

VIRGINIA: At a regular meeting of the Tazewell County Board of Supervisors held March 4, 2008 at 6:00 p.m. in the Tazewell County Administration Building, 108 East Main Street, Tazewell, Virginia 24651.

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

ABSENT: Dave R. Anderson, Member
Patricia Green, Assistant County Administrator

The Chairman, William B. Rasnick called the regular meeting to order and presided. He welcomed all those in attendance. Supervisor Anderson was absent from the meeting.

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

AGENDA APPROVED AS AMENDED

The Chairman then called for a motion to approve the March 4, 2008 agenda as amended.

Now, upon motion of Member Wimmer, seconded by Member Hymes and adopted by a vote of 4 to 0, with Supervisor Anderson 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 March 4, 2008 agenda as amended.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Anderson absent from the meeting, the Tazewell County Board of Supervisors hereby approves the February 5, 2008 meeting minutes as written.

EXECUTIVE/CLOSED SESSION

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

- A(7) Legal matter, potential litigation involving a town
- A(5) Prospective Industry involving a pharmaceutical company
- A(5) Prospective Industry involving a medical facility
- A(3) Property Acquisition involving lake property
- A(3) Property Acquisition involving property on main street

RETURN, CERTIFICATION, REPORT OF ACTION

Upon motion of Supervisor Wimmer, seconded by Supervisor White 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 session and lawfully permitted to be discussed under the provisions of The Virginia Freedom of Information Act that were cited in the motion to enter in the Executive/Closed meeting:

Roll Call Vote: Supervisor White - Aye

Supervisor Hymes - Aye

Supervisor Wimmer - Aye

Supervisor Rasnick - Aye

Supervisor Anderson - Absent

REPORT OF ACTION AS A RESULT OF THE EXECUTIVE/CLOSED MEETING
PROPERTY PURCHASE -
TAZEWELL COUNTY PROBATION OFFICE - MAIN STREET, TAZEWELL,
VIRGINIA

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Anderson 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 Tazewell County Board of Supervisors (the "County's") purchase the former Probation Office, located on West Main Street, Tazewell, Virginia 24651 for use by the Tazewell County Commonwealth's Attorney. The proceeds for the purchase of same shall be expended from the Pardue Pharmaceutical Forfeiture Funds Settlement Account. This property purchase was recommended by the Tazewell County Commonwealth Attorney. The County Administrator is hereby authorized and directed to take the necessary actions, upon legal counsels approval, to expedite this transaction and the County Administrator, on behalf of the Board of Supervisors of Tazewell County is hereby further authorized, empowered and directed to execute any and all documents in relation to this matter.

Supervisor Seth White, for the record, explained that the Pharmaceutical Settlement Account was established as a result of the Commonwealth Attorney's

office litigation of the OxyContin drug. He reiterated that the monies exceeded well over \$1,000,000 and that a lot of hard work, red tape and effort were put forth by the Commonwealth Attorney's Office in obtaining this money. He also stated that a stipulation in the settlement authorized that the money be used for law enforcement purposes only and said that the money was not being spent out of any other general fund budget.

CONSENT CALENDAR APPROVED

Upon motion of Supervisor White seconded by Supervisor Hymes, and adopted by a vote of 3 to 0, with Supervisor Rasnick abstaining from the vote and with Supervisor Anderson absent from the meeting, the Tazewell County Board of Supervisors hereby approves the following items as "Consent Calendar". Be it further approved, that the County Administrator is hereby authorized and directed to issue said warrants in accordance with the following 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:

WARRANTS AS PAID

January 2008/February 2008

Ordered that Warrant Nos. 126878 through 126965, and direct deposits totaling \$190,200.05 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending January 31, 2008, be approved.

Ordered that Warrant Nos. 126967 through 127058, and direct deposits totaling \$191,816.35 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending February 15, 2008, be approved.

Ordered that Warrant Nos. 437885 through 438031, for \$462,278.20 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of January 2008, be approved.

Ordered that Warrant Nos. 438033 through 438052, for \$134,670.01 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending January 31, 2008, be approved

Ordered that Warrant Nos. 438054 through 438197, for \$236,873.03 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of February 2008, be approved.

Ordered that Warrant Nos. 438199 through 438326, for \$16,830.00 from the General Fund, covering operating expenses for the various County agencies for the month of February 2008, be approved.

Ordered that Warrant Nos. 438328 rough 438349, for \$134,075.63 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending January 15, 2008, be approved.

Ordered that Warrant Nos. 801207 through 801212 for \$389,247.20 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of January 2008, be approved.

Coyote Claims Approved

- \$50.00 to Eddie Bowman, 307 Mudfork Road, Tazewell, Virginia 24651 for 1 coyote killed on February 19, 2008 with a trap

- \$50.00 to Eddie Bowman, 307 Mudfork Road, Tazewell, Virginia 24651 for 1 coyote killed on February 8, 2008 with a rifle.
- \$50.00 to Jack Harman, 6440 Sinking Waters Road, Bandy, Virginia 24602 for 1 coyote killed on February 2, 2008 with a snare.
- \$100.00 to Alfred Webb, 244 Beechwood Lane, Tazewell, Virginia 24651 for 2 coyotes killed on January 21, 2008 with a snare.
- \$50.00 to William Bandy, 508 Shannon Branch Road, Cedar Bluff, Virginia 24609 for 1 coyote killed with a snare on January 30, 2008.
- \$50.00 to William Bandy, 508 Shannon Branch Road, Cedar Bluff, Virginia 24609 for 1 coyote killed on February 12, 2008 by trap.
- \$50.00 to Gregory Rasnick, 206 Rasnake Road, North Tazewell, Virginia 24630 for 1 coyote killed on February 10, 2008 with a snare.
- \$50.00 to Danny Akers, Route 2, Box 466-A, Bluefield, Virginia 24605 for 1 coyote killed on January 31, 2008 with a snare.
- \$50.00 to Billy Wilson, 201 Yellowbrick Road, Tazewell, Virginia 24651 for 1 coyote killed on February 8, 2008 with a snare.
- \$50.00 to James Kinder, HC Box 109, Richlands, Virginia 24641 for 1 coyote killed on February 21, 2008 with a rifle.
- \$250.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 5 coyotes killed with snare on January 28, 2008.
- \$200.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 4 coyotes killed with a rifle on February 19, 2008.
- \$100.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 2 coyotes killed with a snare on January 22, 2008.

Coyote Bounty Funding

Approved a transfer in the amount of \$2,116.67 from the FY2007-2008 Contingent Grant Resource Account No. 91050-7041 (Farm Bureau funding

match received) and an additional appropriation of \$1,733.33 from the County Contingency Account No. 91050-7023 as the County's share of coyote bounty funds.

Sheriff's Office

Approved a transfer in the amount of \$131.70 from the Contingent Grant Resource Account No. 91050-7041 to the Sheriff's budget, Account 31020 - 6009. This is an insurance check the received by the Sheriff for damages to awning located in Courthouse parking lot.

Treasurer's Office

Approved the removal of a select group of insufficient fund checks totaling \$4,156.37 from the Treasurer's records.

VDOT REPORTS

MARTY HALLOWAY

Marty Halloway, VDOT Resident Administrator, presented an update on the following road projects since the last Board of Supervisors Meeting.

Construction

- Bridges on Rte. 19/460 at Pounding Mill Quarry - Fort Chiswell Construction started mobilizing yesterday and is starting prep work such as setting up offices and obtaining storage sites.
- Request of Closure - VDOT request to close Lake Street during the bridge repairs at Pounding Mill Quarry to help in safety of the motoring public.

Maintenance

- Rte. 696 Slide - Cattle pass has been reset and crews are placing Rip Rap on slope for permanent protection. Additional slides are being looked at and will be addressed during the road closure. All efforts are made to open the road to one lane traffic if at all possible.

Miscellaneous

- SSYP - Due to the shortfall in projected revenue the Department is anticipating a 44% reduction in the SSYP funds. VDOT is not anticipating any affect on federally funded projects.
- SSYP – VDOT provided each BOS member with a copy of the SSYP for review and comments. A joint public hearing on this subject will be held during the April 1, 2008 BOS meeting to approve the priority listing of projects. VDOT will be available before the next BOS meeting to discuss the SSYP with each member individually or 2 at a time. Marty requested that the BOS members contact him for a time and location.
- Request approval of the Revenue Sharing project listing.
- Ch 527 Meeting - SWVCC Thursday, March 6 from 2 till 4.

Update

- Rte. 602 Beartown Road – This will be added to the guardrail list.
(Mrs. Miller)
- Rte. 16 @ Adria – Extend Head Wall
- Rte. 1245 Logging @ cul-de-sac– Site has been cleared and there is no activity
- Rte. 603 Guardrail near Russell County Line – Not enough room for guardrail
- Rte. 609 drop off – VDOT will try to get a permit to install a small wall/headwall.
- Rte. 604 Upper Valley Road speed study – study is not complete, VDOT is in the process of placing tractor signs.

Chairman Rasnick questioned Mr. Halloway with regard to the status of reopening Route 696. The road in question has been closed since mid February because of a slide. Mr. Halloway said that VDOT is diligently working on the slide area and making every effort to have the road open to one-way traffic in the morning and evening hours. The road will hopefully be reopened at the end of March, 2008.

LAKE STREET - CLOSURE FOR BRIDGE REPAIRS

Upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Anderson absent from the meeting, the Tazewell County Board of Supervisors hereby approves the closure of Lake Street during the bridge repairs at Pounding Mill Quarry to help in the safety of motorist who traverse the bridge daily, contingent upon the Virginia Department of Transportation's notification and poll of the public/residents who will be effected by the road closure, with the results of same reported to the Tazewell County Board of Supervisors accordingly. If the outcome of the poll is positive, the Tazewell County Board of Supervisors hereby agrees to the temporary closure of Lake Street during the aforementioned bridge repairs at Pounding Mill Quarry.

REVENUE ROAD SHARING PROJECT FY09

AUTHORIZATION TO PARTICPATE

Upon recommendation of the Tazewell County Coal & Gas Road Committee at a meeting held February 15, 2008, and upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Anderson absent from the meeting, the Tazewell County Board of Supervisors hereby gives its official intent to participate in the Revenue Sharing Program, FY09 and further hereby gives its intent to provide up to \$1,007,500.00 for this program, to be matched on-a-dollar-for dollar basis from the funds of the State of Virginia in accordance with the total amounts of Revenue Sharing Funds requested by each locality as follows:

- Tazewell County \$ 200,000.00
- Bluefield, Virginia 200,000.00

- Richlands, Virginia 207,500.00
- Tazewell, Virginia 400,000.00
- Total \$ 1,007,500.00

The following is further is hereby approved from the FY08-09 Coal Severance Fund as set forth below, for the projects as indicated.

- \$200,000.00 Guard Rail – Revenue Sharing
- \$250,000.00 Orphan Road Paving
- \$181,000.00 Remaining as contingency if needed for Community Facilities Building or the Bluestone.

JEWELL RIDGE CAMP – SAFETY STUDY

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, and once the location and the need for the study is confirmed by Supervisor Seth White, the Tazewell County Board of Supervisors hereby adopts a resolution requesting a safety study to consider a reduction in speed in the Jewell Ridge Camp area, located in the Northwestern District of Tazewell County, Virginia. Supervisor White was further requested to provide the dimensions/ length, etc. to VDOT.

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

JOE ROBINSON –

PLEASANT VALLEY ESTATES ROAD MATTER

Supervisor Rasnick said that he previously requested that the County facilitate condemning the right-of-way or taking other action as may be necessary and appropriate to include the Pleasant Valley Estates Road into the State System. The County Attorney, Eric Young said that sufficient width must be obtained from property owner G.I. Brown in order to do this. Joe Robinson was present and said that G.I. Brown sold the property 30 years ago to the Cartwright and Lindsey families. The County Attorney said that he recently looked at the title and he determined that the right-of-way in question belongs to G.I. Brown. The County Attorney was directed to research and confirm the

property owner in question, and to take the necessary legal actions to resolve this road issue.

PUBLIC HEARING -

GENERAL OBLIGATION SCHOOL BONDS - IN THE ESTIMATED
MAXIMUM PRINCIPAL AMOUNT OF \$2,000,000.00

The Chairman of the Board of Supervisors called to order a public hearing entitled "To hear public concerns on the proposed issuance by the County of General Obligation School Bonds in the estimated maximum principal amount of \$2,000,000.00 the purpose of the proposed bonds is to finance capital projects for public schools."

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

- David Woodard, a member of the Tazewell County School Board said that he supported the proposed bonds to finance capital projects for public schools; however, he requested that the Board of Supervisors support his request and delay the possible closure of Pocahontas High School until 2010. He urged the Board of Supervisors to pass a resolution supporting the tremendous tax payer turnout and opposition to this issue and support his proposal to re-evaluate this matter in 2010.
- Mike Helinger, stated that he conducted a research study for the Town of Pocahontas in reference to the proposed consolidation issue. He said that three physical areas were studied. He said that study after study has shown that school districts "think" that consolidation is going to save them money. He said that this doesn't happen. He suggested that the Board of Supervisors asked the School Board for the information that backs up their decision to support consolidation.

- Wes Myers, Rt. 1, Bluefield, VA – Wanted to know what was going to happen to the high school once closed. He also questioned what type of plan was in place for students to go to either Tazewell or Graham.
Mr. Myers then requested 50 to 60 ft. of guardrails for Route 644 & Route 650. The Chairman requested that this matter be addressed at a different place on the agenda. Sam Wolford was requested to take the necessary information from Mr. Myers.
- Amy Flick, Pocahontas, Virginia asked that the Board of Supervisors delay action on the bond financing until the consolidation issues were resolved.
- Rita Powers, Rt. 1, Bluefield, Virginia, wanted to know how many schools would be repaired with the bond money. She requested that the bond issue be placed on hold for the present time.
- Supervisor Hymes read a letter from the School Superintendent that addressed the number of schools involved in the renovation. The letter indicated that 17 schools would be renovated.
- Wayne Thomas, Cedar Bluff, Virginia wanted to know who would be in charge of the bond money. Seth White said that specific guidelines were in place by the VPSA with regard to how the bond money is spent by the School System.

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

Then, upon motion of Supervisor Wimmer, seconded by Supervisor White and adopted by a vote of 3 to 1, with Supervisor Hymes voting nay, and with Supervisor Anderson absent from the meeting, the Tazewell County Board of Supervisors hereby adopts a RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION SCHOOL BONDS, SERIES 2008 A, OF THE COUNTY OF TAZEWELL, VIRGINIA – IN A PRINCIPAL AMOUNT NOT TO

EXCEED \$2,000,000.00 TO BE SOLD IN THE VIRGINIA PUBLIC SCHOOL AUTHORITY AND PROVIDING FOR THE FORM AND DETAILS THEREOF.

The Board of Supervisors hereby determines that it is advisable to contract a debt and issue and sell its general obligation school bonds in an aggregate principal amount not to exceed \$2,000,000 (the "Bonds") for the purpose of financing certain capital projects for school purposes, including without limitation, the projects described in Exhibit B, to wit: Architectural, engineering, legal and other cost associated with the design renovation of seventeen schools in Tazewell County. Design work includes HVAC, electrical upgrades, window replacement and restroom renovations. The Chairman of the Board of Supervisors, on behalf of the Board of Supervisors, is hereby further authorized and directed to execute any and all documents as may be necessary and appropriate with regard to this matter. 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.

Supervisor Hymes voted nay because he wanted the motion to be amended to state that the money would be used only for elementary schools. He said that this would help alleviate a lot of anxiety in the Pocahontas Community because people in that area believe that some of the money will be used to close their school.

Supervisor Wimmer stated that he requested that the Western School Board Member Steve Davis reconsider the proposed closure of Pocahontas High School. He said that he asked the folks in Pocahontas be given another two years.

Supervisor White said that he felt that the \$2,000,000 approval would get the ball rolling for Phase 1 of the renovation. He said that he believed everyone agrees that our schools need repairs.

County Attorney, Eric Young reminded the Board that the issuance of bonds was an estimated amount up to \$2,000,000.00.

Chairman Rasnick reminded those present that in the past eight years the County had basically given the School System everything they asked for and said that he hoped that they would develop a good long-term plan.

HUNTON & WILLIAMS

2008 SPRING VPSA FINANCING

Upon motion of Supervisor Wimmer, seconded by Supervisor Rasnick and adopted a vote of 4 to 0, with Supervisor Anderson 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 a letter of engagement with Hunton & Williams, LLP, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, Virginia 23219-4074 to represent Tazewell County, Virginia with regard the 2008 Spring VPSA financing. A copy of the letter of engagement setting forth the fees and disbursements is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

PUBLIC HEARING

PROPERTY DISPOSITION OF REAL PROPERTY, LOCATED ON THE EASTERN SIDE OF 637 - "JUMPS DUMP"

The Chairman of the Board of Supervisors called to order a public hearing to hear concerns relative to Section 15.2-1800, Code of Virginia (1950), as amended, relative to the proposed disposition of real property located in the eastern side of Route 637, which has been commonly known as the "jumps dump."

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

Then, upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Anderson 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 the disposal of said property by "invitation to bid" to wit: all that certain tract of parcel of land lying and being on the waters of Dry Fork, Tazewell County, Virginia, and being more particularly described as being bounded by Virginia State Secondary Highway Number 637, and being same property conveyed to grantor by herein deed dated April 19, 1965 and recorded in the Tazewell County Circuit Court Clerk's Office in Deed Book 318, page 579. And being the same property conveyed to G.M. Pruett by Mose Pruett and Martha Pruett by deed dated January 12, 1922 and recorded in the aforesaid Clerks office in Deed Book 94, page 90.

PUBLIC HEARING -

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

BAPTIST VALLEY EAST SEWER PROJECT, PHASE I.

The Chairman then called to order a public hearing that was property advertised according to law, entitled " To hear concerns on a proposed Community Development Block Grant (CDBG) proposal for the Baptist Valley East Sewer Project, Phase I."

Now, the Chairman called for public comments three (3) times and there being none, he declared the public hearing closed. Then, upon motion of Supervisor Hymes, seconded by 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 adopts the following resolutions in reference to the CDBG proposal for the Baptist Valley East Sewer Project, Phase A copy of the resolutions in a form as adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651:

- Local Business and Employment Plan
- Fair House Certification
- Non-Discrimination Policy
- Residential Anti-Displacement Plan

- Submission of the grant proposal in the amount of \$700,000 to DHCD further designating the County Administrator as its representative to sign all documents pertaining thereto.

The County Administrator, Jim Spencer, handed out a flyer announcing a WORKSHOP, entitled "Orientation to Web Services, for the Business Professional, Employers and Government Personnel" on March 12, 2008 at 10:00 a.m. & 6:00 p.m. at two locations, Bluestone Workforce Training Center and the Richlands Business Incubator (tele-site). The instructor will be Glenda Carter with the Virginia Employment Commission – Claypool Hill, Virginia. This will be a comprehensive job matching workshop between job seekers and employers.

RADIO SYSTEM ANALYSIS

ERWIN EARNEST, 911 COMMUNICATIONS DIRECTOR

Erwin Earnest, 911 Communications Director, gave a brief statement on the Radio System Analysis report conducted by David Warner, Radio Division Engineer with the Virginia Information Technology's Center. The study accessed all the radio and communication tower sites as well as the 911 Center in Tazewell County. Mr. Earnest provided each member of the Board of Supervisors, as well as the County Administrator, a copy of the report for their review.

Mr. Earnest then briefly updated the Board on a grant application for a "PSIC", Public Safety Interoperable Communications Grant in the amount of \$1,000,000.00 +. Matching funds for the grant will be \$174,000.00. This matter will be taken under advisement.

COUNTY ATTORNEY REPORTS

The County Attorney, Eric Young, stated that he and the County Engineer, Gary Earp, visited several defaced structures pursuant to an ordinance recently adopted by the County. Public hearings on the alleged defacements

will be held in the next few months. The Board of Supervisors will be given the opportunity to abate the defaced structures in question.

With regard to the alleged nuisance/drug blight on 111 Town Hollow Road, the County Attorney said that public hearings have been held on the subject but he was not in a position at this time to make a report.

CAMP 31 - INMATE WORK CREW

MEMORANDUM OF AGREEMENT (MOA)

Following presentation by Eric Young, County Attorney, and upon motion of Supervisor White, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Anderson 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 renews and enters into a Memorandum of Agreement (MOA) by and between Tazewell County, Virginia and the Department of Corrections, 6900 Atmore Drive, Richmond, Virginia 23225 for a period beginning June 15, 2008 through June 15, 2009 providing for inmate work crews in the County of Tazewell, Virginia. A copy of the MOA is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

FALLS MILLS SCHOOL PROPERTY - SHORT TERM LEASE AGREEMENT

Upon motion of Supervisor Hymes, seconded by Supervisor Rasnick and adopted by a vote of 4 to 0, with Supervisor Anderson 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 directs that the Falls Mills School property be leased to the Clinch Valley Community Action, North Tazewell, Virginia 24630, for a short-term lease- summer 2008, in an amount of \$1.00 - and further authorizes and directs the Clinch Valley Community Action to sub-lease the Falls Mills School property to the youth activity organization/agency that is under the direction of Mike Gravier.

COUNTY ADMINISTRATOR UPDATE

MARKETING PROPOSALS -

WEB DESIGN

The County Administrator, Jim Spencer, said that the County received four (4) Marketing proposals for Tazewell County. Three (3) firms that submitted proposals will be interviewed. The proposals will be reviewed on March 5, 2008 by a committee and a report made at a later date on the results.

It was the consensus of the Board of Supervisors to appoint Mike Hymes and Seth White as the Board of Supervisors representatives to serve on the committee to review the Web Design proposals at such time as may be deemed necessary and appropriate.

PSA/SEDGEWOOD DEVELOPMENT

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Anderson absent, and with all members present and voting in favor thereof and no one against the same, and subject to legal review, the Tazewell County Board of Supervisors hereby grants permission to the Town of Bluefield, Virginia to service out-of-town areas in Tazewell County with water & sewer, more distinctively, the area between Fincastle Farms and Sedge Wood Subdivisions.

NIMS TRAINING -

EMERGENCY SERVICES UPDATE

LETTERS TO FIRE & RESCUE DEPARTMENTS AUTHORIZED

Supervisor Bill Wimmer, on behalf of the Emergency Services Committee reported that some fire & rescue department in the County have not completed the required NIMS training. This can keep the County from receiving grant funding. Now, upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Anderson absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator, by certified letter, to notify each department who has not completed the required NIMS training, informing them of the

consequences of being non-compliance, i.e. that their county/federal funding may be jeopardized if they do not comply with the NIMS training by July 1, 2008. A response must be received by the County Office no later than April 1, 2008 of their intent to take the required training.

THOMPSON VALLEY FIRE DEPARTMENT

1974 F-700 HIGH PRESSURE ENGINE

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Anderson absent from the meeting, the Tazewell County Board of Supervisors hereby declares surplus the 1974 F-700 FMC High Pressure Fire Engine in the possession of Thompson Valley Fire Department and further authorizes an invitation to bid on the equipment and that the proceeds from the sale of same be donated to the Thompson Valley Fire Department to be used toward the purchase of a replacement vehicle.

Chairman Rasnick said that he was recently informed that Rhudy Keith would be getting involved again with the Baptist Valley Fire Department. The department should be up and running again in a few days.

Supervisor Wimmer stated that Bill Allison showed him the new fire truck that was recently purchased and that the vehicle was in perfect condition. He commended Mr. Allison, on behalf of all the EMS committee, for his commitment to fire safety in the County and for his diligence in seeking ways to secure reliable equipment.

HOSPITALIZATION RATES - FY2008-2009 APPROVED

Supervisor Hymes stated that he recently spent time researching the possibility of combining the school system and county insurance benefits program and after meeting with representatives in Richmond he was satisfied that it would not be advantageous because the size of the two groups.

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Anderson 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 new hospitalization rates for FY2008-2009, which was submitted and reviewed by the Tazewell County Budget Committee.

Type of Coverage	Total Monthly Premium	Employee's Monthly Monthly Share	Employer's Monthly Share
<i>Single</i>	\$ 525.00	\$ 52.50	\$ 472.50
<i>Subscriber/Dependent</i>	971.00	186.30	784.70
<i>Family</i>	1,418.00	320.40	1,097.60

Note: Based on 90% employer share for single, and 70% employer share for the difference in dual and family.

APPOINTMENTS

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Anderson absent from the meeting, the Tazewell County Board of Supervisors hereby appoints Seth White, 183 Terry Drive, Richlands, Virginia 24641 as a member of the Community Development Advisory Committee, for a term effective immediately and expiring at the will and pleasure of the Board of Supervisors.

One eastern district appointment to the Tazewell County Public Library was deferred to the April 1, 2008 regular meeting.

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

BOARD CONCERNS

Supervisor White reminded those present that he would be at the V & V Restaurant on the first Saturday of each month to address public concerns.

Supervisor White then said that he received a call from Mr. Keene with The Voice (newspaper) relative to the proposed prescription drug program offered by NACo several years ago. He requested that he be apprised of the County's action on this subject. The County Administrator said that he would put together the information and send same to Mr. White.

NORTHWESTERN DISTRICT YOUTH FUNDS

WESTERN DISTRICT YOUTH FUNDS

Richlands Youth Baseball Boosters Club

Upon motion of Supervisor White, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Anderson absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes the following amounts from district funds as set forth below, with said warrants issued by the County Administrator and converted to negotiable checks by the Treasurer of Tazewell County, Virginia as follows:

- The amount of \$750.00 from the Northwestern District Youth Fund and the amount of \$750.00 from the Western District Youth Fund payable to Richlands Youth Baseball Boosters Club, Inc. for a scoreboard for the Jr. Varsity League, PO Box 1209, Richlands, Virginia 24641.
- Richlands High School DECA – State Leadership Conference in Norfolk, Virginia: the amount of \$250.00 from the Northwestern District Youth Fund and the amount of \$250.00 from the Western District Youth Fund payable to Richlands High School DECA, Attn: Paula Bandy, Marketing Coordinator, 138 Tornado Alley, Richlands, Virginia 24641. This funding will assist with DECA state competition efforts in Norfolk, Virginia.

Supervisor Hymes questioned a Comcast Cable complaint from Authur Hewitt, North Tazewell. County staff is seeking information with regard to this matter.

SOCCER TOURNMENT - TAZEWell HIGH SCHOOL

\$1,100.00 (\$500.00 Southern & \$600.00 Northern)

Upon motion of Supervisor Hymes, seconded by Supervisor Rasnick and adopted by a vote of 4 to 0, with Supervisor Anderson 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 following monies from district funds as set forth below payable to Tazewell High School Soccer Team, for: THS Soccer Tournament, 628 East Fincastle, Tazewell, Virginia 24651. 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 - the amount of \$500.00 from the Southern District Youth Fund and the amount of \$600.00 from the Northern District Youth Fund.

TAZEWELL HIGH SCHOOL FOOTBALL BOOSTERS \$2,000.00 (\$1000 Southern, \$1000 Northern)

Upon motion of Supervisor Hymes, seconded by Supervisor Rasnick and adopted by a vote of 4 to 0, with Supervisor Anderson 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 \$1000.00 from the Southern District Youth Fund and \$1000.00 from the Northern District Youth Fund payable to the Tazewell High School Football Boosters, Tazewell, Virginia 24651. Said warrants will be issued by the County Administrator and converted to negotiable checks by the Treasurer of Tazewell County.

TAZEWELL HIGH SCHOOL WRESTLING CLUB

Upon motion of Supervisor Hymes, seconded by Supervisor Rasnick and adopted by a vote of 4 to 0, with Supervisor Anderson 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 \$500.00 from the Southern District Youth Fund and the amount of \$500.00 from the Northern District Youth Fund, total \$1,000.00 payable to the Tazewell High School Wrestling Club, Tazewell, Virginia 24651. Said warrants will be issued

by the County Administrator and converted to negotiable checks by the Treasure of Tazewell County, Virginia.

HISTORIC POCAHONTAS

QUARTERLY ALLOCATION - DATE CHANGED

& \$1000.00 APPROVED FROM NORTHERN DISTRICT FUND

Upon motion of Supervisor Rasnick, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves that the Historic Pocahontas - County quarterly allocation for April be mailed in March 2008. Further, that the amount of \$1,000.00 is hereby approved from the Northern District Fund, payable to Historic Pocahontas, Pocahontas, Virginia 24635. Said warrant will be issued by the County Administrator in accordance with action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

AIRPORT AUTHORITY - \$20,000.00

FROM CONTINGENCY FUND TO BE REIMBURSED LATER WITH FFA GRANT MONEY

Upon motion of Supervisor Wimmer, seconded by Supervisor Rasnick and adopted by a vote of 4 to 0, with Supervisor Anderson 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 \$20,000.00 from the FY2007-2008 Contingency Fund or other county funding as may be availability, payable to the Tazewell County Airport Authority for the purpose of completing a land purchase transaction and to begin litigation proceedings with a second property owner. The \$20,000.00 will be reimbursed to the County's General Fund when the Airport receives the \$52,000.00 FFA Land Purchase Grant. The grant monies should be received within the next 60 days. 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.

Consideration of adopting a resolution changing the regular monthly meeting time to 5:00 p.m. instead of 6:00 p.m. was deferred. The Board felt that the recent change in the agenda format might help alleviate the late night adjournments.

EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Anderson 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-1 Personnel matter involving the County Administrator.

Then, upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Anderson 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 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 session and lawfully permitted to be discussed under the provisions of The Virginia Freedom of Information Act that were cited in the motion to enter into the Executive/Closed meeting:

Roll call vote:

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

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

ADJOURN

Now, there being no further business to be transacted and upon motion of Supervisor White, seconded by Supervisor Hymes 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 adjourns this meeting. The next meeting is scheduled for April 1, 2008 at 6:00 p.m.

William B. Rasnick, Chairman

By: rg