approved.

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**APPOINTMENTS**

**Tazewell County Airport**

One appointment to the Tazewell County Airport, northern district was deferred.

**Southwest Virginia Community College Board**

Upon motion of Supervisor Hymes, seconded by Supervisor Griffith 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 Elene M. Combs, 318 East Fincastle, Tazewell, Virginia 24651 as a member of the Southwest Virginia Community College Board, with a term effective July 1, 2007 and expiring June 30, 2011. This appointment fills the expiring term of Buddy Blevins.

#### **Industrial Development Authority**

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 appoints James Curtis Gillespie, 2103 Kimball Avenue, Bluefield, Virginia 24605 as a member of the Tazewell County Industrial Development Authority, with a term effective immediately and expiring June 30, 2011 (4-year term).

Upon motion of Supervisor Wimmer, seconded by Supervisor Griffith 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 clarifies the appointment of Mr. Monte Rife, PO Box 628, Tazewell, Virginia 24651 as a member of the Tazewell County Industrial Development Authority, effective July 1, 2007 and expiring June 30, 2011 (four (4) year term).

#### **Jeffersonville Rescue Squad Board of Directors**

Upon motion of Supervisor Hymes, seconded by Supervisor Griffith 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 Michael David Turner, Jr. Rt. 3, Box 254-A, Tazewell, Virginia 24651 and Brian Hieatt, 1387 Ella Peery Road, Tazewell, Virginia 24651 as a member of the Jeffersonville Rescue Squad Board of Directors, with a term commencing immediately and expiring June 30, 2008 – (one-(1) year term).

#### **Tazewell County Planning 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 Ellis Cole, Jr. 4306 Pounding Mill Branch, Pounding Mill, Virginia 24637 with a term commencing July 1, 2007 and expiring June 30, 2010 (Western District representative). This appointment fills the expired term of Link Smith.

#### **Recreation & Parks Facility Authority**

One at-large appointment to the Tazewell County Recreation & Parks Facility Authority was deferred.

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#### **COUNTY ATTORNEY REPORTS**

The County Attorney, Eric Young, presented the following legal matters:

#### **SOLID WASTE DISPOSAL FEES RESOLUTION**

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 adopts a RESOLUTION TO SET RATES FOR SOLID WASTE DISPOSAL FEES. Rates for the disposal of solid waste in Tazewell County, Virginia shall be as follows:

#### **A RESOLUTION TO SET RATES FOR SOLID WASTE DISPOSAL FEES**

#### **A. RATES FOR THE DISPOSAL OF SOLID WASTE IN TAZEWELL COUNTY, VIRGINIA, SHALL BE AS FOLLOWS:**

1. For solid waste disposal at the landfill: Thirty Dollars (\$30.00) per ton; provided, however, for all haulers delivering a minimum of 20 tons weekly, the rate shall be Twenty-Eight Dollars (\$28.00) per ton.
2. For solid waste disposal at the transfer sites: Thirty Dollars (\$30.00) per ton; provided, however, for all haulers delivering a minimum of 20 tons weekly, the rate shall be Twenty-Eight Dollars (\$28.00) per ton.
3. A minimum charge of Ten Dollars (\$10.00) shall be charged for all deposits.
4. Tires shall be considered solid waste and an additional fee of \$ 2.00 per tire up to six (6) tires shall be charged for their disposal at either the transfer sites or the landfill. A fee of \$75.00 per ton shall be charged for deposits of more than six (6) tires. No single tire which exceeds two hundred (200) pounds shall be accepted.
5. All Commercial enterprises, businesses, industries, manufacturing concerns and private haulers of solid waste shall be charged the fees set forth in paragraph "A", sections "1" and "2" hereinabove for the disposal of solid waste into the landfill or into the collection sites of the County. Commercial enterprises required to pay a fee under this division shall include, but not be limited to, motels, mobile home parks, trailer parks, apartments and other entities that provide trash pickup and disposal service for their customers and tenants, as well as commercial haulers of residential waste or commercial waste.

**B. BILLING AND PAYMENT FOR THE DISPOSAL OF SOLID WASTE IN TAZEWELL COUNTY, VIRGINIA SHALL BE AS FOLLOWS:**

6. The landfill and the transfer station sites shall accept cash, checks or any other negotiable currency.
7. Fees for County residents depositing household garbage generated from their individual households into the landfill or collection sites will be charged to the County General Fund, providing the resident displays a County decal on their vehicle windshield. The County General Fund will be charged \$11.67 per deposit pursuant to this Section.
8. Fees for municipal haulers for towns located within the County will be charged to the County General Fund will be charged at the rates set forth in Paragraph "A", Section "1" hereinabove.
9. The Landfill Enterprise Fund personnel shall bill all appropriate users of both the landfill and the transfer stations and convenience stations, less the total billings the Landfill Enterprise Fund made pursuant to Paragraph "A", Section "2" hereinabove to users of the transfer stations for that particular billing period.

The fees and rates charged relative to the landfill, the collection sites and the transfer stations prior to June 12, 1995 are hereby ratified, approved and confirmed as valid charges, and the destination and the deposit of those funds to specific accounts as may be the case, is hereby ratified, approved and confirmed.

It is so RESOLVED by the Board on this the 29 day of June, 2007

**PREFERRED HOSPICE –  
TAX EXEMPT REQUEST**

No action was taken on a request to designate Preferred Home Hospice, Inc. as tax exempt status from all Tazewell County personal property taxes.

The County Attorney, Eric Young reported that according to the Commissioner of Revenue's office, Preferred Hospice did not file a Return for Business Tangible Personal Property or Machinery and Tools return and since a return has not been filed a property exemption cannot be granted. Preferred Hospice does not own any property, but expects to purchase property in the future.

**ESSEX ROAD –**

The right-of-way issue for Essex Road will hopefully be resolved and funds for the paving project will revert to the FY07-08 Eastern District Orphan Road Account.

**HAVA – HELP AMERICANS VOTE ACT  
RESOLUTION OPPOSING HR811**

Upon motion of Supervisor Griffith, 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 RESOLVES TO SUPPORT THE ELECTORAL BOARD'S OPPOSITION TO HR811, which would mandate the requirement that a verifiable paper trail be produced by each voter and to discard all newly purchased touch-screen voting machine and to replace the machines with opti-scan equipment.

**CALEB HOLLOW ROAD**

The County Attorney, Eric Young, will notify the Board of Supervisors regarding the out-come of the July 2, 2007 court-hearing for Caleb Hollow Road.

**COUNTY SIX WHEELER USES – TO BE DETERMINED**

The County Attorney, Eric Young, questioned that the board clarify their intent with regard to an emergency services department's request to use the county's six-wheelers. Supervisor Wimmer said this matter was addressed several months ago at the Emergency Services Committee meeting. The six-wheelers were bought with Homeland Security Funding and there might be restrictions with regard to how the six-wheelers are used.

The County Attorney was requested to see if there are restrictions on the use of the six-wheelers and to determine if guidelines need to be implemented on the use of same.

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**COUNTY ADMINISTRATOR REPORTS**

**Roads Update –**

The roads update is a routine issue placed on the agenda each month for various road matters to be addressed, if any.

Supervisor Anderson requested that a paving estimate be obtained for the adjacent alley-way off Bluebird, Eastern District.

Gary Earp & Bill Dillon are in the process of compiling a complete list of orphan roads in the County since the inception of the Orphan Road Program.

**Landfill Phase IV –**

The bid opening date for the Phase 4-A Development of the Tazewell County Landfill T & Project No. 8243-04 has been changed from June 27, 2007 to July 18, 2007 and the location where bids will be received has been changed from the office of the County Administrator to the County Public Service Authority office.

**TAZEWELL COMMUNITY FACILITIES BUILDING –  
BIDS – T & L PROJECT # 7532-04**

Following presentation by Rick Chitwood, T & L Associate, and upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves and accepts a low bid in the amount of \$4,990,000.00 –Architect’s pre-bid Statement of Probable costs, to BurWil Construction Company, for the construction of a 31,988 square ft. building, including site work, lump sum, complete in place, the Tazewell Community Facilities Building, to be located in Tazewell, Virginia 24651.

A ground-breaking ceremony for the Community Facilities Building is being planned. Announcements of the dedication will be forthcoming.

**ACCESS TO PRISON ROAD**

Rick Chitwood, T & L reported that the access road to the new Prison in Pocahontas is in its final stages and ready to be turned over to the state system.

**CAMP JOY SITE –**

**CVCA, INC. -**

**460 SAFETY ISSUE TO BE STUDIED**

It was reported that the Clinch Valley Community Action, Inc. Head Start Program would be moving to the Camp Joy site in the near future and there is on-going safety concerns for motorists at the Camp Joy intersection on Route 460.

Now, upon motion of Supervisor Anderson, seconded by Supervisor Griffith 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 the Camp Joy 460 -Intersection and consider placing a right hand turn lane at the intersection to alleviate the congested area in question.

**ROUTE 696 – PROJECT QUESTIONED**

Supervisor Anderson questioned the funding for the Route 696 project – Big Branch Road. The road is in VDOT’s Secondary Six-Year Road Plan.

**PRISON WARDEN – STAN YOUNG,**

**REQUESTED TO ATTEND BOS MEETING**

Supervisor Hymes requested that Stan Young, Warden at the new Pocahontas Prison be invited to a future Board of Supervisors meeting and present statistics on workforce, i.e. where the workforce is derived, Tazewell County, outside transfers, etc. Mr. Hymes requested that Mr. Young include all positions in the report.

**PSA PROJECTS – UPDATE**

Supervisor Wimmer requested an update the Baptist Valley West sewer plan as well as providing the community with an update on the project. Rick Chitwood said that he would also be glad to provide an update on the Cedar Bluff & Richlands PSA projects as well.

**RESOLUTIONS –**

**SRWEP GRANT – BAPTIST VALLEY EAST PHASE I and**

**SRWEP GRANT – DHCD SOUTHERN RIVERS WATERSHED ENHANCEMENT PROGRAM FUNDING**

Upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts two (2) resolutions regarding Southern Rivers Watershed Enhancement Program (SRWEP) Grants for the following Water & Sewer Projects as set forth below and further hereby designates the County Administrator as its representative to sign and submit all documents pertaining thereto:

- o \$976,350 for the Baptist Valley East – Phase I Sewer Project
- o \$ 72,700 for the Rt. 102/Falls Mills Water & Sewer Project

**BLUESTONE REGIONAL BUSINESS & TECHNOLOGY CENTER**

**T & L PROJECT # 7488-20 / CULTURAL RESOURCE SURVEY --**

**AMENDMENT \$139,183.00**

Upon motion of Supervisor Griffith, 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 AMENDMENT NO. 7 TO MEMORANDUM OF UNDERSTANDING NUMBER 1 BETWEEN TAZEWELL COUNTY BOARD OF SUPERVISORS AND THOMPSON & LITTON, INC. DATED AUGUST 19, 2003 with regard to the Bluestone Regional Business & Technology Center (BRBTC) T & L Project # 7488-20. The

amendment hereby authorizes the Engineer (T & L) to conduct a Cultural Resources Survey as outlined in the June 22, 2007 proposal for all areas within the 680 acre tract of the proposed Bluestone Regional Business & Technology Center. The Engineer agrees to provide the aforementioned scope of work for a not-to-exceed fee of \$139,183.00. The survey will assist the EPA and other Federal agencies in the identification of historic properties that may be affected by the project. A copy of the amendment as executed by the County Administrator and T & L, Inc. is on file in the office of the Tazewell County Administrator, Tazewell, Virginia 24651.

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#### **STEELS LANE – EXTENSION OF SEWER LINE PROJECT**

Upon motion of Supervisor Hymes, seconded by Supervisor Griffith 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 Town of Tazewell's extension of a sewer line project off Steels Lane in Tazewell, Virginia. Per Jerry Wood, there will be no County funds required. The project will provide sewer service outside town limits for several residences and for one business.

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#### **COURTHOUSE – HVAC EVALUATION**

Upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no none against the same, and contingent upon legal review and approval, the Tazewell County Board of Supervisors hereby accepts a Request for Proposal for Engineering Services, from Wiley & Wilson, 2310 Langhorne Road, Lynchburg, Virginia 24501 to evaluate the HVAC System that serves the County's existing courthouse facility (excluding the County Jail). The lump sum fee for the evaluation is \$37,000.00.

A copy of the agreement for services, once approved by the County Attorney will be on file in the office of the Tazewell County Administrator, Tazewell, Virginia 24651.

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#### **BLUESTONE ONE-STOP CENTER**

Upon motion of Supervisor Griffith, seconded by Supervisor Anderson and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a MEMORANDUM OF UNDERSTANDING BETWEEN SOUTHWEST VIRGINIA WORKFORCE INVESTMENT BOARD AND THE WORKFORCE AREA ONE CONSORTIUM – The MOU will establish a viable framework in which the Southwest Virginia LWIB along with the CLEO understand and endorse the Workforce Area One Consortium local partners and will be able to provide comprehensive One-Stop services for employers, employees, those seeking employment, and other interested partners with the local area. The County Administrator is further hereby authorized and directed to execute the agreement on behalf of the Board of Supervisors of Tazewell County, Virginia. A copy of the agreement in its executed form will be on file in the office of the Tazewell County Administrator, Tazewell, Virginia 24651.

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#### **INFORMATION TECHNOLOGY RESOURCES – LEGALITY OF SHARING SERVICES WITH OTHER ENTITIES**

It was the consensus of the Board of Supervisors to allow the County Attorney to communicate with the School Board's Attorney to determine if Information Technology and other services can be shared among various county entities.

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#### **INDOOR PLUMBING PROGRAM CLINCH VALLEY COMMUNITY ACTION**

Upon motion of Supervisor Hymes, seconded by Supervisor Griffith 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 that the Department of Housing and Community Development, 2008 Indoor Plumbing Program for Tazewell County, Virginia, continue to be administered through Clinch Valley Community Action, Inc. PO Box 188, North Tazewell, Virginia 24630.

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#### **FALLS MILLS SCHOOL**

Supervisor Hymes questioned the ownership of the Falls Mills School building. It was noted that the County owns the building. Supervisor Hymes said that once the CVCA Head Start program moves from the Falls Mills School building that the County needs to find a way to market the building.

Tom Childress reminded the Supervisors that the Falls Mills School is used as a polling place for Falls Mills residents and that moving a polling place is sometimes a lingering task. A polling place change must be adopted by ordinance and approved by the US Dept. of Justice as well as the State Board of Elections.

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**EASTERN DISTRICT FUNDS – FY07-08**
**\$3,000.00 TO GRAHAM HISTORICAL SOCIETY**

Upon motion of Supervisor Anderson, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$3,000.00 to the Graham Historical Society, Town of Bluefield, Virginia 24605 – Log Cabin Project. 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.

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**NORTHWESTERN DISTRICT FUNDS – FY07-08**
**\$5,000.00 TO RICHLANDS POLICE DEPARTMENT**

Upon motion of Supervisor Griffith, 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 Northwestern District Fund, payable to the Richlands Police Department, Richlands, Virginia 24641. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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**BURKES GARDEN SCHOOL CHIMNEY**

Supervisor Hymes requested that the County Administrator confer with Burkes Garden resident, Fred Lawless, concerning the deterioration of the chimney at the Burkes Garden School. It was suggested that the County Engineer, Gary Earp investigate the situation and determine what can be done to resolve the safety issues that exist. It was suggested as well to see if the Town of Tazewell ladder truck could possibly be used to take the chimney down if applicable. A report will be forthcoming relative to this matter.

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**BUDGET COMMITTEE COMMENDED**

Chairman Rasnick and Griffith thanked everyone for their diligence and patience during this budget process. Supervisor Griffith said that this budget year was difficult with Chairman Rasnick reiterating that the County faced a \$7,000,000 budget request deficit at the beginning of the budget process but managed to balance the county balance.

Supervisor Hymes and Wimmer thanked each member of the budget committee for their persistence and diligence and congratulated each member for a job well done.

Now, there being no further business to come before the Board of Supervisors and 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 adjourns this meeting.

The next meeting is scheduled for August 7, 2007 at 6:00 p.m.

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William B. Rasnick, Chairman

By:rg  
9:15 p.m.