

VIRGINIA: At a recessed meeting of the Tazewell County Board of Supervisors held June 30, 2008 at 6:00 p.m. – 108 East Main Street, Tazewell, Virginia 24651

PRESENT: William B. "Bill" Rasnick, Chairman
Bill Wimmer, Vice Chairman
Dave R. Anderson, Member
Michael Hymes, Member
Seth R. White, Member
James H. Spencer, III – County Administrator
C. Eric Young, County Attorney
Patricia Green, Assistant County Administrator
Ruth Groseclose, Administrative Assistant
Members of the Press: Warren Hinkle, Tazewell County Free Press;
Jim Talbert, Clinch Valley News/Richlands News Press

ABSENT: None

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

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

MINUTES APPROVED

Upon motion of Supervisor White, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the June 3, 2008 meeting minutes as amended on page 20 first paragraph, Section one (1)

relating to roads - Major Road & Spur Road - the road requests were made by Supervisor White instead of Supervisor Wimmer. The amendments are hereby noted.

EXECUTIVE/CLOSED SESSION

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enters into an executive/closed session pursuant to Virginia Code Section 2.1-3711:

- ◆ A-7 Legal matter/potential litigation involving a junk yard
- ◆ A-7 Legal matter/ potential drug blight on Town Hollow Road
- ◆ A-6 Discussion of the investment of public funds where competition or bargaining is involved - relative to solid waste
- ◆ A-3 Property disposition involving the Health Department building
- ◆ A-3 Property Acquisition involving property in Richlands
- ◆ A-19 Courthouse Space Study

RETURN FROM THE EXECUTIVE/CLOSED SESSION

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

Supervisor Anderson - Aye

Supervisor Rasnick - Aye

ACTION AS A RESULT OF THE EXECUTIVE/CLOSED SESSION

Moonlite Junkyard - License and Easement Agreement

Upon motion of Supervisor White, seconded by Supervisor Wimmer and adopted by a vote of 4 to 1, with Supervisor Anderson voting nay, the Tazewell County Board of Supervisors hereby accepts and agrees to a certain License and Easement Agreement with the operators of the Moonlite Junkyard, located in the Raven area of Tazewell County, Virginia and owners of the property whereon the Moonlite is located- which agreement is reduced to writing and attached hereto and incorporated herein by reference thereto. This action is further contingent upon approval of the County Attorney. Once the agreement has been approved by legal counsel, the County Administrator and Chairman of the Board of Supervisors is hereby authorized and directed to execute the License and Easement Agreement on behalf the Board of Supervisors of Tazewell County, Virginia.

TOWN HOLLOW ROAD AGREEMENT APPROVED

Supervisor Wimmer presented the following statement:

"Mr. Chairman:

In response to numerous complaints from residents of the Town Hollow area, near Wardell, this Board convened a public hearing last November to hear those complaints. After that hearing, this Board commissioned a committee to determine whether the Clinic operated at 111 Town Hollow constituted a threat to public health and safety. The Committee, comprised of members of the Community and representatives of the Clinic, met several times over the past seven months, hearing from witnesses on behalf of the community on behalf of the clinic and discussing options with the Clinic's Attorney, the Sheriff, the County Attorney, and two members of this board. After many hours of often tense deliberation, the community representatives and clinic representatives presented to the committee a list of improvements which if made would address specific complaints of the residents. It is

the Committees opinion that these improvements to security, parking, facilities, and traffic regulation will protect the health and safety of not only the residents of Town Hollow, but also for those county residents that patronize the clinic operated there. This Board has considered the committee's recommendations and the effectiveness of those measures in executive session, in light of their potential to prevent litigation between the County and the Clinic. In so doing the Board has concluded that ordering a broader remedy without cooperation from the Clinic may not be defensible in a Court of Law or at a minimum would expose the County to lengthy, expensive litigation. Following those discussions, pursuant to the Board's direction, the County Attorney and the Clinic's Attorney have drafted an agreement that commits the Clinic to making those improvements listed in the agreement in exchange for the Board's withholding any action based on the complaints previously made. This would not prevent the Board from acting on any future incidents at the Clinic. In the sincere belief that this agreement will enhance the public's health and safety to the greatest degree permitted by existing land use law and ordinances, I move that the Board approve this agreement." Supervisor White seconded the foregoing with all members present voting in favor thereof and none against, with the Tazewell County Board of Supervisors hereby adopt and enter into an Agreement this the 30th day of June, 2008 by and among Tazewell County, Virginia, a political subdivision of the Commonwealth of Virginia (hereinafter "County"), Galax Treatment Center, Inc. d/b/a Clinch Valley Treatment Center as "tenant", and Linda Diann Collins as "owner" defines the obligations assumed by owner and tenant to be performed in reliance upon County's covenant for forbearance in the exercise of its adjudicatory function with respect to 15.2-900 et seq of the Code of Virginia, or otherwise, as well as the obligations of the other parties to this Agreement.

A copy of the agreement, in a form as hereby adopted, is attached hereto and incorporated herein by reference thereto.

WILEY & WILSON STRUCTURAL CONTRACT

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to enter into a structural assessment contract with Wiley & Wilson in relation to the Tazewell County Courthouse - Space Study Needs project.

SPECIAL PRESENTATION -

Sergeant Andrew David Pauley

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 adopts and presents the following resolution to Sergeant Andrew David Pauley in recognition of his contributions to defend the United States of America:

County of Tazewell, Virginia
Resolution Recognizing the Achievement of
Sergeant Andrew David Pauley



WHEREAS, Sgt. Pauley was born to Bernard L. and Judy D. Pauley on January 10, 1983 in Bluefield, West Virginia and is the brother of Kimberly Pauley Calfee and the husband of Katie L. Pauley; and,

WHEREAS, Sgt. Pauley is the grandson of Mrs. Betty J. Davidson and the late Eldridge H. Davidson of Thompson Valley and the late John Gordon and Lois A. Pauley of Abbs Valley; and

WHEREAS, Sgt. Pauley is a graduate of Tazewell High School Class of 2001 and enlisted in the United States Army in August of 2002; and

WHEREAS, Sgt. Pauley has completed several advanced courses offered by the Army to advance his career including the Henry Lind Non-Commissioned Officer Academy; and

WHEREAS, Sgt. Pauley has proudly served the United States of America by completing three (3) combat tours including Operation Iraqi Freedom in 2003-2004, Operation Enduring Freedom in 2005-2006 and again in 2007-2008 and has received numerous commendations from the US Army for his service; and

WHEREAS, such peacekeeping efforts are both difficult and dangerous and Sgt. Pauley has put his life aside for the cause of freedom; and

NOW, THEREFORE, BE IT RESOLVED, that the Tazewell County Board of Supervisors does hereby recognize the valiant service, duty and honor of Sergeant Andrew David Pauley and does hereby extend to him the gratitude of the citizens of Tazewell County, Virginia and wholeheartedly thank him for defending our great Nation!

It is so approved this the 30th day of June, 2008

SPECIAL PRESENTATION

JEFF COULTER, BLUEFIELD TRANSPORT

RESOLUTION
COMMENDING
BLUEFIELD TRANSPORT



Whereas, Bluefield Transport, Bluefield, Virginia opened for business in the Bluefield Industrial Park on August 1, 2003; and

Whereas, during an award presentation on March 12, 2008 in Chicago, Illinois, Bluefield, Transport was awarded the 2007 Quaker/Gatorade "Carrier of the Year" award; and

Whereas, David A. Kause, Regional Transportation Manager/Mid-Atlantic Region Blue Ridge Gatorade, Wytheville, Virginia had the pleasure of presenting the 2007 award to Bluefield Transport – Jeff Coulter, President and CEO and David Perkins, Operations Manager; and

Whereas, this award went to Bluefield Transport for meeting and exceeding the many different criteria Quaker/Gatorade uses to determine Carrier of the Year. Bluefield Transport finished the year with 97% on-time service for the Gatorade plant in Wytheville, Virginia; and

Whereas, first and foremost, service must be top notch to receive this award, and other considerations include a carrier's drop trailer pool stability, ability to handle business surges and continued "above and beyond" performance; and

Whereas, Bluefield Transport delivered almost 1400 customer loads from Blue Ridge Gatorade and also hauled a large number of empty bottle loads from Amcor PET in Wytheville to Mount Jackson, Virginia and also delivered over 400 inbound loads to Blue Ridge from the Gatorade Plant in Atlanta Georgia; and

Whereas, in going "above and beyond" – Bluefield Transport flawlessly handled over 800 shipments to McLane Foodservice in Fredericksburg, Virginia; and

Now, therefore, be it resolved, that the Tazewell County Board of Supervisors hereby commends Jeff Coulter and his wife, Denise Coulter and David Perkins for their commitment to excellence and for their dedicated and effective service to their profession and hereby congratulates each of them for their productive service; and

Finally, be it resolved, that this resolution be presented in honor of their productive service and to extend the Boards best wishes for continued professional success and for personal satisfaction in the years ahead.

Congratulations. Job Well Done!

Jim Spencer, County Administrator, personally acknowledged Jeff Coulter and David Perkins for their accomplishments as president and manager of the Bluefield Transport and pointed out the business has grown from 18 to 50 employees since its establishment.

JOE ROBINSON - PLEASANT VALLEY ESTATES ROAD MATTERS

Joe Robinson, a resident of Pleasant Valley Estates, stated that he and several residents from Pleasant Valley Estates started calling State elected officials as well as the VDOT Commissioner and the State Attorney General's office to seek guidance with regard the Pleasant Valley Estates road issues. He said that State officials sent him a copy of legislation as well as a listing of state monies that have been allocated over the past several years for various roads. Mr. Robinson said that the State Attorney General's office and Transportation officials suggested that he question the Board of Supervisors and obtain information through the Freedom of Information Act (FOI) with regard to how the monies allocated for roads have been spent. He further said that Richmond officials suggested that he get with Marty Halloway and request that Pleasant Valley Road be updated to State/VDOT specifications. Mr. Robinson further said that he felt the road matter would eventually end up in court.

AMERICAN LEGION POST - 138/COLOR GUARD

Upon request of Anthony Holmes, PO Box 218, Oakwood, Virginia 24631 representing the American Legion Post 138, Color/Honor Guard, Richlands, Virginia - and upon motion of Supervisor White, seconded by Supervisor Wimmer and adopted

by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the amount of \$1,000.00 (\$500.00 Northwestern District & \$500.00 Western) payable to the American Legion Post 138 - Color/Honor Guard, PO Box 218, Oakwood, Virginia 24631. Post 138 is being established and will provide flag ceremonies for various school functions and other organizations, as well as perform grave-side services when needed. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

TAZEWELL COUNTY BUDGET ADOPTION - FY 2008-09 -BUDGET AMENDMENTS

The Tazewell County Budget & Finance Director, Arlene Matney, presented to the Board of Supervisors the amendments to the Tazewell County Proposed Budget, FY08-09. The Assistant County Administrator, Patricia Green then explained the changes from the Proposed Advertised Budget.

Now, upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no-one against the same, the Tazewell County Board of Supervisors hereby approve the amendments to the proposed Tazewell County Budget, FY2008-2009 as set forth below:

**Approved Changes from Proposed Advertised Budget
FY2008-2009**

	<u>General Fund</u>	
	<u>Adjustments</u>	<u>Revised Budget</u>
Current Beginning Balance:	\$ 1,262,870	
Increase Beginning		

Balance:

District fund balance	
forwards	106,944
Recycling Control	
Education	1,500
Jewell Ridge Convenience	
Area Carryover	30,000
Health Department	
Carryover	13,933
RBI-Full Time w/	
benefits	<u>27,191</u>

Adjusted Beginning

Balance: \$ 1,442,438

Current Budgeted Revenue: 44,824,455

Additional Changes to

Revenues:

Baptist Valley Fire Dept.	20,000
Talent Solutions Grant	30,000
Circuit Courts Records	
Preservation Grant	11,196
Triad Grant	2,250
RSIF Grant	<u>7,587</u>

Total Revenues with

Additions: \$ 46,337,926

Current Budgeted

Expenditures: \$ 46,058,754

Additional Changes to

Expenditures:

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District fund expenditures	106,944	
Recycling Control Education	1,500	
Compensation -		
RBI	17,680	
F.I.C.A. - RBI	1,353	
Retirement - RBI	2,276	
Hospitalization - RBI	5,724	
Life Insurance -		
RBI	158	
Tourism - Postage	750	
Capital Outlay - Fire Dept.	20,000	
Jewell Ridge Convenience		
Area	30,000	
Talent Solutions Grant	30,000	
Health Department		
Carryover	13,933	
Circuit Courts Records		
Preservation Grant	11,196	
Triad Grant	2,250	
RSIF Grant	<u>7,587</u>	
Total Expenditures with		
Additions:		<u>\$ 46,310,105</u>
Adjusted Ending Fund		
Balance:		<u><u>\$ 27,821</u></u>

Capital Projects Fund

	<u>Adjustments</u>	<u>Revised Budget</u>
Current Beginning Balance:	\$ 4,700,000	

Increase Beginning

Balance:

Increase Capital Projects	
Contingency	250,000
Rte. 747 - Prison Rd.	10,000
Rte. 696 -	
Fencing	<u>15,000</u>

Adjusted Beginning

Balance: \$ 4,975,000

Current Budgeted Revenue: 7,185,165

Additional Changes to

Revenues:

VRA Loan Courthouse	
Renovations - HVAC System	<u>550,000</u>

Total Revenues with

Additions: \$ 7,735,165

Current Budgeted

Expenditures: \$ 11,335,365

Additional Changes to

Expenditures:

Increase Capital Projects	
Contingency	250,000
Rte. 747 - Prison Rd.	10,000
Rte. 696 -	
Fencing	15,000
Courthouse Renovations -	
HVAC System	<u>550,000</u>

Total Expenditures with \$ 12,160,365

Additions:

Adjusted Ending Fund

Balance: \$ 549,800

School Fund

Adjustments

Revised Budget

Current Beginning Balance: \$ 250,000

Increase Beginning

Balance:

Additional Fund Balance

Carryover from FY08 417,849

Adjusted Beginning

Balance: \$ 667,849

Current Budgeted Revenue: 62,020,347

Total Revenues with

Additions: \$ 62,020,347

Current Budgeted

Expenditures: 62,270,347

Additional Changes to

Expenditures:

Adj. to Balance Budget 688,990

Instruction Category (271,141)

Total Expenditures with

Additions: 62,688,196

Adjusted Ending Fund

Balance: \$ -

911 Fund

Adjustments

Revised Budget

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Current Beginning Balance:	\$	310,000	
Increase Beginning Balance:			
RSAF Grant -Local Match			
Carryover		<u>35,000</u>	
Adjusted Beginning Balance:			
	\$		345,000
Current Budgeted Revenue:		1,589,296	
Additional Changes to Revenues:			
RSAF Grant		118,896	
Change in Grant Proceeds - PSAP & VITA		<u>(174,400)</u>	
Total Revenues with Additions:			1,533,792
Current Budgeted Expenditures:		1,897,318	
Additional Changes to Expenditures:			
Capital Outlay		<u>(20,504)</u>	
Total Expenditures with Additions:			<u>1,876,814</u>
Adjusted Ending Fund Balance:	\$		<u>1,978</u>

SUMMARY ALL FUNDS

		<u>Adjustments</u>	<u>Revised Budget</u>
Current Beginning Balance:	\$	12,727,703	

Increase Beginning

Balance:

All Funds	907,417
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Adjusted Beginning

Balance:		\$ 13,635,120
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Current Budgeted Revenue:	114,293,133
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Additional Changes to

Revenues:

All Funds	565,529
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Total Revenues with

Additions:		\$ 114,858,662
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Current Budgeted

Expenditures:	\$ 123,179,971
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Additional Changes to

Expenditures:

All Funds	1,473,696
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Total Expenditures with

Additions:		\$ 124,653,667
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Adjusted Ending Fund

Balance:		\$ 3,840,115
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TAZEWELL COUNTY BUDGET ORDINANCE ADOPTED FY08-09

Now, after a public hearing on the proposed budget for fiscal year FY2008-009 was duly held on June 3, 2008, in accordance with applicable Virginia Codes, and which public hearing was advertised in local newspapers having general circulation within Tazewell, on May 16 and May 23, 2008, and which 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

Wimmer, seconded by Supervisor Rasnick, and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts "AN ORDINANCE APPROVING THE FY2008-2009 BUDGET ORDINANCE, ADOPTING LOCAL TAX LEVIES, AND BUDGET FOR THE COUNTY OF TAZEWELL, VIRGINIA FOR FISCAL YEAR BEGINNING JULY 1, 2008 AND ENDING JUNE 30, 2009", TO BE EFFECTIVE ON JULY 1, 2008 AT 12:01 A.M. AS HEREBY AMENDED."

A copy of the complete budget ordinance as hereby amended and as 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:

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

TAX LEVIES ADOPTED FY2008-2009

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisor hereby adopts and fixes the tax rates and levies for the current and calendar years, FY2008-2008 in accordance with Virginia Code, 1950, Section 58.1-3001. 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 is amended form as adopted, is attached hereto and incorporated herein by reference thereto.

ANNUAL APPROPRIATION OF COUNY FUNDS, FY2008-2009

Upon motion of Supervisor Wimmer seconded by Supervisor Rasnick and adopted by a vote of 4 to 1, with Supervisor White voting nay, 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, 2008 at 12:01

a.m. except that the School Board Fund for FY08-09 be hereby appropriated in the following major classifications and amounts as set forth below:

	Budget 2006-07	Actual 2006-07	Budget 2007-08	Budget 2008-09	% In/Dr
Adm./Attd./Hlth.	1,793,215	1,678,331	1,763,390	1,847,859	4.79%
Instruction	43,965,946	42,953,947	44,635,876	44,724,212	0.20%
Operation & Maintenance-Plant	5,099,432	5,099,984	5,458,691	5,275,286	-3.36%
Other School Fd. Services	250,000	250,000	310,000	310,000	0.00%
Pupil Transportation	3,809,851	3,808,118	3,728,131	4,149,510	11.30%
Capital Outlay Facilities	10,000	5,882	360,000	1,530,898	325.25%
Debt Service	1,032,980	946,169	905,403	1,836,323	102.82%
Technology	2,843,245	2,920,385	2,930,106	3,014,108	2.87%
Adj. to balance budget	0	<u>124,199</u>	0	0	
TOTAL SCHOOL FUND EXP.:	<u>58,804,669</u>	<u>57,787,014</u>	<u>60,091,597</u>	<u>62,688,196</u>	4.32%

CLOSURE OF ALL ACCOUNTS

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 none against the same, the Tazewell County Board of Supervisors hereby authorizes, empowers, and directs the County Administrator to transfer all budget appropriations as may be necessary from surplus accounts, etc. within the FY2007-2008 Budget Ordinance for the purposes of closing all such accounts.

PUBLIC HEARING

TAZEWELL COUNTY SUBDIVISION ORDINANCE AMENDED

The Chairman of the Board of Supervisors called to order a public hearing that was duly advertised according to law, entitled "AN ORDINANCE TO TOLL THE TIME IN WHICH THE PLANNING COMMISSION MUST ACT ON A PROPOSED PLAT UNTIL REQUIRED REVEIWS BY STATE AGENCIES ARE COMPLETED".

Now, the Chairman called for public comments from the floor three (3) times and there being none, he declared the public hearing closed.

Then, 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 adopts AN ORDINANCE TO AMEND THE TAZEWELL COUNTY SUBDIVISION ORDINANCE TO TOLL THE TIME IN WHICH THE PLANNING COMMISSION MUST ACT ON A PROPOSED PLAT UNTIL REQUIRED REVEIWS BY THE STATE AGENICES ARE COMPLETED."

A copy of the complete ordinance in its amended form as hereby adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

**PUBLIC HEARING -
JOINT INDUSTRIAL DEVELOPMENT AUTHORITY WITH THE TOWNS OF
BLUEFIELD, VIRGINIA AND RICHLANDS, VIRGINIA TO ACT AS A FISCAL
AGENT AND TO SUPERVISE CONSTRUCTION OF THE BLUESTONE BUSINESS
AND TECHNOLOGY PARK IN TAZEWELL COUNTY, VIRGINIA**

The Chairman of the Board of Supervisors called the public hearing to order that was duly advertised according to law, entitled "TO ESTABLISH A JOINT INDUSTRIAL DEVELOPMENT AUTHORITY WITH THE TOWNS OF BLUEFIELD, VIRGINIA AND RICHLANDS, VIRGINIA TO ACT AS A FISCAL AGENT AND TO SUPERVISE CONSTRUCTION OF THE BLUESTONE BUSINESS AND TECHNOLOGY PARK IN TAZEWELL COUNTY, VIRGINIA."

Now, the Chairman called for public comments from the floor with regard to the public hearing. The County Attorney, Eric Young suggested that the adoption of the ordinance be deferred to the August 2008 regular meeting to give the towns involved time to hold individual public hearings and to add comments, if necessary, to the proposed agreement/ordinance.

The Chairman then called for further comments from the floor three times and there being none he declared the public hearing closed.

And now, upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby defers to the August 5, 2008 meeting, consideration of adopting an "Ordinance Creating the Economic Development Authority of Tazewell County, Virginia."

A copy of the proposed ordinance as advertised is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

CONSENT CALENDAR

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 5 to 0 with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the 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 the following Consent Calendar items and which will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

- ◆ **WARRANTS APPROVED AS PAID**

May/June 2008

Ordered that Warrant Nos. 127611 through 127709, and direct deposits totaling \$190,381.32 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending May 31, 2008, be approved.

Ordered that Warrant Nos. 127711 through 127808, and direct deposits totaling \$193,133.44 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending June 15, 2008, be approved.

Ordered that Warrant Nos. 439445 through 439586, for \$799,408.58 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 2008, be approved.

Ordered that Warrant Nos. 439588 through 439606, for \$136,550.01 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending May 31, 2008, be approved

Ordered that Warrant Nos. 439608 through 439808, for \$446,983.57 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 2008, be approved.

Ordered that Warrant Nos. 439810 through 439829, for \$136,639.00 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending June 15, 2008, be approved.

Ordered that Warrant Nos. 801252 through 800257 for \$14,691.87 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of May 2008, be approved.

- ◆ Approved a re-appropriation of forfeiture accounts maintained by the Treasurer's office:
 - Sheriff Grant Account- BB & T \$ 25,020.06
 - Federal Forfeiture/Sheriff Funds \$ 23,934.97
 - Federal Forfeiture/CA Funds \$ 102.31
 - Commonwealth's Attorney (CA) -
National Bank \$ 134,29.17
- ◆ Approved Cumberland Plateau Regional Housing Authority request to waive the CPRHA payment in lieu of taxes in the amount of \$9,574.44 for fiscal year 2007

Coyote Claims Approved

- ◆ The amount of \$50.00 to Danny Dorton, 817 Lynn Hollow Road, North Tazewell, Virginia 24630 for 1 coyote killed with a rifle on June 4, 2008.

Damage to Livestock by Dogs Approved

- ◆ The amount of \$118.00 to Ralph Viers, PO Box 237, Oakview Road, Jewell Ridge, Virginia 24622-0237 for 19 chickens killed by dogs.

Road Matters

- ◆ Adopted a resolution requesting speed signs and “Watch for Children” signs on Arrow Street – Western District
- ◆ Adopted an amended road resolution for Airport Estates Subdivision – seeking inclusion in the State Secondary Road System

District Funds Approved

- ◆ Approved \$5,000 from the Northwestern, FY08-09 District Funds, for the Jewell Ridge fireworks and 4th of July Festival.
- ◆ Ratified \$750.00 from the Southern District Fund, FY07-08 payable to the Town of Tazewell Fire Department for the 4th of July celebration .
- ◆ Approved annual bids to the following vendors for July 1-2008 to June 30, 2009, contingent upon approval of the County Attorney
 - Pest Control Services – Pest Control Plus, North Tazewell, Virginia 24651
 - Tires & Tube Services – Kidd Tire Auto Parts, 127 Walnut Street, North Tazewell, Virginia 24630

- Vehicle /Diesel fuel – Petroleum Products, PO Box 948, Bluefield, Virginia 24605
- Lubricant/Petroleum (grease) products- Poskas Oil Supply Company, North Tazewell, Virginia 24630
- Liquid Propane Gas (no bids received)

APPOINTMENTS –

Cumberland Plateau Planning District Commission – Town of Tazewell

Representative

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints John Biggs, 201 Tower Street, Tazewell, Virginia 24651 as a member of the Cumberland Plateau Planning District Commission, with a term commencing July 1, 2008 and expiring June 30, 2009 (one-year term).

Southwest Regional Recreation Authority

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Dave R. Anderson, 314 Ridgeway Drive, Bluefield, Virginia 24605 as a Board of Supervisor representative on the Southwest Regional Recreation Authority with a term commencing immediately and expiring June 30, 2011 (three (3) year term).

RURAL BUSINESS ENTERPRISE GRANT –

Upon motion of Supervisor Wimmer, 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 approves a resolution seeking financial assistance through a Rural Business Enterprise Grant from the USDA, Rural Development in order to purchase camera and video equipment for

the Talent Solutions Network. In order to facilitate obtaining the grant funding from the USDA, the County must abide by certain requirements and agreements.

A copy of the resolution in a form as hereby approved is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

SECURITY - TAZEWELL COUNTY FAIR

The County Administrator, Jim Spencer said that the Assistant County Administrator, Patricia Green continues to work with Viola Asbury, Fair President with regard to issues involving night security for eight days from 11:00 p.m. to 8:00 a.m. during the Tazewell County Fair. The Fair Association is working with the County relative to a plan to pay for police protection during the County fair throughout the 11:00 p.m. to 8:00 a.m. time frame.

RABIES CLINIC - RESOLUTION OF SUPPORT

Upon motion of Supervisor Hymes, 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 authorize a resolution of support of Rabies Clinics throughout Tazewell County in coordination with the Tazewell County Farm Bureau with regard to selecting proper dates, times, etc. A time-line of late September or early October was mentioned.

VDOT METHOD OF ADDING PROJECTS TO THE SYI CALCULATION SHEET

Consideration of adopting a method for adding road projects to the State Six Year Plan Calculation Sheet was addressed. There is currently no defined process on how a road is added to the Six Year Road Improvement Plan.

It was the consensus of the Board to have all five (5) Board of Supervisors members to meet at different intervals (two (2) at a time) with County staff and VDOT officials to conduct works sessions with regard to work out a method for adding road projects to the Six Year Road Improvement Plan.

911 TELECOMMUNICATIONS GRANT \$872,000.00 -

COMMITTEE ESTABLISHED

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 establishes an advisory committee to work with Erwin Earnest, 911 Director, with regard to the \$872,000 - 911 Public Safety Interoperability Communications Grant from the Virginia Department of Emergency Management (VDEM) for Tower Installation & Communications Upgrades. The committee shall consist of the following:

- One (1) individual from each of the five (5) towns
- One (1) representative from the Public Service Authority (PSA)
- Two (2) representatives from the Emergency Services Committee
- Two(2) County staff (Arlene Matney & Sam Wolford)
- Two (2) representatives from the Sheriff's office/911 Office - one(1) of which shall be Erwin Earnest, 911 Director
- One (1) state representative familiar with the grant process

Further, the 911 Director, Erwin Earnest is hereby authorized, empowered and directed to implement the Advisory Committee under the direction of the County Administrator.

BLACKBEAR SOFTWARE TRAINING

The County Administrator, Jim Spencer, reported that the County Building Inspector's office, Engineering Department and several of the Commissioner of Revenue employees completed training on Blackbear Software. The program is computerized system and will be used to issue and track various building permits, Erosion and Sediment Control permits and other permits issued by the County. This process will eventually be available via the County's website. The County

Administrator recommended that the system be implemented and used immediately by the County.

ZONING ORDINANCE - Consultant RFP

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 authorizes and directs the County Administrator to advertise for a consultant to help with drafting a proposed zoning ordinance for Tazewell County, Virginia and further that Supervisor White & Supervisor Anderson be made part of the committee to interview the consultants at such time as deemed necessary and appropriate.

INFORMATION TECHNOLOGY WORK ORDER SYSTEM

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves an Information Technology Work Order System for the implementation of a system to track Information Technology (IT) requests. This system should make the IT Department more efficient and also help with accountability.

BOARD CONCERNS

ROAD MATTERS -

Upon motion of Supervisor Anderson, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby requests that the Virginia Department of Transportation review the potential placement of guardrails near a home on Bottom Road, Raven, Virginia.

Several accidents have occurred at the curve in the road going toward Raven School from the straight stretch of road from the bridge crossing the Clinch River (contact person is Dahmon Ball, 310 Bottom Road, Raven, Virginia).

LETTERS OF SUPPORT/COMMENDATION

Supervisor Anderson commended and acknowledged County's support of the Southwest Virginia Career Pathways/Tech Prep Consortium's application for a Tech Prep Grant Award for FY2009-13.

He further requested that the County send a commendation letter to the Chuck Methena Center in Princeton, WV - the grand opening is slated for July 11, 2008.

AEP - RATE INCREASE OPPOSED

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 authorizes and directs that the County Attorney, on behalf of the Tazewell County Board of Supervisors send a support letter to AEP opposing the 24% rate increase and further that the County Attorney and other County representation attend the State Corporation Commission (SCC) hearings with regard to Tazewell County's opposition.

ANIMAL SHELTER - PLAN TO BE IMPLEMENTED FOR NEW FACILITY

Supervisor Anderson requested that the County consider implementing a plan to fund a new Animal Shelter facility for Tazewell County. He said that he would consider allocating \$1,000 at the next meeting to begin this project. He requested that other Board members do likewise. However, he reiterated that he knew that the project would be about five (5) years out, but wanted the process started now.

EMERGENCY SERVICES COMMITTEE - UPDATE

Supervisor Wimmer, on behalf of the Emergency Services Committee, reported that the NIM training is 100% complete by Emergency Services, fire & rescue members.

He further stated that the inventory list for EMS vehicle and equipment was complete. He suggested that Pat Green provide a copy to each Board of Supervisor member.

TASK FUNDING

Upon motion of Supervisor Wimmer, seconded by Supervisor Rasnick and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and approves \$1,000.00, \$200.00 from each District Fund respectively, payable to TASK - Taking Action for Special Kids - PO Box 877 North Tazewell, Virginia 24630. This money will assist in the 25th Annual TASK Summer Enrichment 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.

RODEO FUNDING FOR STUDENTS

Supervisor Wimmer requested that the County Attorney investigate whether county funding could be allocated for the two (2) County students attending the Virginia High School League - Rodeo competition. The Board authorized funding last month for this purpose, contingent upon County Attorney review.

ROAD MATTER

Supervisor Hymes requested that the County determine if Peakwood Drive would be eligible for repairs by the County.

4-H EXTENSION OFFICE

Supervisor Hymes questioned whether the 4-H Extension Office support for full-staff resolution had been forwarded to John Blankenship. The answer was yes.

JEWELL RIDGE CONVENIENCE CENTER - LEASE AGREEMENT

Supervisor White mentioned that the lease agreement for the Jewell Ridge Convenience Center was nearing completion. The County Attorney said that the lease should be ready for execution by the August regular meeting.

TAMPA STREET FUNDING (NORTHWESTERN DISTRICT ROAD FUNDS)

Upon motion of Supervisor White, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves an amount not to exceed \$13,000.00 from the Northwestern District Road Fund for repairs to Tampa Street, located in the Northwestern District of Tazewell County. 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.

SUPERVISOR RASNICK - LAKE JACK WITTEN/CAVITTS CREEK DAM

Supervisor Rasnick conveyed comments to the Board with regard to the Lake Jack Witten/Cavitts Creek Dam facility. He said that he recently spent time at Cavitts Creek and heard from various individuals regarding the camp-ground facilities:

Below is a list of suggestions he received in relation to improvements to the lake:

- ◆ Need more signage on 19-460 - directing people to lake
- ◆ Wide path around lake needed
- ◆ More tables & benches
- ◆ More light in the park
- ◆ Animal proof trash cans needed
- ◆ Additional full services hook-ups for RV's.
- ◆ New play-ground equipment (move present to different location)
- ◆ Swimming area needed
- ◆ Security personnel (night shift)

- ◆ Additional parking areas for vehicles
- ◆ More power/electrical outlets
- ◆ Bridge needed at the head of lake
- ◆ Implement policy to forbid permanent hook-up(s). It appears that several spaces are being used as permanent dwellings.

DOWN-TOWN RICHLANDS, INC.

\$250.00 FROM NORTHWESTERN DISTRICT FUNDS

Upon motion of Supervisor White, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$250.00 from the Northwestern District Fund, payable to the Down-town Richlands, Inc. - contingent upon approval of the County Attorney. Upon such approval of same, 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.

TOWN OF TAZEWEEL - VIRGINIA

4TH OF JULY CELEBRATION \$500.00 - NORTHERN DISTRICT

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 from the Northern District Funds, payable to the Town of Tazewell, Virginia 24651 - The County Administrator is hereby authorized and directed to issue said warrant in accordance herewith which will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

ADJOURN

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

The next meeting is scheduled for August 5, 2008 at 6:00 p.m.

William B. Rasnick, Chairman

Recess time -

9:18 p.m.

by: rg