

VIRGINIA: AT A SPECIAL MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD NOVEMBER 8, 2007 AT 4:30 P.M. IN THE TAZEWELL COUNTY PUBLIC SERVICE AUTHORITY BUILDING, TAZEWELL, VIRGINIA 24651.

PRESENT: William B. Rasnick, Chairman
Bill Wimmer, Vice-Chairman
Earl W. Griffith, Member
Dave Anderson, Member
D. Michael Hymes, Member
C. Eric Young, County Attorney
James H. Spencer, III - County Administrator
Patricia Green, Assistant County Administrator
Ruth Groseclose, Administrative Assistant
Members of the Press

ABSENT: None

SPECIAL CALLED MEETING

The Chairman, William B. Rasnick called to order a Special called meeting in accordance with Virginia Code Section 15.2-1418 and Virginia Code Sections 2.2-3707, paragraphs A, C, D, & E. The Special meeting was called to discuss business as may properly come before the Board of Supervisors as outlined on the attached November 8, 2007 Special Meeting Agenda with said Agenda incorporated herein by reference thereto. All those required to be notified of the Special Called Meeting were so informed. A copy of the Request for the Special Called Meeting is attached hereto and incorporated as well. The Request for the Special Called Meeting was submitted to and received by James H. Spencer, III on the 1st day of November, 2007. Billy Wimmer and Earl W. Griffith members of the Board of Supervisors requested that the Special Meeting be held. A copy of the Waiver of Notice with all signatures of the Board of Supervisors as well as the County Attorney and the County Administrator is attached hereto and incorporated herein by reference.

Now, Supervisor Griffith gave the invocation with Supervisor Anderson leading those present in the pledge of allegiance to the flag.

AGENDA ADOPTED AS AMENDED

The Chairman of the Board called for a motion to amend the agenda to include a discussion relative to the Bluestone Partnership and to address the Leatherwood Change in Access project as recommended by the County Attorney, Eric Young.

Then, upon motion of Supervisor Anderson, seconded by Supervisor Griffith and adopted by a vote of 5 to 0, with all members present voting in favor thereof and none against the same, the Tazewell County Board of Supervisors hereby accepts the amendments to the Special Called Meeting Agenda and further hereby approves the agenda in its amended form.

EXECUTIVE SESSION

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

- A-6 The investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected involving the Commonwealth Attorney's office.
- A-6 The investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected involving the Landfill Phase 4-A development.
- A-3 Property Acquisition - involving property in the Town of Tazewell.

- A-7 Legal Matter – Consultation with legal counsel pertaining to a road matter.
- A-5 Prospective business where no previous announcement has been made.
- A-6 The investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected involving the Bluestone Workforce Training Center.

**RETURN, REPORT OF ACTION -
EXECUTIVE/CLOSED SESSION**

Upon motion of Griffith, seconded by Supervisor Hymes 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 return 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 to the Executive/Closed meeting:

Roll Call Vote:

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

**ACTION AS A RESULT OF THE EXECUTIVE/CLOSED MEETING
\$15,000 FROM CONTINGENCY TO BUILDING & GROUNDS**

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 approves a transfer in the amount of \$15,000.00 from Account No. 91050-7023 to the Building & Grounds Budget for repairs to County Buildings.

**\$75,000 FROM CAPITAL OUTLAY TO ECONOMIC DEVELOPMENT -
IDEA PARK**

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 approves a transfer in the amount of \$75,000.00 from the Capital Outlay Account to the Economic Development – Idea Park Renovation, Account Number 12050-8109 for improvements to the Idea Park.

LANDFILL PHASE 4-A DEVELOPMENT CHANGE ORDERS

A & A ENERGY

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 a change order for A & A Energy with regard to the Tazewell County Landfill Phase 4-A development in the amount of \$118,100.00.

THOMPSON & LITTON

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 a change order for Thompson & Litton (T+L) with regard to engineering/testing services for the Tazewell County Landfill Phase 4-A development in the amount of \$65,269.00.

ADJOURN

Now, there being no further business to come before this Board and due to the 6:00 p.m. hour approaching, the Tazewell County Board of Supervisors hereby adjourns this Special Called Meeting and

hereby authorizes and directs that any an all matters not acted upon as scheduled for discussion on the Special Called Meeting Agenda be hereby deferred to the November 8, 2007 regular meeting.

William B. Rasnick, Chairman

**VIRGINIA: AT A REGULAR MEETING OF THE TAZEVELL COUNTY BOARD OF SUPERVISORS
HELD NOVEMBER 8, 2007 AT 6:00 P.M. IN THE TAZEVELL COUNTY PUBLIC SERVICE
BUILDING, TAZEVELL, VIRGINIA 24651.**

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

ABSENT: NONE

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

MINUTES 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 October 2, 2007 meeting minutes, except that the motion regarding the Drug Blight Area- Public Hearing on page 28 reflect a vote of 4 to 1, with Supervisor Hymes voting nay. The minutes as written, show Supervisor Hymes approval of the hearing. The minutes will be corrected as noted.

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 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". 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 APPROVED AS PAID

September/October 2007

Ordered that Warrant Nos. 126161 through 126250, and direct deposits totaling \$193,482.28 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending September 30, 2007, be approved.

Ordered that Warrant Nos. 126252 through 126340 and direct deposits totaling \$194,857.84 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending October 15, 2007 be approved.

Ordered that Warrant Nos. 436445 through 436598, for \$957,254.62 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of September 2007, be approved.

Ordered that Warrant Nos. 436600 through 436617, for \$130,154.55 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending September 30, 2007, be approved

Ordered that Warrant Nos. 436619 through 436765, for \$1,342,240.70 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 Funds, covering operating expenses for the various County agencies for the month of October 2007, be approved.

Ordered that Warrant Nos. 436767 through 436786, for \$129,956.62 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending October 15, 2007, be approved.

Ordered that Warrant Nos. 801162 through 801167 for \$31,584.57 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of September 2007, be approved.

COUNTY AUCTION -

VEHICLE LIST AND OTHER EQUIPMENT DECLARED SURPLUS

Declared surplus a list of county vehicles and other computer/technology surplus equipment list as presented this date as surplus property, with said list is attached hereto and incorporated herein by reference thereto. The County Auction is scheduled for December 15, 2007. The Auctioneer will be Eddie Pauley, Regency Real Estate & Auction Company, Bluefield, Virginia 24605.

COYOTE CLAIMS APPROVED

- \$50.00 to Randall Cartwright, PO Box 125, Pocahontas, Virginia 24635 for 1 coyote killed on September 14, 2007 with a snare.
- \$50.00 to Randall Cartwright, PO Box 125, Pocahontas, Virginia 24635 for 1 coyote killed on October 3, 2007 with a snare.
- \$50.00 to Stephen Sergeant, Rt. 1, Box 421-F, Bluefield, Virginia 24605 for 1 coyote killed on October 6, 2007 with a bow.
- \$50.00 to Lillie Lowe, 5352 Clearfork Road, Tazewell, Virginia 24651 for 1 coyote killed with a rifle on Oct. 17, 2007.
- \$50.00 to Alfred Webb 244 Beechwood Lane, Tazewell, and Virginia 24651 for 1 coyote killed with a rifle on July 20, 2007.
- \$50.00 to Alfred Webb 244 Beechwood Lane, Tazewell, Virginia 24651 for 1 coyote killed with a snare on September 18, 2007.
- \$50.00 to Larry Lambert, 1101 Plymouth Hollow Rd. North Tazewell, Virginia for 1 coyote killed with a rifle on Oct. 10, 2007.
- \$50.00 to Bob Correll, 570 Correll Farm Rd. Tazewell, Virginia 24651 for 1 coyote killed with a snare on September 19, 2007.
- \$50.00 to W. J. Rhudy, 175 Rudy Creek Rd., Tazewell, Virginia 24651 for 1 coyote killed on October 18, 2007 with a gun.
- \$50.00 to Ronald Halloway, 501 East Fincastle, Tazewell, Virginia 24651 for 1 coyote killed on October 12, 2007 with a snare.
- \$50.00 to Ronald Halloway, 501 East Fincastle, Tazewell, Virginia 24651 for 1 coyote killed on October 4, 2007 with a snare.

- \$50.00 to Ronald Halloway, 501 East Fincastle, Tazewell, Virginia 24651 for 1 coyote killed on October 11, 2007 with a snare.
- \$50.00 to Timothy Vaughn 912 Goss Road, Bluefield, Virginia 24605 for 1 coyote killed on October 12, 2007 with a snare.
- \$50.00 to Danny Akers, Rt. 2, Box 466-A, Bluefield, Virginia 24605 for 1 coyote killed on October 16, 2007 with a snare.
- \$50.00 to Eddie Bowman, 3071 Mudfork Road, North Tazewell, Virginia 24630 for 1 coyote killed on October 12, 2007 with a rifle.
- \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651 for 1 coyote killed on May 1, 2007 with a snare.
- \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651 for 1 coyote killed on July 26, 2007 with a snare.
- \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651 for 1 coyote killed on May 6, 2007 with a snare.
- \$50.00 to Douglas Boothe, 249 Santana Road, Bluefield, Virginia 24605 for 1 coyote killed on October 6, 2007 with a snare.
- \$100.00 to Timothy Jess Sparks, 630 Olympia Drive, Jewell Ridge, Virginia 24622 for 2 coyotes killed on October 22, 2007 with a trap.
- \$50.00 to Charles Null, 306 Cherry Hills Dr. Tazewell, Virginia 24651 for 1 coyote killed on October 17, 2007 with a bow.
- \$50.00 to Jack Howery, Jr. 230 Ferndale St. Cedar Bluff, Virginia 24609 for 1 coyote killed on October 31, 2007 with a rifle.
- \$50.00 to Danny Akers, Rt. 2, Box 466-A, Bluefield, Virginia 24605 for 1 coyote killed on November 2, 2007 with a snare.

SHERIFF'S BUDGET

Approved a transfer in the amount of \$2,251.46 from the Contingent Expenditures & Grant Account No. 91050-7042 to the Sheriff's Compensation Account No. 31020-1150 as a reimbursement for a Selective Enforcement Grant.

ADDITIONAL APPROPRIATIONS

Approved additional appropriations as follows:

- \$755,500.00 - Commonwealth Attorney Forfeiture (Purdue)
- \$27,064.72 - Sheriff Grant
- \$239.14 - Sheriff Forfeiture
- \$3,265.40 - Commonwealth Attorney Forfeiture

JUNK DEALERS/USED AUTO PARTS DEALERS

Approved the following Junk Dealers and Used Auto Parts licenses - whose licenses must be renewed by December 31, 2007:

JUNK DEALERS

Bluefield Iron & Metal
 Charles Harman
 Robert Holmes & Alvin Holmes
 John Rogic
 James Curtis Smith

USED AUTO PARTS DEALERS

Dandee's Incorporated
 Kulchar Junk Yard, Incorporated
 Edgar & Tonya Wicks

REGISTRAR BUDGET

Approved a transfer of funds in the amount of \$1,776.15 from the Contingent Expenditures & Grant Account No. 91050-7042 to the General Registrar Budget, Account No. 13020-8101 Machinery & Equipment (HAVA reimbursement for lap-top computer).

LIBRARY BUDGET

Approved a transfer of funds in the following amounts from the Contingent Expenditures & Grant Account No. 91050-7042 to the following Library Accounts to cover special funds/donations:

- Childcraft refund \$29.00 to Account NO. 6012 Books
- Rhinehart donation \$1000.00 to Account No. 6012 Books
- Jeffersonville Women's Club \$200.00 to Account No. 3210- Contractual
- **Information: Note the following state aid reductions to the Library budget:** \$3,588.60 from Account No. 8102 - Furniture; \$4,000.00 from Account No. 8108-Equipment

SETH WHITE - BOARD OF SUPERVISOR ELECT

RECOGNIZED

Supervisor Griffith recognized and congratulated Seth White, Board of Supervisor elect, Northwestern District. Mr. White will take office January 1, 2008. The Chairman echoed Supervisor Griffith's acknowledgments.

CITIZEN COMMENTS

Phil Mahone, a resident of Richlands, spoke of the growing drug problem in Tazewell County. He proposed that a web-site be designed to assist persons who need help with drug problems or other addictions. He requested that a citizen task force or other group be implemented to develop such a web site. The Board suggested that Mr. Mahone work with the County Administrator and the County Attorney in this endeavor. A report will be made on this subject at a later date.

Pam Morgan, a concerned parent from Bluefield, Virginia questioned whether the schools upgrade matter was on the agenda for discussion and wanted to know if the Board of Supervisors were going to give the school system the money for the upgrades. She also questioned whether Graham Middle School and Tazewell Middle School were going to air-conditioned.

BOARD CONCERNS

Supervisor Anderson voiced the following concerns:

- Requested that the Tazewell County Planning Commission proceed with zoning to protect landowners.
- Requested that the budget committee set dates to meet within the next few months and to jointly meet with the School Board regarding various budget concerns.
- Leatherwood - Change in Limited Access

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 supports the proposed change in access along U.S. Route 460 at select locations, more particularly, Commerce Drive and Leatherwood Lane, from the West Virginia state line and west for approximately 1.3 miles, as proposed by the Leatherwood Company. The proposed change in limited access includes intersection improvements and proposed utility and other crossings. The Board of Supervisors pledges their support of the project with optimism that the change in limited access will not deter motorist or alter the core traffic pattern in the vicinity of the proposed Leatherwood Development.

- Orphan Road Paving Projects - requested a complete update at the December 4, 2007 meeting.
- Kersey Road - requested that the Kersey Road matters be cleared up as soon as possible and that the Board be updated on this subject in the next few weeks.

- Brush Cutting projects by probationers – requested that a complete list be compiled and presented to the Board of Supervisors for review.
- Recreation & Facilities Board – requested that the County’s Recreation and Facilities Authority meet as soon as possible to address ATV and other tourism and recreation concerns.
- VDOT – Public Hearing at SVCC – the County Administrator gave a brief update on the various subjects addressed at the hearing. The Camp Joy & Lakeview Intersection concerns as well as the Claypool Interchange projects were reported.
- Farm Bureau Annual Meeting/Dinner – gave an update on the various topics addressed
- Economic Development- requested that a monthly report be given to the Board of Supervisors
- Requested that area businesses be recognized quarterly that have excelled and help in the growth of Tazewell County

**BAILEY & WELLS –
ROAD MAINTENANCE AGREEMENT**

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 additional equipment list and operators to perform various projects throughout Tazewell County *on an as needed basis* to be provided by Bailey & Wells, Inc. with regard to the RFP Road Maintenance Agreement as approved at the October 2, 2007 regular Board of Supervisors meeting. The additional list is as follows:

<u>Equipment</u>	<u>Description</u>	<u>Hourly Rate</u>
Excavator w/o breaker	128hp/43,000 lbs w/operator	\$ 85.00
Excavator w/62 ft. boom	128hp/43,000 lbs. w/operator	\$ 175.00
Excavator w/o breaker	54 hp/16,000 lbs. w/operator	\$ 65.00
Crawler dozer	180 hp/41,000 lbs. w/operator	\$ 85.00
Crawler dozer w/6-way blade	80 hp/17,000 lbs. w/operator	\$ 60.00
Rubber tired backhoe/loader	90 hp/21,500 lbs. w/operator	\$ 60.00
Tractor and Trailer	Drop deck or dump w/operator	\$ 80.00
Off Road Hauler	240 hp/17-18 Cu. Yd. w/operator	\$ 95.00
*Skid Steer Loader	46 hp/5,500 lbs. w/operator	\$ 45.00

*Note:

Excavator w/62 ft. boom	requires change-out time in addition to hourly rate	
Skid steer loader attachment	broom, landscape rake, forks, etc./additional	\$10.00

SCHOOL BOARD RESOLUTION

Upon motion of Supervisor Anderson, seconded by Supervisor Wimmer and adopted by a vote of 4 to 1, with Supervisor Hymes voting nay, the Tazewell County Board of Supervisors hereby adopts the following resolution relative to the improvement of the Tazewell County Educational facilities:

WHEREAS, the Board of Supervisors of Tazewell County, Virginia desires to continue the County’s commitment to limit the tax burden on its residents;

WHEREAS, the Board of Supervisors of Tazewell County, Virginia desires to improve the County’s educational facilities;

WHEREAS, the Commonwealth of Virginia Literary Fund may loan funds to localities for construction and renovation of public schools at a discounted interest rate;

NOW, THEREFORE, BE IT RESOLVED; that the Board of Supervisors hereby directs the Tazewell County School Board to seek suitable financing in an amount not to exceed TWENTY-FIVE MILLION DOLLARS (\$25,000,000.00) for electrical and HVAC improvements for public schools the School Board expects to operate as public schools for the next twenty (20) years and to refinance those sums previously borrowed for the Richlands High School Field House and the Graham High School HVAC and Electrical improvements previously approved by this Board, under the following conditions:

1. That the School Board immediately borrow up to TWO MILLION DOLLARS (\$2,000,000.00) for architectural, engineering, legal and other "soft" costs necessary to design and procure bids for the improvements as above described;
2. That the Tazewell County School Board apply to borrow the above described funds or such portion thereof as may be approved from the Commonwealth of Virginia Literary Fund to make only those improvements above described.
3. That the school facilities committee (i) consult with the architects and engineers regarding more detailed, estimated costs of the renovations, (ii) determine the most cost effective means of financing the remainder of the Twenty-Five Million Dollars that cannot be financed through the Literary Fund, (iii) enlist Morgan Keegan, the County's financial advisor, to develop a financing plan in accordance with the construction schedule and (iv) to report to the Tazewell County Board of Supervisors in January 2008 and recommend the appropriate financing method and schedule.

It is so resolved, subject to legal review, this the 8th day of November 2007.

RECORDED VOTE: 4 to 1

MEMBERS PRESENT: Rasnick, Wimmer, Hymes, Griffith and Anderson

MEMBERS ABSENT: None

AYES: Rasnick, Wimmer, Griffith and Anderson

NAYS: Hymes

ABSENCES: None

SOLID WASTE REVENUE BONDS- ON THE PROPOSED ISSUANCE BY THE COUNTY IN AN ESTIMATED MAXIMUM PRINCIPAL AMOUNT OF \$2,200,000

The Chairman, William B. Rasnick, called to order a public hearing that was duly advertised according to law, entitled "RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND AWARD OF AN PROVIDING FOR THE FORM, DETAILS AND PAYMENT OF TAXABLE SOLID WASTE DISPOSAL SYSTEM REVENUE BONDS SERIES 2007, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,200,000.00 OF TAZEWELL COUNTY, VIRGINIA, AND PROVIDING FOR THE REFUNDING OF CERTAIN OF THE COUNTY'S OUTSTANDING BONDS." The purpose of the proposed bonds is to finance the construction of Phase 4A of the County's sanitary landfill and other improvements and expansion to the County's solid waste disposal system.

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

The County Attorney, Eric Young, said that the Principal amount of the Bond should reflect \$2,950,000.00.

Supervisor Anderson said that the minutes should reflect the following language: "By approving the Bond, the County will be able to restructure or effect considerable savings by refunding all or a portion of the outstanding principal amount due under the "1997 Bonds. The total amount of savings to the County over the next ten (10) years should be \$176,640.00. "

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

Then, 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 adopts "A RESOLUTION ENTITLED "RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND AWARD OF AND PROVIDING FOR THE FORM, DETAILS AND PAYMENT OF, TAXABLE SOLID WASTE DISPOSAL SYSTEM REVENUE BONDS, SERIES 2007, IN A PRINCIPAL AMOUNT NOT TO EXCEED \$2,950,000 OF TAZEWELL COUNTY, VIRGINIA, AND PROVIDING FOR THE REFUNDING OF CERTAIN OF THE COUNTY'S OUTSTANDING BONDS." The

County has applied to the Virginia Resources Authority (“VRA”) for the purchase of the County’s taxable solid waste disposal system revenue and refunding bonds in the maximum principal amount of \$2,950,000 and VRA has indicated its willingness to purchase such bonds from the proceeds of its Infrastructure Revenue Bonds (Virginia Pooled Financing Program) Series 2007B (Non-AMT) (the “VRA Bonds”) in accordance with the terms of a Financing Agreement to be dated as of December 1, 2007, between VRA and the County (the “Financing Agreement”), a Local Bond Sale Agreement to be dated the date of sale of the VRA Bonds, between VRA and the County (the “Local Bond Sale Agreement”) and a Nonarbitrage Certificate and Tax Compliance Agreement between VRA and the County (the “Tax Compliance Agreement”) the forms of which have been presented to this meeting.

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.

COUNTY ATTORNEY REPORTS

BLUESTONE PARTNERSHIP

Upon motion of Supervisor Anderson 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 grants the Town of Pocahontas, Virginia permission to join the Bluestone Partnership Agreement. The Town of Pocahontas has pledged \$500.00 and will be credited toward the local cost of the Park.

BANK BUILDING ON MAIN STREET IN TAZEWELL, VA

- OPTION AGREEMENT EXTENSION

Upon motion of Supervisor Wimmer, seconded by Supervisor Griffith and adopted by a vote of 4 to 1, with Supervisor Anderson voting nay, the Tazewell County Board of Supervisors hereby approves to extend the Option Agreement on the Bank Building located on Main Street in Tazewell, Virginia for a period of thirty (30) day at a cost of \$500.00 which said amount will go toward the purchase price of the building.

COAL SEVERANCE FUNDING

ADDITIONAL PROJECTS

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 approves the additional roads to be added to the BOS wish list for paving under the 2007 Tazewell County Paving Contract. These roads are in addition to the roads approved by the Coal Road Committee on July 19, 2007. The additional roads are as follows:

- Southern District - Portland \$7,620
- Northern District - Powder House \$2,479
- Northwestern District - Kent’s Ridge Road, Water Project -\$27,325

NORTHWESTERN DISTRICT FUNDS

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 District Fund, Account No. 91400-5660 & 5660-1 respectively. 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:

- \$5,000.00 to the Jewell Ridge Recreation & Development Corporation, Jewell Ridge, VA 24622
- \$5,000.00 to the Richlands Police Department, Richlands, Virginia 24641.
- \$10,000.00 to the Richlands Teen Center, Richlands, Virginia 24641.

WESTERN DISTRICT FUNDS

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 approves the following monies from the Western District Youth Account No. 72010-5608 and Western District 91400-5680-1 respectively. 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:

- \$10,000.00 to the Richlands Teen Center, Richlands, Virginia 24641
- \$500.00 to the Richlands High School Boys Varsity Basketball Team – Richlands, Virginia 24641
- \$600.00 to Boy Scout Troop No. 007, Richlands, Virginia 24641

FY08- SNACKS FOR POLL WORKERS

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 4 to 0, with Supervisor Anderson abstaining from the vote, the Tazewell County Board of Supervisors hereby approves the following monies from District Funds to assist with lunch/snacks, etc. for poll worker training sessions & those working on Election Day - FY08. 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 Anderson said that he would see if he could donate water or other necessities for these events.

- \$250.00 – Northern District Fund, Account No. 91400-5650
- \$250.00 – Northwestern District Fund, Account No. 91400-5660
- \$250.00 – Southern District Fund, Account No. 91400-5670
- \$250.00 – Western District Fund, Account No. 91400-5680

TAZEWEL HIGH SCHOOL BAND BOOSTERS

\$1,000.00 – New Uniforms

Upon motion of Supervisor Hymes, 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 approves the following monies from the District Youth Activity Funds, payable to the Tazewell High School Band Boosters, Attn. Jennifer Boyd, to assist in the purchase of new uniforms. 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:

- \$500.00 from the Southern District Youth Fund, Account. No. 72010 – 5607
- \$500.00 from the Northern District Youth Fund, Account No. 72010- 5606

\$5,000.00 – WALKING BRIDGE/PATH LINCOLNSHIRE PARK

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 the Northern & Southern District Funds respectively, to assist to the Lincolnshire Park – walking path/bridge project. The County Administrator is hereby authorized and directed to issue said warrant to the Town of Tazewell, Tazewell, Virginia - Lincolnshire Park Project. Said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

- \$2,500.00 Southern District Acct. No. 91400-5670
- \$2,500.00 Northern District Acct. No. 91400- 5650

COVE COMMUNITY CENTER

\$5,000.00 SOUTHERN DISTRICT

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 \$5,000.00 from the Southern District Fund Account No. 91400-5670 to the Cove Community Association – Tazewell, Virginia 24651, to assist in the renovation of windows, etc. at the Cove Community Center. 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.

ISLE OF WRIGHT - PLASTIC BAGS

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 investigate the plastic bag recycling proposal has requested by Isle of Wright and to report his findings to the Board of Supervisors accordingly.

HEALTH CARE PLAN -JOINT STUDY WITH SCHOOL BOARD & COUNTY

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 authorizes and directs that the County and the School Board initiate a joint study to address Health Care Plans/Insurance. The Board of Supervisors further appoints Pam Alford, County Payroll Technician and Supervisor Hymes to meet with school representatives to address this concern.

**WESTERN DISTRICT TRANSFER--
TO COVER DEFICIT BALANCE**

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 approves the amount of \$5140.72 from the Western District Fund Account No. 91400-5680 to the Western District Road Fund, Acct. No. 41010-3310-4 to cover a deficit balance in Supervisor Wimmer's orphan road account.

**\$1,000.00 FROM NORTHERN DISTRICT
945- HEAT PUMP**

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 approves the amount of \$1,000.00 from the Northern District Fund, Account No. 91400-5650, to assist in the installation/repairs to the outside heat pump unit at the 945 Rescue facility. 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.

BOISSEVAIN COAL MINERS PARK

The Chairman presented a letter to the Board of Supervisors he received from Ms. Barbara Jones of Boissevain. The letter as well as numerous names on a petition requested improvements to the Boissevain Coal Miners Park with the \$90,000 that was returned to the County when the Park was given to the County. The residents of Abbs Valley and Boissevain would like to use the money to make improvements to the Park.

Supervisor Anderson also said that he would like to see the brick money refunded to the citizens who donated funds for the brick project at the Park. The consensus of the Board was to defer this matter to the Recreation and Facilities Authority and to involve Ms. Jones in the discussions.

Due to the overcrowding in the conference room of the Boards meeting room, the Chairman questioned whether the audience preferred to move the public hearing regarding the Drug Blight Ordinance to the Tazewell High School Auditorium. Those in attendance responded by an out-cry of ayes to move the public hearing to the High School. The Chairman further announced that he has proposed to appoint a committee comprised of Supervisor Wimmer, County Attorney, County Administrator and representatives of the Methadone Clinic, law enforcement, as well as church and citizen groups. He suggested that the committee be formed and meet in January or February to address this subject.

EMERGENCY SERVICES REPORT

Supervisor Griffith announced that the Emergency Services Committee will not meet until November 12. Therefore, there is nothing to report at this time.

COUNTY ATTORNEY REPORTS- CONTINUED

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

- Auditor of Public Accounts – the state auditor reviewed the collections of the Treasurer, Commissioner of Revenue and the Sheriff for year ending June 30, 2007. The Auditors found that the constitutional officers complied with all state laws, regulations and other procedures relating to the receipt, disbursement and custody of state funds.
- Burning Ban – Upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present 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 burning ban be extended another 20 days, and that the Board of Supervisors hereby finds that the conditions remain such that outdoor burning may continue to threaten the residents of Tazewell, County and further hereby authorize and direct that the County Administrator advertise for a public hearing on December 4, 2007 to determine whether the burning ban should be extended, how long the ban should remain and what penalty to impose for violating the ban.

Sheriff Caudill was present and voiced concern with regard to the October 2, 2007 emergency ordinance and its lack of penalties. He said that it is hard to enforce without penalties and the ordinance needs to be more specific in that regard.

PUBLIC HEARING -

ENTERPRISE ZONE FOR TAZEVELL COUNTY, VIRGINIA

The Chairman, William B. Rasnick, called a public hearing to order entitled “AN ORDINANCE TO ADJUST THE BOUNDARIES OF THE ENTERPRISE ZONE FOR TAZEVELL COUNTY, VIRGINIA” and as properly advertised in local newspapers in accordance with law. A copy of the map showing the boundary adjustments is attached hereto and incorporated herein by reference thereto.

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

Seth White, 183 Terry Drive, Richlands Virginia 24641 and Board of Supervisor Elect, Northwestern District, thanked the Board of Supervisors for their diligence and commitment to economic development growth. He inquired whether downtown Richlands was included and whereupon the map was reviewed and Mr. White commented that the map was satisfactory.

Albert Horn, a resident and landowner in the Kent’s Ridge, Grays Branch area of the County, located near the County Airport questioned the boundary adjustment. Chairman Rasnick informed him that the boundary adjustment removed the Airport and adjacent properties as Enterprise Zone areas only and that the ordinance would not affect him any other way. Mr. Horn did not voice opposition to the ordinance. For the record, the Board noted Mr. Horn’s telephone number at 964-5221 for further communication.

Following review and explanation of the Enterprise Zone map by the County Administrator, the Chairman called for further comments regarding the subject public hearing three times and there being none, he declared the public hearing closed.

Now, upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts "AN ORDINANCE TO ADJUST THE BOUNDARIES OF THE ENTERPRISE ZONE FOR TAZEWell COUNTY, VIRGINIA", dated November 8, 2007 as follows:

WHEREAS, the Board has established by previous ordinance an Enterprise Zone for Tazewell County with all rights and privileges thereunto appertaining;

WHEREAS, to further encourages the economic development of the County the Board desires to expand and modify the Boundaries of the Enterprise Zone to include certain real property located in Down Town Richlands and the Bluestone Regional Business and Technology Park and to remove the Tazewell County Airport and adjacent properties which have developed into residential use;

NOW THEREFORE, BE IT ORDAINED, that in accordance with Section 15-64 of the Code of Virginia, that the Board of Supervisors for Tazewell County, Virginia (Board) approves the relocation and adjustment of the Enterprise Zone as shown on the attached map herein incorporated.

Now, the Chairman called to order a public hearing to "CONSIDER WHETHER THERE IS A CONDITION AT 111 TOWN HOLLOW ROAD, CEDR BLUFF, VIRGINIA, BEING PARCEL NUMBER 142-03-001 A, WHICH TNED TO ENDANGER THE PUBLIC HEALTH AND SAFETY OF RESIDENTS OF THE COUNTY CAUSED BY THE REGULAR PRESENCE ON THE PROPERTY OF PERSONS UNDER THE INFLUENCE OF CONTROLLED SUBSTANCES OR THE REGULAR USE OF PROPERTY FOR THE PURPOSE OF ILLEGALLY POSSESSING, MANUFACTURING OR DISTRIBUTING CONTROLLED SUBSTANCES."

Now, the Chairman called for a recess of twenty minutes in order to move the meeting to Tazewell High School for the purpose of conducting the public hearing after which the meeting was duly reconvened.

The Chairman then called for public comments from the floor with regard to the subject public hearing. The following people spoke in reference to the public hearing and those individuals speaking in favor or opposed to this subject public hearing is hereby noted accordingly:

- H.S. Caudill, Sheriff of Tazewell County, presented a list of statistics on the number and type of incidents his office has responded to in the area of the Methadone Clinic.
- Tammy Mitchell, 307 Fincastle Turnpike, Tazewell, Virginia - in favor
- Arlene Blankenship, Cedar Bluff, Virginia - opposed
- Bill Fulton, 4195 Pounding Mill, Virginia -in favor
- Sandy Keene, 135 Rose Lane, Cedar Bluff, Virginia - opposed
- Rhonda Nelson, 109 Town Hollow Road, Cedar Bluff, Virginia - opposed
- Aaron Bryant , PO Box 814, Cedar Bluff, Virginia - opposed
- John Mays, 168 Rose Lane, Cedar Bluff, Virginia - opposed
- Harold Bryant, Box 814, Cedar Bluff, Virginia - opposed
- Tonya Wicks, PO Box 295, Cedar Bluff, Virginia - opposed
- Gizele Casey Bowen, RPh, Tazewell, Virginia - opposed Methadone in general
- Lee Keen, 135 Town Hollow Road, Cedar Bluff, Virginia - opposed
- Evelyn Booth, 158 Sandona Lane, Cedar Bluff, Virginia - opposed
- Tonya Hurt, Cedar Bluff, Virginia - in favor
- Leslie Hall, Cedar Bluff, Virginia - in favor
- Joyce Wess, 2970 Baptist Valley Road, Cedar Bluff, Virginia - in favor
- Ed Olinger, Abingdon, Virginia - in favor
- Jeff Coale, Abingdon, Virginia - in favor
- Connie Meadows, 461 Town Hollow Road, Cedar Bluff, Virginia - opposed

- Randy Sparks, Cedar Bluff, Virginia – opposed
- Karel Fulton, PO Box 494, Pounding Mill, Virginia 24637 – in favor
- Steven Lineberry, 110 Collins Crest, Cedar Bluff, Virginia 24609 – in favor
- Kim Daugherty, PO Box 721, Raven, Virginia – in favor
- William Street, 88 Spring Drive, Cedar Bluff, Virginia – opposed
- Steve Davis, 209 Tin Can Alley, Cedar Bluff, Virginia – opposed
- Tommy Short – opposed

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

Now, the Chairman thanked all those who attended the scheduled public hearing, but said that there was little the Board of Supervisors could do because there is no zoning ordinance in Tazewell County. He said that the Board of Supervisors had to do what was legal and could not supersede state law. He again reiterated the need to appoint a committee to address the concerns heard during this meeting.

Now, it was the consensus of the Board of Supervisors to appoint H.S. Caudill, Sheriff; County Attorney, Eric Young; County Administrator, Jim Spencer or his Assistant; community group and citizen representatives as well as clinic representatives. Following structure of the committee a meeting will be held to decide what avenues to take in order to lessen the problems addressed this evening. A report will be made to the Board of Supervisors on this subject soon thereafter.

ADJOURN

Then, upon motion of Supervisor Griffith, seconded by Supervisor Hymes 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 adjourns this meeting.

The next meeting is scheduled for December 4, 2007 at 6:00 p.m.

William B. Rasnick, Chairman

By: rg

Adjourn time 9:05 p.m.