

VIRGINIA: At a regular meeting of the Tazewell County Board of Supervisors held May 1, 2007 at 7:00 p.m. in the Tazewell County Public Service Authority, Tazewell, Virginia 24651.

PRESENT: William B. "Bill" Rasnick, Chairman
Bill Wimmer, Vice-Chairman
Earl Griffith, Member
Dave Anderson, Member
D. Michael Hymes, Member
Patricia Green, Assistant County Administrator
Eric Young, County Attorney
Ruth Groseclose, Administrative Assistant
Members of the Press: Warren Hinkle, Tazewell County Free
Press Jim Talbert, Clinch Valley News/Richlands News Press

ABSENT: Jim Spencer, County Administrator

MINUTES

The Chairman of the Board of Supervisors welcomed those present and then called the regular meeting to order and presided with all members in attendance.

The Chairman then called for a moment of silence with respect to the Virginia Tech incident on April 16, 2007. Supervisor Anderson then gave the invocation which was followed by the Pledge of Allegiance to the United States Flag.

TAZEWELL HIGH SCHOOL BRICKS FOR BULLDOG WALKWAY -
IN MEMORY OF VIRGINIA TECH STUDENTS

Now, upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following monies from District funds as set forth below to purchase bricks for a Bulldog walkway project at Tazewell High School that will be embossed with the names of the victims and date as a result of the April 16, 2007 Virginia Tech tragedy. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

- Southern District \$500
- Northern District \$500
- Western District \$240

AGENDA APPROVED AS AMENDED

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 May 1, 2007 agenda format as hereby amended.

MINUTES APPROVED AS WRITTEN

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 April 3, 2007 meeting minutes as hereby written.

SCHOOL BOARD BUDGET FY07-08

The Board of Supervisors heard from Mike Dennis, Chairman of the Tazewell County School Board, as well as Dr. Brenda Lawson, Division Superintendent and Steve Davis, School Board Member. The School Board submitted a school Board budget request to the Board of Supervisors asking for \$14,884,270 in local funding. The \$14,884,270 would allow for a five percent (5%) pay increase for school personnel as well as cover additional fuel costs. Each school official that spoke was in favor of giving a 5% pay raise for school employees. Dr. Lawson stated that the School Board's intent was to return between \$200,000 and \$350,000.00 to the County as of June 30, 2007. This money would be defined as left over funding for FY2007.

Supervisor Anderson questioned the school system's step increase pay plan for school teachers. School Superintendent, Dr. Brenda Lawson, explained the pay plan structure, noting that each teacher receives a yearly pay raise based on longevity, in addition to the local funding pay increase.

Supervisor Griffith said that the County would allow the school system to use any left over funding at the end of the school year toward pay raises.

Supervisor Wimmer said that he was concerned for school employees and said that he would like for the County to provide as much funding as they possibly could to help the school system. He said that even though level funding was unavoidable at the present time, he would support additional monies to the school system, should funds become available.

Supervisor Hymes echoed Supervisor Wimmer's comments and said that the Board would do as much as they could to assist the school system. He further mentioned the school facilities study and encouraged the school board's attention to facility needs, recognizing the need to revamp and implement a more unified facility improvement plan.

Supervisor Rasnick, without reservation, said that he supported the school system and voiced his dismay with how long teachers have to work to get a

decent pay check. He said that it takes 20 years for a teacher to make a reasonable salary in Tazewell County.

Now, upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present the Tazewell County Board of Supervisors hereby approves local funding in the amount of \$11,541,812.00 plus \$241,000.00 for fuel costs for the Tazewell County School System for FY2007-2008 with the option to increase the budgeted amount, contingent upon available funding, to fully fund the five percent (5%) salary increase for all school personnel which would begin December 1, 2007.

CONSENT CALENDAR APPROVED

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 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:

WARRANT REGISTER APPROVED

March/April 2007

Ordered that Warrant Nos. 125047 through 125138, and direct deposits totaling \$179,442.51 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending March 31, 2007, be approved.

Ordered that Warrant Nos. 125140 through 125230, and direct deposits totaling \$182,357.24 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending April 15, 2007, be approved.

Ordered that Warrant Nos. 434043 through 434176, for \$1,196,093.12 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of March 2007, be approved.

Ordered that Warrant Nos. 434178 through 434232, for \$190,144.86, from the General Fund, covering operating expenses for the At Risk Youth Program (CSA) for the month March 2007, be approved.

Ordered that Warrant Nos. 434234 through 434254, for \$128,435.99 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 Funds, covering payroll deductions for the various County agencies for the period ending March 15, 2007, be approved

Ordered that Warrant Nos. 434256 through 434439, for \$529,931.80 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 Funds, covering operating expenses for the various County agencies for the month of April 2007, be approved.

Ordered that Warrant Nos. 434441 through 434463, for \$130,855.02 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 Funds, covering payroll deductions for the various County agencies for the period ending April 15, 2007, be approved.

Ordered that Warrant Nos. 801086 through 801091 for \$10,897.65 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of March 2007, be approved.

CIRCUIT COURT CLERK

Transferred the amount of \$2,333.39 from the Contingent Expenditures and Resource Account 91050-7041 to the Circuit Court Clerk's office, Postage

Account, 21060-5210. This is money saved as a result of a vacancy in the clerk's office.

LANDFILL - E. LUKE GREEN COMPANY

Approved the acceptance of demolition debris into the County Landfill from the Town of Fries, VA.

COYOTE FUNDING MATCH FROM THE TAZEWELL COUNTY FARM BUREAU

Approved coyote funding matching from the Tazewell County Farm Bureau.

COMMUNITY FACILITIES BUILDING

Authorizes and directs the architect (T&L) to begin advertising for bids for the Community Facilities Building.

KEEP AMERICA BEAUTIFUL

Adopted a resolution in Support of Upper Tennessee River Roundtable, Inc. - Seeking Regional Affiliation from "KEEP AMERICA BEAUTIFUL, INC." A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator and incorporated herein by reference thereto.

OLDER VIRGINIAN'S MONTH IN TAZEWELL COUNTY, VIRGINIA

Adopted a resolution declaring the month of May as Older Virginians Month in Tazewell County, Virginia. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator and incorporated herein by reference thereto.

FOSTER CARE MONTH IN TAZEWELL COUNTY, VIRGINIA

Adopted a resolution proclaiming Foster Care Month in Tazewell County, Virginia. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator and incorporated herein by reference thereto.

RATIFY \$400.00 TO GRAHAM HIGH SCHOOL - EASTERN DISTRICT FUNDS FOR

D.E.C.A PROGRAM

Ratified and approved the amount of \$400.00 from the Eastern District Funds to Graham High School for the D.E.C.A. Program.

CLINCH VALLEY COMMUNITY ACTION, INC.

\$2,500.00

Approved the amount of \$2,500.00 from the Southern District funds to Clinch Valley Community Action, Inc. P.O. Box 188, North Tazewell, Virginia 24630 (L.T.O Funding).

COMMONWEALTH ATTORNEY'S OFFICE -

Approved the amount of \$23,620.00 from the Contingent Expenditures and Resource Account, 91050-7041 to the Commonwealth Attorney's Budget - Machinery & Equipment Account 22010-8101 (flow through - State Compensation Board monies).

COYOTE CLAIMS APPROVED

\$50.00 to Dana Robinson, 300 Skyline Drive, Bluefield, Virginia 24605 for 1 coyote killed on April 4, 2007.

\$50.00 to Quinto Falgiani, PO Box 1460, North Tazewell, Virginia 24630 for 1 coyote killed on April 9, 2007.

\$100.00 to Eddie Bowman, 3071 Mudfork Road, North Tazewell, Virginia 24630 for 2 coyotes killed on April 4 & April 7, 2007.

\$350.00 to Clinton Bell, Rt. 1, Box 350, Tazewell, Virginia 24651 for 7 coyotes killed on March 28, 31, April 6, 13, 2007.

\$450.00 to Alfred Webb, 244 Beachwood Lane, Tazewell, Virginia 24651 for 9 coyotes killed on March 10 & 21, 27 and April 26, 2007.

\$300.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 6 coyotes killed on March 23, 30 & April 2, 6 & 11, 2007.

\$50.00 to Douglas McBride, 151 Oakland Lane, Bluefield, Virginia 24605 for 1 coyote killed on April 13, 2007.

DAMAGE CLAIMS APPROVED

\$350.00 to Tina Waldron, 1757 Upper Valley Road, Tazewell, Virginia 24651 for 1 buck (pure breed) and 2 ewes (pure breed) killed by stray dogs on March 29, 2007.

\$65.00 to Rush Caudill, 8421 Dryfork Road, North Tazewell, Virginia 24630 for 1 pygmy female goat killed by stray dogs on January 25, 2007.

PUBLIC HEARING

- ORDINANCE TO ADJUST THE BOUNDARIES OF THE ENTERPRISE ZONE FOR TAZEWELL COUNTY, VIRGINIA AS AMENDED - DEFERRED

A public hearing to hear concerns regarding "AN ORDINANCE TO ADJUST THE BOUNDARIES OF ENTERPRISE ZONE FOR TAZEWELL COUNTY, VIRGINIA AS AMENDED" was deferred to the June 5, 2007 regular meeting.

PUBLIC HEARING

- ORDINANCE REPEALING "SEWERS AND DRAINS" AND "SEWER USE ORDINANCE - DIVIDES AREA" and PROVIDING FOR THE ADOPTION OF A PROPOSED "SEWER USE ORDINANCE" IN GENERAL

Now, the Chairman of the Board of Supervisors called to order a public hearing that was advertised according to law, entitled "AN ORDINANCE REPEALING "SEWERS & DRAINS" AND "SEWER USE ORDINANCE - DIVIDES AREA", AND PROVIDING FOR THE ADOPTION OF A PROPOSED "SEWER USE ORDINANCE" IN GENERAL.

He then called for citizen comments with respect to the subject public hearing and there being none, he declared the public hearing closed.

Whereupon Supervisor Griffith voted to amend the proposed ordinance to include a new Article VI - Industrial Discharges, which was recommended by the Department of Environmental Quality and by resolution of the Public

Service Authority. Upon discussion, the Chairman moved to table the motion so that the Board could provide the public opportunity to review the lengthy amendment text. Supervisor Griffith seconded the motion to table the motion to amend the proposed ordinance. The Board of Supervisors voted 5 to 0 to table the Motion until the end of the meeting.

Upon return from the executive/closed session and after Board concerns, the Board took up Mr. Griffith’s Motion to amend the Ordinance and approve as amended. Supervisor Anderson seconded and all present voted in favor thereof. The Ordinance was amended and approved by a vote of 5 to 0.

A copy of the complete ordinance as hereby proposed for adoption is on file in the office of the County Administrator, 106 East Main Street, Tazewell, Virginia 24651 and posted at the front door of the County Courthouse on Main Street in Tazewell, Virginia 24651.

CITIZEN COMMENTS SCHEDULED --

PLEASANT VALLEY ESTATES

JOE ROBINSON - ROAD CONCERNS

Joe Robinson, 1150 Pleasant Valley Road, Cedar Bluff, Virginia 24609 was present and addressed a drain problem on the Pleasant Valley Road. The Board of Supervisors requested that Bill Dillon and Marty Halloway, if applicable, work with the County Attorney to see if the drainage issues can be resolved. The County recently paved the road in question and according to Mr. Robinson, a serious amount of ditch run-off causes an ice-rink on the road in the winter months.

PAUL MCCLANAHAN, PLEASANT VALLEY ESTATES

ROAD CONCERNS

Mr. Paul McClanahan, Pleasant Valley Estates did not appear to address the Board of Supervisors regarding road matters in Pleasant Valley Estates.

JIM HUFFMAN, BURKES GARDEN RESIDENT -

REQUEST ASSISTANCE WITH A PROPOSED MEAT PROCESSING PLANT

The Board of Supervisors took no action with regard to Jim Huffman's request for a proposed meat processing plant and a future cannery in the Southern District of the County. Mr. Huffman said that the projected cost for the plant would be \$1.6 million dollars and he was told in order to obtain assistance for a small business loan that a USDA feasibility study on the project would be required. The study would cost approximately \$30,000.00. He requested that he obtain a copy of the rules regarding the feasibility study requirements. Mr. Huffman said that Jim Boyd, IDA Chairman, has worked with him in this endeavor. However, Mr. Huffman said that he was having problems financing the project as an individual. The Chairman suggested that he continue to work with the IDA in this endeavor.

COOPER VACATION OF STREET -
RANDY BOLLING, ATTORNEY

Attorney, Randy Bolling, Richlands, Virginia, representing Walter E. Cooper and Sally J. Cooper with regard to their petition to vacate a platted cul-de-sac at the end of the street beyond the boundaries of lots 20 & 27, located approximately one mile west of Claypool Hill, as shown on a plate entitled "Tazewell County, Virginia - Subdivision of the Bill R. Taylor Property located about one (1) mile west of Claypool Hill, lying on the south side of Old Route 19, and stated in support thereof that the above described Cul-de-sac has not been developed as a public passageway and serves no public necessity." The Brewster's, Mattie Stilwell heirs, appeared with Attorney Bolling as well, voicing no objections to the proposed vacation. All parties involved with regard to the vacation have reached an agreement.

Now, 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 approves an Ordinance, vacating that portion of Cul-de-sac above mentioned as hereafter described, pursuant to Section 15.2-2272 of the Code of Virginia, (1950) as amended.

“The platted cul-de-sac at the end of the street together and with that portion beyond the eastern boundary of Lot 25, located approximately one mile west of Claypool Hill, Virginia, as shown on the original plat entitled “TAZEWELL COUNTY, VIRGINIA, SUBDIVISION OF THE BILL R. TAYLOR PROPERTY LOCATED ABOUT ONE MILE WEST OF CLAYPOOL HILL, LYING ON THE SOUTH SIDE OF OLD ROUTE 19.” By H.L. Louthen, dated April 1966 and recorded in Plat Book page 4 Page 110 (Plat Card # 2722) in the Tazewell County Circuit Court Clerk’s office, is hereby vacated pursuant to Section 15.2-2272, et. seq. of the Code of Virginia, (1950), as amended and which cul-de-sac and portion of the street being vacated is more particularly set forth and shown by recent survey on that plat entitled “PLAT SHOWING PORTION OF 25’ STREET AND CUL-DE-SAC EASEMENT TO BE VACATED, LOCATED IN SUBDIVISION OF BILL REECE TAYLOR PROPERTY, PLAT BOOK 4, PAGE 110, TAZEWELL COUNTY, VIRGINIA DATE, 3-28-07, A COPY OF WHICH IS ATTACHED hereto and intended to be recorded herein.” It is further resolved that the County Attorney is hereby directed to provide petitioners with an attested copy of this Ordinance and to record the proper documents with the Circuit Court Clerk’s office.

VIRGINIA DEPARTMENT OF HEALTH
 \$9,570.33 FOR LASER-FICHE/MICROFILMING

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 \$9,570.33 from the FY2007-2008 Contingency Fund, Acct. No. 91050-7023, for the purpose of paying invoices from Eastern Microfilming/EMI Imaging - 636 Commerce Street, Stuart, Virginia 24171 for the Cumberland Plateau Health District. Said invoices will be sent to the County of Tazewell and paid directly to Eastern Microfilm/EMI Imaging. 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.

VDOT REPORTS

Harold Sergeant, representing the Virginia Department of Transportation was present and updated the Board with regard to various highway projects.

- Angles Hollows road project started this week (May 1, 2007)
- Paving projects taking place in Pocahontas on Route 659 and in Jewell Ridge with regard to coal truck damage. He reported that there won't be a lot of paving projects taking place in the County this year due to funding shortfalls.
- Route 702 - top & shoulders being laid
- Route 696/Prison Road should be completed in October 2007
- Board Concerns - Road Questions

Supervisor Griffith requested that VDOT contact Wayne & Missy Lawson with regard to a road issue on Route 618, telephone 963-4151 regarding a water culvert concern.

Supervisor Hymes requested the status of placing reflectors on Burkes Garden Mt. as well as paving in Burkes Garden.

Supervisor Wimmer commended VDOT for the nice job they did on 3rd Street.

Supervisor Rasnick questioned the status of repairs to Goss Road at the head of Abbs Valley to Mudfork. Mr. Sergeant said that there were no repairs scheduled for this road at the present time.

Ralph Kinder requested that VDOT investigate potential road repairs in the Raven area/Plaster's Discount furniture area and at the Raven Drug Store Center.

NUISANCE COMPLAINT - ABBS VALLEY

Wesley Myers and Herbert Creasy, residents of the Abbs Valley, Virginia community complained about the amount out-of-state trash being brought into Tazewell County. Mr. Myers alleged that a gentleman living in Abbs Valley owns apartments in West Virginia and brings his tenants' garbage to Tazewell County for disposal and in return charges his tenants for garbage pick-up. Mr. Myers and Mr. Creasy requested that the Board of Supervisors do something about the situation.

Chairman Rasnick said that the Board of Supervisors are in the process of considering amendments to the County's Solid Waste Disposal rates and when the resolution is adopted all commercial enterprises, businesses, industries, manufacturing and private haulers of solid waste will be charged for the disposal of solid waste into the county's landfill and transfer stations.

FAIR ASSOCIATION - REQUEST FOR FENCE IN PIT AREA OF THE FAIRGROUNDS AREA

Mrs. Irma Mitchell, Tazewell County Fair Association, thanked the Board of Supervisors for making repairs to the old cheese house at the County Fairgrounds. She further mentioned that the Sheriff has informed the Fair Association that his department cannot provide security during the Fair unless the county budget committee approves the incorporation of same in his budget. She said that the Fair Association needs security at the County Fair from 7 to 11 p.m. each evening.

Mrs. Mitchell further requested that the County approve the purchase of fifty (50) new tables for the fair association.

Mrs. Mitchell further requested that the Fair Association be allowed to place a permanent fence in the pit/derby area of the fairgrounds arena for liability purposes. The Fair Association expects that the fence will be donated.

Now, 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 requests that the County Engineer, Gary Earp, determine whether the placement of a permanent fence is feasible in the Fairgrounds arena/ derby area, and if so, to work with the Fair Association with regard to the placement of said fence. The installation of same will be at the expense of the Tazewell County Fair Association.

JANIE COOPER - CITIZEN CONCERNS

Ms. Janie Cooper did not appear before the Board of Supervisors to address issues regarding the County's Animal Shelter and Animal Control Department.

EMERGENCY SERVICES REPORT - SUPERVISOR GRIFFITH

The EMS Committee will meet on May 7; therefore no EMS report was given.

APPOINTMENTS

Tazewell County Airport

One (1) Northern District appointment to fill an expired term was deferred to the June 5, 2007 meeting.

Tazewell County Industrial Development Authority

One (1) At large appointment to fill an unexpired term was deferred to the June 5, 2007 meeting.

Clinch Valley Community Action - Board of Directors

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 appoints the following people to the Clinch Valley Community Action, Inc. Board of Directors, with a term commencing June 1, 2007 and expiring May 31, 2008, contingent upon the appointees acceptance of this action:

Ethel Bennett, Box 155, Bishop, Virginia 24604

Donald A. Neal, 1807 Lee Avenue, Bluefield, Virginia 24605

Emma Hagy, 332 Earls Branch Road, Pounding Mill, Virginia 24637

COUNTY ATTORNEY REPORTS

Eric Young, County Attorney, updated the Board of Supervisors with regard to the following:

- VACo Legislative Town Hall Meeting held April 16, 2007 in Abingdon. He said that each county in Southwest Virginia is experiencing problems of similar themes with regard to county issues, like landfill costs, etc.
- Preferred Hospice, Inc. – Tax Exemption Request – 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 authorizes and directs the County Administrator to advertise for a public hearing to hear concerns regarding the consideration of adopting an ordinance designating tax exempt status for Preferred Hospice, Inc. 2629 Front Street, PO Box 784, Richlands, Virginia 24641. The Board further requested that the Commissioner of Revenue provide the Board of Supervisors with a list of all-tax exempt organizations that have been approved by the Board of Supervisors.
- LAWRENCE ROAD RESOLUTION

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 adopts a resolution accepting Lawrence Road located in the Eastern District of Tazewell County from the end of State Maintenance of Route 1509 to such point that all abutting property whereon any residence is located is owned

by a single property owner, in accordance with the Tazewell County Orphan Roads Policy. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator, 106 East Main Street, Tazewell, Virginia 24651.

- The Board of Supervisors assignment of Community Services Contract to the IDA; the resolution approving a Tazewell County Economic Development Partnership, and a change order for the Community Services Building were all moved to the Executive/Closed Session.
- Criminal & Traffic fees to be increased by amending ordinance - 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 authorizes and directs the County Administrator to advertise for a public hearing with regard to amending an ordinance for the purposes of raising criminal and traffic fees for courthouse security.
- LANDFILL FEES POLICY - Upon motion of Supervisor Wimmer, seconded by 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 authorizes and directs the County Administrator to hold a public hearing on the disposal of solid waste, more particularly Section 4. Relating to the disposal of tires.
- Essex Road postponement - 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 postpones the Essex Road paving project due to several right of way issues.

- Blight Ordinance – The County Attorney is investigating a potential blight ordinance for the County and he will make a report at the June 7, 2007 meeting regarding the specifics of such an ordinance.

COUNTY ADMINISTRATOR REPORTS

In the absence of the County Administrator, the Assistant County Administrator, Patricia Green, reported on the following County projects:

- Roads Update – This matter is placed on the agenda each month in the event there are road issues that the Board want to discuss.

The Board of Supervisors agreed to develop a wish list of orphan road repairs for FY08 and to have the Coal Severance Committee meet and consider the list of roads to be repaired with Coal Severance funds, for FY08.

- Bluestone Grant Applications - Currently, we have two -(2) pending grants before the Tobacco Commission. The Tobacco Commission is currently trying to securitize their funding basically changing their payment into a one-time settlement. Projects are being deferred until the fall. The \$3,000,000.00 WIRED grant has been applied for.
- Virginia Employment Commission- Proposed closure of various VEC offices. The Board directed Eric Young, County Attorney, to attend a public meeting in St. Paul, Virginia on Thursday, May 3, 2007 from 7: 00 to 9:00 p.m. in the St. Paul Town Hall for the purposes of voicing objections to the closing of various VEC offices on behalf of the Board of Supervisors.
- LIBRARY ROOF BIDS

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 approves the amount of \$44,200.00 from the Capital Projects Contingency

Fund Acct. No. 91050-7008 payable to Dunford Roofing, Tazewell, Virginia 24651. The County solicited bids to replace the roof at the Tazewell County Library, located on Main Street, Tazewell, Virginia and the bid was awarded to Dunford Roofing accordingly.

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.

- ANIMAL SHELTER FACILITY REPAIRS

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 and transfers the amount of \$17,000.00 from Acct. No. 91050-7003 Capital Projects Contingency Account and transferred to the Animal Shelter Account to the Building & Grounds Account No. 43020-8109 to cover the expenses associated with the \$36,420.35 needed repairs at the Animal Shelter facility. The amount of \$20,000.00 was originally budgeted for repairs to the Animal Shelter. The \$36,420.35 will take care of the immediate problems at the Animal Shelter recently cited by the Department of Agriculture.

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.

- ANIMAL FRIENDLY LICENSE PLATE REVENUE

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 approves the amount of \$290.00 from the Contingent Expenditures and Grant Account No. 91050-7041 payable to Pet Haven, Falls Mills, Virginia. This is money that the County of Tazewell received from the State - DMV, as its share of the "Animal Friendly License Plate Program" to be used to neuter & spay animals in shelters. The County Administrator is hereby authorized and

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

Several members of the Board of Supervisors requested that the County see if the neuter and spay program could be reinstated at the Animal Shelter facility.

- **AUDITING SERVICES FOR TAZEWELL COUNTY**

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 authorizes and directs the County Administrator or his designated agent to negotiate with Robinson, Farmer & Cox, Christiansburg office, to perform auditing services for Tazewell County, Virginia. The County advertised an "RFP for Auditing Services" for fiscal years ending June 30, 2007 through June 30, 2009 and only received one proposal. Once negotiations are final the County Administrator is hereby authorized and directed to enter into and execute all documents relating to said auditing services, contingent upon final approval of the County Attorney.

- **BUDGET - PUBLIC HEARING AUTHORIZED**

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 authorizes and directs the County Administrator to advertise for a public hearing to hear concerns regarding the proposed County Budget, FY2007-2008. The hearing will be held on June 5, 2007.

- **PROPOSED ZONING** - The County will soon have a contract signed with Anderson & Associates on the Comprehensive Plan. As the Comprehensive Plan is being developed the County will simultaneously work on proposed zoning for the County.
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The Chairman called for a recess of ten (10) minutes prior to entering into an executive/closed meeting.

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 enters into an executive/closed session pursuant to Virginia Code Section 2.2-3711:

- A-7 One (1) legal/landfill - involving contract negotiations
- A-7 One (1) legal/Airport Authority matter
- A-6 One (1) Discussion regarding the investment of public funds - Four Seasons Wellness Center
- A-6 One (1) Discussion regarding the investment of public funds - Bluestone
- A-3 One (1) Property Acquisition - involving the potential purchase of property
- A-1 One (1) Personnel Matter involving certification status
- A-6 One (1) Discussion regarding the investment of public funds - Community Facilities Building

RETURN FROM THE EXECUTIVE/CLOSED MEETING/CERTIFICATION

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 returns from the Executive/Closed Session:

WHEREAS, the Tazewell County Board of Supervisors has convened an executive/closed meeting on this date pursuant to an affirmative vote and in accordance with The Virginia Freedom of Information Act; and

WHEREAS, 2.2-3712 of the Code of Virginia, requires a certification by the Tazewell County Board of Supervisors that such executive/closed meeting was conducted in conformity with Virginia law; and

NOW, THEREFORE, BE IT RESOLVED, that the Tazewell County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive/closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Tazewell County Board of Supervisors.

Ayes: Supervisor Rasnick, Wimmer, Griffith, Hymes and Anderson

Nays: None

Absent: None

Absent during vote: None

SEWER USE ORDINANCE

Pursuant to a public hearing held this date entitled "AN ORDINANCE REPEALING "SEWERS AND DRAINS" AND "SEWER USE ORDINANCE - DIVIDES AREA" and providing for the adoption of a Proposed "SEWER USE ORDINANCE" in general. Upon motion of Supervisor Griffith, seconded by Supervisor Anderson 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 an Ordinance, Amending Chapter 16 of the Code of Tazewell County, entitled "AN ORDINANCE REPEALING "SEWERS AND DRAINS" AND "SEWER USE ORDINANCE - DIVIDES AREA" and providing for the adoption of a Proposed "SEWER USE ORDINANCE" IN GENERAL" - and does hereby further waive the reading of Article VI - Industrial Discharges, Section 1 through Section 5.

A copy of the ordinance in its entirety in a form as hereby adopted is incorporated herein by reference and is on file in the office of the County Administrator, 106 East Main Street, Tazewell, Virginia 24651.

REPORT OF ACTION AS A RESULT OF THE EXECUTIVE/CLOSED SESSION

The Board of Supervisors hereby defers the following matters to the June 5, 2007 regular meeting:

- Support resolution – Assignment of Community Services Contract to the IDA
- Community Services Building Change Order

OUT OF COUNTY & STATE - SOLID WASTE TRANSPORTATION

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 authorizes and directs the County Administrator to advertise for a public hearing on the subject of transporting out-of-county & state solid waste into the County of Tazewell. The public hearing is contingent of the County Administrator and County Attorney determining a need for such a public hearing.

CHMURA ECONOMICS

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 recommends to the Tazewell County Industrial Development Authority that the IDA negotiate with Chmura Economics to perform the design curriculum for the Bluestone Training Workforce Center pursuant to the Virginia Department and Housing and Development grant.

BOARD CONCERNS

ABBS VALLEY FIRE & RESCUE DEPARTMENT

UP TO \$5,000.00 APPROVED FROM NORTHERN DISTRICT FUNDS

Upon motion of Supervisor Rasnick, 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 authorizes and approves an amount no to exceed \$5,000.00 from the Northern

District Funds to pay certain invoices for the Abbs Valley Fire & Rescue Department. Said invoices will be sent to the County of Tazewell and paid accordingly from the Northern District Funds in accordance with this action. The County Administrator is hereby authorized and directed to issue said warrants at such time as he deems necessary and appropriate from funds in accordance with this action. Said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

RESOLUTION FOR AMENDMENTS OF CONSORTIUM BY-LAWS

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 a resolution approving the amendment of the Southwest Virginia Employment & Training Consortium – by-laws, Article II, Section B.3.

The nominees for appointment will be placed on the June 5, 2007 agenda – and the names of nominees will be submitted to the Consortium in accordance with the amended Consortium by-laws.

DISTRICT FUNDS

NORTHWESTERN AND WESTERN

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 following monies from the Northwestern & Western District Funds as set forth below. The County Administrator is hereby authorized and directed to issue said warrants in accordance herewith and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

American Veterans Honor Guard, Inc. – Richlands, Virginia \$1000.00 - \$500.00
Northwestern & \$500.00 Western

Richlands High School Choir – Richlands, Virginia \$1000.00

\$500.00 Northwestern & \$500.00 Western

Safety Day – Richlands Police Department \$2000.00

\$1000.00 Northwestern & \$1000.00 Western

Clinch Valley Kiwanis’s Club \$1,000.00

\$500.00 Northwestern & \$500.00 Western

GRAHAM MIDDLE SCHOOL -

\$800.00 DESTINATION IMAGINATION

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 \$800.00 from the Eastern District Funds, payable to Graham Middle School - Destination Imagination, # 1 Academic Circle, Bluefield, Virginia 24605.

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.

“DONNIE LOWE” - NAME TO BE INCLUDED IN THE KIDS FISH DAY LAKE JACK WITTEN/CAVITTS CREEK LAKE - ANNUAL EVENT

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 name of the late Donnie L. Lowe be included in the Kids Fish Day event in honor of Mr. Lowe’s love and many contributions in helping make the Kids Fish Day at Cavitts Creek Park/Lake Jack Witten a success. Mrs. Elizabeth Bennett will be notified of this request in writing.

SCHOOL FACILITY PLAN -

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 respond back to the School Board with regard to the facility plan submitted to Chairman Rasnick on April 30, 2007. The Board requested that the school facilities plan include a

detailed work proposal for each building as well as the cost for work in line item form. A time-line should be developed for the construction phases as well and steps should be taken to do whatever is required to secure the best financing terms for the projects and what effects the repayment plan will have on the school's annual budget. The plan should determine a priorities list and the basis for determining the list of priorities. Each Board of Supervisor member shall provide input and suggestions to the County Administrator with regard to the facility plan within the next week or so.

Supervisor Anderson requested that he be provided a status report on the Kersey Road project.

Supervisor Anderson wanted to know if the new policy regarding vehicle use was in place. The Assistant County Administrator reported that the vehicle policy was now active.

Supervisor Wimmer suggested that the Coal Road & Gas Severance Committee meet as soon as possible to develop the new "wish-list" of roads for FY08.

TAZEWELL HIGH SCHOOL SOFTBALL
\$750.00 SOUTHERN DISTRICT FUNDS

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 amount of \$750.00 from the Southern District Funds, payable to Tazewell High School Softball Team, 627 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 check by the Treasurer of Tazewell County, Virginia 24651.

Supervisor Hymes suggested that the \$10,000 special project money, (Camp Joy, Wellness Center, etc.) be transferred to each district fund account for

FY07-08. It was stated that the County Budget Committee could make this adjustment.

Supervisor Hymes questioned the recent “warning letter” from DEQ with regard to the County’s Landfill. Patricia Green explained that the letter was a DEQ procedure and that most of the issues in the letter had already been corrected. However, the landfill’s walk-through gate can no longer be open after hours and this matter is being addressed.

RESOLUTION - CHANGING THE BOARD OF SUPERVISORS MEETING TIME

Upon motion of Supervisor Wimmer, seconded by Supervisor Griffith 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 authorizes and gives notice of change IN THE TIME of the regular meetings of the Tazewell County Board of Supervisors meeting times. The meetings will be held at 6:00 pm. beginning with the June 5, 2007 meeting.

ADJOURN

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 adjourns this meeting.

The next meeting will be held at 6:00 p.m. on June 5, 2007.

William B. “Bill” Rasnick, Chairman

By: rg

Recess time 11:15 p.m.

