

**VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS  
HELD OCTOBER 2, 2007 AT 6:00 P.M. AT THE TAZEWELL COUNTY PUBLIC SERVICE  
AUTHORITY BUILDING, TAZEWELL, VIRGINIA 24651**

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

**ABSENT: NONE**

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

He then welcomed those present with Supervisor Griffith giving the invocation and with Supervisor Hymes leading those present in the pledge of allegiance to the US Flag.

**AGENDA APPROVED**

Now, upon motion of Supervisor Wimmer, seconded by Supervisor Griffith and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the October 2, 2007 agenda format as hereby amended.

**MINUTES APPROVED AS AMENDED**

**SEPTEMBER 4, 2007**

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 September 4, 2007 Board of Supervisors meeting minutes as written, except that page 29, paragraph 2 read as follows, "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 changes the November 6, 2007 regular meeting date to November 8, 2007 (Thursday), at 6:00 p.m. due to November 6 being Election Day." The minutes previously showed that Supervisor Anderson was present when in fact he left the meeting prior to this action.

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**EXECUTIVE/CLOSED SESSION**

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 and executive/closed session, pursuant to Virginia Code Section 2.2-3711 with regard to the following matters:

- 15.2-2907 (D) - proposed annexation (Banes Bottom)
- A-6 Investment of public funds where competition or bargaining is involved relating to the Landfill Phase 4 Development
- A-6 Investment of public funds where competition or bargaining is involved relating to the Landfill Monitoring Wells.
- A-6 Investment of public funds where competition or bargaining is involved relating to the Town & Country Building - syndication of tax credits

- A-6 Investment of public funds where competition or bargaining is involved relating to Bluestone Partnership Agreement
- A-7 Legal matter involving actual litigation – Cedar Bluff versus Tazewell County
- A-3 Property Acquisition involving the Airport Authority
- A-5 Prospective business or industry where no previous announcement has been made

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

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 returns from the Executive/Closed Meeting and hereby certifies that that the Tazewell County Board of Supervisors in the closed meeting just concluded, that nothing was discussed except that the matters specifically identified in the motion to convene in an executive/closed meeting and lawfully permitted to be discussed under the provisions of The Virginia Freedom of Information Act that were cited in the motion to enter into the Executive/Closed meeting:

**Roll Call Vote:**

Supervisor Hymes – Aye

Supervisor Wimmer – Aye

Supervisor Griffith – Aye

Supervisor Anderson – Aye

Supervisor Rasnick – Aye

**LEASE &**

**LEASE TERMINATION AGREEMENT**

**TOWN & COUNTRY BUILDING**

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, **BE IT RESOLVED**, that the Board of Supervisors of Tazewell County, Virginia hereby approves and authorizes the County Administrator or the Chairman of the Board of Supervisors to enter into and execute on behalf of the Board of Supervisors of Tazewell County, Virginia, a **LEASE TERMINATION AGREEMENT**, effective as of the 2<sup>nd</sup> day of October, 2007 by and between the County of Tazewell, Virginia (the “county”) and the Industrial Development Authority of Tazewell County, Virginia (the “IDA”) (collectively, the “Parties”). The documents as hereby approved are on file in the form as prepared and approved by the Tazewell County Attorney.

And, further the Board of Supervisors hereby enters into **A LEASE AGREEMENT** (“lease”) made as of the 2<sup>nd</sup> day of October, 2007 by and between Town & County Partners, LP (“Lessor”) and the County of Tazewell, Virginia (“Leesee”). A copy of the **LEASE AND LEASE TERMINATION AGREEMENT** as hereby approved in a form as prepared and approved by the County Attorney and as unanimously adopted, is on file in the office of the County Administrator, Tazewell, Virginia 24651.

**BLUESTONE REGIONAL BUSINESS AND TECHNOLOGY CENTER PARTICIPATION AND ANCILLARY AGREEMENT**

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 *BLUESTONE REGIONAL BUSINESS AND TECHNOLOGY CENTER PROJECT PARTICIPATION AGREEMENT and THE ANCILLARY AGREEMENT TO THE BLUESTONE REGIONAL BUSINESS AND TECHNOLOGY CENTER PROJECT PARTICIPATION AGREEMENT*, as approved in a form as prepared and approved by the County Attorney. The AGREEMENTS, dated this the 2<sup>nd</sup> day of October, 2007, by and between the **BLUESTONE REGIONAL INDUSTRIAL FACILITY AUTHORITY**, a body corporate, organized and created pursuant to Chapter 64 of Title 15.2 of the Code of Virginia, 1950, as amended, (“the Authority”) and The County of Tazewell, Virginia, the County of Mercer, West Virginia, the Town of Bluefield, Virginia, the Town of Tazewell, Virginia, the Town of Richlands, Virginia and the Town of Pocahontas, Virginia political subdivisions of the Commonwealth of Virginia and the State of Virginia and members of the Authority and participating

jurisdictions herein ("the Participants") is on file in the office of the County Administrator, Tazewell, Virginia 24651. The Ancillary Agreement between the County and Towns' respectively, is intended for the allocation to the County of Tazewell, Virginia, certain responsibilities, assumed by the Towns pursuant to a terms as set forth in the agreement as hereby adopted.

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**DID YOU KNOW? PRESENTATION BY JIM SPENCER, COUNTY ADMINISTRATOR**

The County Administrator, Jim Spencer, presented a six (6) minute U-tube video, entitled "Shift Happens" - [Technology Globalization/ The information Age."

Following the presentation, the County Administrator reiterated that the number one (1) export in Tazewell County wasn't coal, gas or hardwood products, that it was our children. He said that even if Tazewell County had the number one public school system in the State of Virginia or in the United States, without good jobs available Tazewell County's children would continue to be exports because they would not be able to compete in global economy.

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**RESOLUTION COMMEMORATING A.W. "JUNE" HORTON**

Supervisor Griffith called to the floor the family of the late A.W. "June" Horton, Jr. and presented them with a resolution as an expression of the Board of Supervisors respect for his many accomplishments in his life-time. Mr. Horton was one of the first members of the Tazewell County Public Service Authority and served the citizens of Tazewell County in many leadership roles.

A copy of the resolution in a form as presented is on file in the office of the County Administrator on Main Street in Tazewell, Virginia.

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**CONSENT CALENDAR APPROVED**

Upon motion of Supervisor Hymes, seconded by Supervisor Griffith and adopted by a vote of 4 to 0, with Supervisor Rasnick abstaining from the vote, and with all members present, 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 24651:

**WARRANTS**

August/September 2007

Ordered that Warrant Nos. 125974 through 126065, and direct deposits totaling \$192,773.98 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending August 31, 2007, be approved.

Ordered that Warrant Nos. 126067 through 126159, and direct deposits totaling \$194,004.57 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending September 15, 2007, be approved.

Ordered that Warrant Nos. 436066 through 436230, for \$1,587,292.85 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of August 2007, be approved.

Ordered that Warrant Nos. 436232 through 436242, for \$30,378.10, from the General Fund, covering operating expenses for the At Risk Youth Program (CSA) for the month August 2007, be approved.

Ordered that Warrant Nos. 436244 through 436262, for \$133,446.77 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending August 31, 2007, be approved

Ordered that Warrant Nos. 436264 through 436423, for \$529,385.85 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. 436425 through 436443, for \$130,640.96 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending September 15, 2007, be approved.

Ordered that Warrant Nos. 801151 through 801161 for \$138,099.14 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of August 2007, be approved.

## **SECOND CHANCE LEARNING**

### **DISTRICT FUNDS RATIFIED**

Ratified the amount of \$2,000.00 (\$500 Southern District, Acct. No. 91400-5670; \$500 Northern District Acct. No. 91400-5650; \$500 Northwestern Acct No. 91400-5650 and \$500 Western Acct. No. 91400-5680) paid to the Second Chance Learning Center, Bluefield, Virginia 24605 - Law-fit Challenge Program. The County Administrator issued the warrant and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

### **COYOTE CLAIMS:**

\$50.00 to Howard Vandyke, Montgomery Lane, Bandy, Virginia 24602 for 1 coyote killed on September 10, 2007 with a rifle.

\$50.00 to Anthony Rasnick, 1498 Mundy Town Road, North Tazewell, Virginia 24630 for 1 coyote killed on September 4, 2007 with a snare.

\$50.00 to Kris Jackson, PO Box 393, Pounding Mill, VA 24637 for 1 coyote killed with a vehicle on September 17, 2007.

\$150.00 to Debra Lockhart, 3498 Daw Road, Cedar Bluff, VA 24608 for 3 coyotes killed by trapping on August 28, 2007.

\$50.00 to Phillip Ellison, 212 Concord Drive, North Tazewell, VA 24630 for 1 coyote killed with a rifle on August 30, 2007.

\$50.00 to Eddie Bowman, 3071 Mudfork Road, North Tazewell, VA 24630 for 1 coyote killed with a rifle on September 27, 2007.

\$50.00 to James Dickens, 261 Derrick Street, Bluefield, VA 24605 for 1 coyote killed with a rifle on September 26, 2007.

\$100.00 to Larry Lambert, Jr. 401 Plymouth Hollow Road, North Tazewell, Virginia for 2 coyotes killed on September 22, 2007.

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## **CITIZEN COMMENTS - SCHEDULED**

The Board of Supervisors heard from Mr. Don Keene, 1498 Indian Creek Road, Cedar Bluff, Virginia regarding the proposed annexation project in Cedar Bluff. He presented a petition with sixty-five names in opposition to the boundary adjustment. The proposal would bring the Banes Bottom section of Tazewell County into the Cedar Bluff Town limits and include approximately 100 houses. Mr. Keene voiced strong opposition to the proposal and indicated that the majority of citizens in the Banes Bottom area were also opposed to the boundary adjustment. Mr. Keen said that the residents already have water, police protection and trash pick-up and do not need these services. He also said that his son was a member of the Cedar Bluff Town Council and he and town council member Tonya Wicks had also told the town council that the residents of Banes Bottom were not interested in being part of the town of Cedar Bluff.

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### **ROSA JOHNSTON - DEATON STREET CONCERNS**

Rosa Johnston, 153 Deaton Street, Bluefield, Virginia 24605 voiced disappointment with the recent court decision that ordered her to pay \$733.00 for attorney fees related to the recent Court Order Enjoining Obstruction of a Public Way. Ms. Johnston was ordered to remove an obstructive fence in a public alley-way located on Deaton Street in the Eastern District. Ms. Johnston said that she felt that she was being singled out and treated unfairly and that the \$733.00 court order was  $\frac{3}{4}$  of her monthly income. She said that she did not know that she could not appeal the Court's decision because she could not hear what was taking place during the hearing as well as not being able to hear what took place during the April 2007 Board of Supervisors meeting.

The Board acknowledged the County Attorney for his efforts in handling the Deaton Street matter and said that the Board could not please everyone all the time. The Chairman said that the Board of Supervisors had to try and do what was best for all those involved in the Deaton Street - alleyway concern.

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### **PUBLIC HEARING - CANCELED**

#### **ROUTE 751-FLEA MARKET ROAD ABANDONMENT PROPOSAL**

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 cancels the public hearing to consider the adoption of an ordinance of abandonment of the Route 751-Flea Market Road, located in Raven, Virginia.

Supervisor Griffith suggested that the Route 751 Bridge be considered for replacement and or repairs, instead of its subsequent removal and abandonment of the Route 751- Flea Market Road. However, this matter was deferred to later in the meeting.

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### **JOE ROBINSON -**

#### **PLEASANT VALLEY ESTATES**

Joe Robinson, a resident of 1179 Pleasant Valley Road questioned the status of the right of way issues on Pleasant Valley Estates.

The County Attorney reported that there isn't insufficient width for a right-of-way in order to include the road into the VDOT system. He said that if proper right-of-ways aren't given, roads could not be taken into the State System. The Chairman suggested that the County Attorney research Courthouse records regarding the right-of-way issues on this particular road and to make a full report to the Board of Supervisors with regard to same.

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### **RESOLUTION - SAFETY STUDIES 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 adopts a resolution requesting that the Virginia Department of Transportation perform a speed study and place "watch for children" signs on Route 806 "Red Bud Drive" in the Raven area (0.26 miles), VDOT charge code CSC 1204007. Further, that the Virginia Department of Transportation provide a result from such findings to the Board of Supervisors as soon as possible.

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 requesting the Virginia Department of Transportation to conduct a safety study and reduce the speed if appropriate on Route 626 in the Sinking Waters/Bandy Community, located in the Northern District. Further, that the Virginia Department of Transportation provide a result from such findings to the Board of Supervisors as soon as possible.

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 Virginia Department of Transportation perform a speed study and reduce the

speed if appropriate on Route 604 located in the Thompson Valley/Upper Valley Road section located in the Southern District of Tazewell County, Virginia.

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**VDOT REPORTS -**

**MARTY HALLOWAY**

Marty Halloway, VDOT Resident Engineer, gave an update on the following highway/road projects:

- Route 696 - Project was accepted on September 26, 2007. The road will officially be opened with a ribbon cutting ceremony on October 10, 2007 @ 10:00 a.m.
- Paving has resumed on Route 614 in the Amonate area.
- Latex line overlays are almost complete in the County.
- The Route 617 Red Root Ridge commenced last week with Rural Rustic guidelines.
- Speed study was performed on Route 696. The new road will be posted at 55 mph and the existing portion will be set at 35 mph and additional caution signs will be installed.
- Submitted the Watch for Children sign request on Rte. 1244 - Arrow Street.
- VDOT continues the need for a signed copy of the agreements with the towns and county on the revenue sharing program.
- Need speed study and watch for children signs on Route 806 in the Raven area (0.26 miles) charge code CSC 1204007
- The six year plan will not be held until March 2008 for approval.
- Because of the lead structure of the Route 751 Bridge, the beams will have to be moved and disposed of properly.

Mr. Halloway gave a report on the recent meeting with Jim Bowie, Jim Givens and James King and County officials regarding the Camp Joy intersection safety concerns. Mr. Halloway said that the area in question could be a candidate for funding in the near future. He said the meeting was positive. Mr. Halloway said that Mr. King, Bowie and Givens were invited to the October 23, 2007 - VDOT hearing at SVCC. Supervisor Anderson praised Mr. Halloway on a job well done and said that his efforts were appreciated.

Supervisor Hymes questioned the status of the highway markers in Burkes Garden. Mr. Halloway said that the markers would be reinstalled in the Burkes Garden area once paving and line painting contract projects are complete.

Supervisor Wimmer requested that a dangerous hole on Route 609 at Wardell be corrected. Mr. Halloway is hoping that VDOT can get an emergency declaration for funding to correct the problem.

Supervisor Wimmer wanted to know when the traffic light on Route 610 would be installed at the McDonald's at Claypool Hill. Mr. Halloway will check on the schedule of this project.

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**SCHOOL BOARD RESOLUTION**

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 adopts the following resolution:

WHEREAS, the Board of Supervisors desires to expedite the improvement of educational facilities in the county;

WHEREAS, the Tazewell County School Board has sole responsibility and authority to determine the number, size and location of schools in the County;

WHEREAS, the Board of Supervisors has the sole responsibility and authority to set the County's tax rates and appropriate the County Government's revenue;

WHEREAS, the Board of Supervisors and the School Board have dedicated much effort and study to determining the best use of public resources to meet the needs of the County's educational system;

WHEREAS, the Board of Supervisors has advised the School Board of its willingness to borrow \$25 million and to let the school board apply any cost savings resulting from facility improvements to pay for improvements to or construction of schools in the County;

WHEREAS, the Superintendent of schools has determined that in her professional opinion consolidating all middle intermediate and elementary schools into three kindergarten to eighth grade schools is the most feasible plan;

WHEREAS, the School Board has retained two Architectural firms to design the improvements to schools;

NOW THEREFORE,

The Board of Supervisors hereby resolves as follows:

1. The Supervisors request that the school board provide a cost estimate for constructing three new schools for grades kindergarten through eighth grade, in the western, southern and eastern districts of the county;
2. The Supervisors request that the school board provide an estimate of the savings to be made from closing the schools currently serving the same students;
3. The Supervisors request that the School Board determine the least expensive construction schedule, considering building costs and the cost savings from closing schools;
4. The Supervisors request that the School Board commission Morgan Keegan, the County's financial advisor, to develop a financing plan in accordance with the construction schedule;
5. The Supervisors request that the above information be compiled and presented to the Board of Supervisors within 30 days;
6. The Supervisors request that the School Board hold joint public hearings with the Board of Supervisors in each attendance district to consider public input;
7. The Supervisors request that the County's financial advisor, Morgan Keegan, advise the Board of the tax rate necessary to pay for the planned construction and that the County Administration provide that information to the public at the time of the hearings.
8. This resolution is subject to legal approval and financial review.

It is so resolved on this the 2nd day of October, 2007.

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Supervisor Rasnick said that the \$25,000,000 plan does not include air conditioning for either Tazewell Middle or Graham Middle schools and said that it was totally unacceptable to air condition every school in the County and leave out those two schools. He further said in order to borrow \$25,000,000.00 that the County would need \$1.75 million a year to make the payments and would also mean a seven and one-half percent (7½ %) tax increase to the county's current tax rate.

Supervisor Wimmer stated that he personally felt that building three new schools would not immediately solve the problems with heat situation in the schools and further said that as an elected official in charge of tax payers' money he thought more was needed than putting \$25,000,000 in a deteriorating system.

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#### **ROGER MITCHEM**

#### **ROUTE 696 ROAD CONCERNS**

Roger Mitchem 112 Big Branch Road, voiced dismay with the new Route 696 road. He said that the lower end of Route 696 on Big Branch Road was now unsafe and felt that there would be serious accidents in the area, due to a lack of sight distance and other factors.

Mr. Mitchem was informed that the Big Branch Road would eventually be corrected, but a time-frame could not be given.

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#### **LAW FIT CHALLENGE -**

#### **APPRECIATION FOR FUNDING**

Harry Cundiff and Eric Robinson presented to the Board of Supervisors tokens of appreciation for the County's financial support for the Law Fit Challenge event recently held for the Second Chance Learning Center. Board members received tee-shirts and coffee mugs in recognition of the County recent funding contribution. Mr. Cundiff and Mr. Robinson invited the Board to visit the Center anytime.

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**CITIZEN COMMENTS CONTINUED**

Dale Joyce, 1046 Indian Creek Road, Cedar Bluff, Virginia 24609 voiced opposition to the proposed annexation of the Baner Bottom area. He said that as a business man an extra \$3,000.00 in taxes would be a burden on him and stated that county citizens are taxed to death already. He also stated that the previous remarks made by the Cedar Bluff Mayor concerning the advantages of annexing the Baner Bottom area were candy-coated.

Mr. Ivan Cordle from the Baner Bottom community also voiced opposition to the annexation proposal. He said that the elderly were opposed to the annexation as well. He stated that he felt that the residents of the Baner Bottom area already had sufficient services and leadership.

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**CITIZEN COMMENTS CONTINUED**

The following people spoke regarding the resolution adopted by the Board of Supervisors requesting that the School Board take actions to improve the educational facilities in Tazewell County:

- Steve Davis, School Board member recommended that before public hearings are held throughout the County with regard to new school construction, that an agreement be reached on a one-phase plan. He said that if such an agreement could not be reached between the Board of Supervisors and School Board than everyone's time would be wasted.
- Mike Dennis, School Board member said that the 30 days may not be feasible to present a sound plan to the Board of Supervisors as well as not having the funding to pay for a qualified architectural firm to perform an evaluation on the design of improvements.
- Dr. Brenda Lawson, School Superintendent, mentioned her October 1, 2007 letter to the County Administrator regarding her personal opinions on cost saving issues through school consolidation.
- Seth White, 183 Terry Drive, Richlands, Virginia said that the School board had done everything the Board of Supervisors requested them to do. He requested that the Board of Supervisors look at the plan that the School Board presented because 30 days wasn't long enough to obtain architectural firm proposals. He further suggested that the County use existing money and move some funding around to take care of the problems.
- Sarah Fuller said that the County has to have a plan in place because the County needs something good to offer Tazewell County children the best. She mentioned the new Law School and Pharmacy School in Grundy and questioned why Tazewell County couldn't get a Medical School.
- Cookie Johnson, School Board member said that the School Board was working on a moving target. She said that the School Board needed a sound figure.
- Jody Fuller, 516 Sycamore Lane, Richlands, Virginia wanted to know what Chairman Rasnick's plan was. Mr. Rasnick said due to funding restraints the County would have to renovate the schools.
- John Keene, 425 Montana Drive, Richlands, Virginia - said that did not agree with having kindergarten children with 8<sup>th</sup> graders. He said that is too much of a gap.
- B.C. Fuller, 709 Triangle Road, Bluefield, Virginia - stated that he thought the school children in Tazewell County were lucky because when he went to school outside bathrooms were used, as well as pot belly stoves and oiled floors. He said that he was proud of the school systems in the County.

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

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**EMERGENCY SERVICES COMMITTEE****RECOMMENDATIONS AND APPROVAL OF SAME**

**Tazewell County Fire & Rescue \$5,300.00 for Heart Monitor and Defibrillator and 10 Motorola Mark V Pagers.**

Supervisor Griffith presented the following recommendations on behalf of the Tazewell County Emergency Services Committee:

Upon motion of Supervisor Hymes, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$5,300.00 (local funding) from the Fire Department Capital Outlay Account, No. 32010-8109 to the Tazewell County Fire & Rescue to purchase a heart monitor/defibrillator and 10 Motorola Mark V pagers. The Tazewell County Fire & Rescue Department was awarded an 80/20 OEMS Grant in the amount of \$14,885.20; the total amount needed is \$21,270.70. The Tazewell County Fire & Rescue paid \$1,085.40.

The County Administrator is hereby authorized to issue said warrant to the Tazewell County Fire & Rescue Dept. in the amount of \$5,300.00 at such time as deemed necessary and appropriate by the County Administrator and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

**Exercise Planning Committee - Up to \$1,000 to Purchase Supplies for the REGIONAL ROARING FORK LZ EXERCISE**

Upon motion of Supervisor Wimmer, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves an amount up to \$1,000.00 from the Fire Department Capital Outlay Account No. 32010-8109, and upon receipt of invoices, to assist in the purchase of additional supplies for the Regional Roaring Fork LZ EXERCISE scheduled for October 6, 2007. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action at such time as deemed necessary and appropriate and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

**TAZEWELL COUNTY FIRE & RESCUE**

**50/50 GRANT VOLUNTEER FIRE ASSISTANCE PROGRAM**

**\$1,700.00 FROM FIRE CAPITAL OUTLAY**

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 amount of \$1,700.00 from the Fire Department Capital Outlay, Acct. No. 32010-8109, as matching funds for the Tazewell County Fire & Rescue 50/50 Volunteer Fire Assistance Program Grant awarded to TCFR in July 2007. The County Administrator is hereby authorized and directed to issue said warrant at such time as deemed necessary and appropriate in accordance with this action and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

**GMC BOX TRUCK TO TAZEWELL COUNTY FIRE & RESCUE**

**FOR HAZMAT RESPONSE**

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 that the use of the GMC Box Truck (confiscated by the Sheriff's Dept.) be under the supervision of the Tazewell County Fire & Rescue Department for the purposes of being used as a HAZMAT Response Vehicle by all county fire department on an as needed basis. The title and insurance will be in the name of Tazewell County.

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**UP TO \$2,500.00 FIRE-RESCUE APPRECIATION COOK-OUT**

**\$500.00 FROM EACH DISTRICT FUND**

Upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves an amount up to \$2,500.00; \$500.00 from each of the five (5) district funds respectively, to assist with expenses associated with the Fire-Rescue Appreciation cook-out and parade scheduled for October 13, 2007 in the Town of Tazewell. The Fire-Rescue Appreciation Committee will keep receipts and

return any unspent funding to the County. The County Administrator is hereby authorized and directed to issue said warrants at such time in accordance with this action and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia 24651.

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**EMERGENCY BURN BAN ENACTED**

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, pursuant to Section 15.2-922.1 of the Code of Virginia, ordains that effective immediately all outdoor burning, public and private is hereby banned until November 10, 2007.

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**APPOINTMENT**

**PUBLIC SERVICE AUTHORITY**

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 appoints Aaron Roberts, 257 Richardson Road, Cedar Bluff, Virginia 24609 as a member of the Tazewell County Public Service Authority, with a term commencing immediately and expiring December 31, 2007. This appointment fills the unexpired term of Bruce Compton who resigned.

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**COUNTY ATTORNEY REPORTS**

**RESOLUTION OF SUPPORT**

**PSA- RED ASH PROJECT**

**\$309,000.00 BONDS**

Upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a **RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT PROVIDING FOR A NON-BINDING OBLIGATION OF TAZEWELL COUNTY, VIRGINIA TO CONSIDER CERTAIN APPROPRIATIONS TO THE TAZEWELL COUNTY PUBLIC SERVICE AUTHORITY, AND AGREEING TO CERTAIN MATTERS RELATED TO THE ISSUANCE AND SALE BY THE AUTHORITY OF REVENUE BONDS FOR THE RED ASH PROJECT in an ESTIMATED AMOUNT PRINCIPAL AMOUNT OF \$309,055.00.**

A copy of the resolution in the form as hereby adopted and approved is attached hereto and incorporated herein by reference thereto.

**ENTERPRISE ZONE ORDINANCE**

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 authorizes and directs the County Administrator to advertise for a public hearing to receive comments regarding "AN ORDINANCE TO ADJUST THE BOUNDARIES OF THE ENTERPRISE ZONE FOR TAZEWELL COUNTY, VIRGINIA, AS AMENDED." The hearing will be scheduled for the November 8, 2007 regular meeting.

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**COUNTY ADMINISTRATOR REPORTS**

**RFP - ROAD MAINTENANCE AGREEMENT**

The County Administrator reported that the bids were solicited for equipment, operators and labor to perform various projects throughout Tazewell County on an as needed basis. The bids were due Oct. 2, at 10:00 a.m. Bailey and Wells, Inc. Cedar Bluff was the apparent low bidder. It was a consensus of the Board of Supervisors to allow the County Administrator and the County Attorney to negotiate further with Bailey & Wells to make certain that no equipment is left off the list.

**COMPUTER NETWORKING EQUIPMENT BID****CISO CATALYST SWITCHES**

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 awards a low bid of \$140,375.00 to ESI – Electronic Systems, 3727 Challenger Avenue, Roanoke, Virginia 24012, for the procurement of Computer Networking Equipment and Cisco Catalyst Switches for Tazewell County, Virginia. Said funds are hereby approved from the Information Technology Budget, Account No. 12510-8109. And, in furtherance hereof, hereby authorizes, directs and empowers, the County Administrator to enter into and execute, on behalf of the Board of Supervisors of Tazewell County, Virginia, the contract in a form as approved by the County Attorney, which such contract to be on file in the office of the County Administrator, Main Street, Tazewell, Virginia. Be if further authorized that the County Administrator is hereby further authorized to take such action as may be necessary in accordance with said contract and the performance of same, as well as the issuance of warrants and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

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**LANDFILL - \$2,200,000.00 BOND PROCEEDS**

Upon motion of Supervisor Griffith, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a “**RESOLUTION OF OFFICIAL INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF A BORROWING.**” Tazewell County intends to construct Phase 4-A of the County’s sanitary landfill and other improvements and expansions to the Borrower’s solid waste disposal system (collectively, the “Project”) and plans for the Project have advanced and the Borrower expects to advance it own funds to pay expenditures related to the Project prior to incurring indebtedness to receive reimbursement for such expenditures from proceeds of tax-exempt bonds or taxable debt, or both and the Borrower intends to utilize the proceeds of the Bonds or to incur other debt in an amount not currently expected to exceed \$2,200,000 to pay for the costs of the project; and the Borrower intends that the adoption of this resolution confirms the “official intent” within the meaning of Treasury Regulations Section 1.150-2 promulgated under the Internal Revenue Code of 1986, as amended.

A copy of the complete resolution in a form as adopted is on file in the office of the County Administrator, Main Street, Tazewell, Virginia 24651.

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**PUBLIC AUCTION****PUBLIC AUCTIONEER**

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 awards the bid for the public auctioneer to Regency Real Estate and Public Auction Co, 37615 Governor G.C. Peery Hwy. Bluefield, Virginia 24605 for the purposes of conducting a public auction for county surplus equipment and vehicles. The County Administrator is hereby authorized and directed to enter into and execute any and all documents in accordance with this action at such time as may be deemed necessary and appropriate. A complete list of vehicles, equipment and office furniture, etc. will be presented to the Board of Supervisors and declared surplus at the November 8, 2007 meeting.

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**RUSSELL COUNTY DOC****- AGREEMENT SOUGHT**

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 and County

Attorney to work with Russell County, DOC, Mr. Burke Artrip to negotiate a contract similar to the Camp 31 agreement regarding the utilization of inmates for brush cutting and other maintenance tasks in Tazewell County.

#### **SCHOOL BOARD 2008-2009 BUDGET CALENDAR**

The County Administrator stated that the School Board presented a letter from Dr. Brenda Lawson that referenced the 2008-2009 School Board Budget Calendar. Several of these dates involve the Board of Supervisors, i.e. March 18, 21 and April 1. The dates were set by the School Board. The Board of Supervisors will decide if these dates are acceptable to their schedule. The Chairman also stated that the Board of Supervisors plan to rotate members of the Board of Supervisors on the budget committee for FY08-09.

#### **CARDBOARD RECYCLING STATUS**

The County Administrator stated that he would like to work with the towns to see if the County can obtain a better price for recycling due to the County's large volume of recycling. Todd Day, Town Manager with the Town of Bluefield said that the Town of Bluefield is considering doing away with the recycling program in Bluefield, Virginia, but was unaware that Tazewell and Richlands have similar programs. Supervisor Anderson reiterated the importance of recycling and suggested that the County expedite a tire shredder program.

#### **TAZEWELL COUNTY FAIR ASSOCIATION - REQUEST FOR RENTAL FEE ARRANGEMENT**

The County Administrator requested that the Board of Supervisors consider the request from the Fair Association for a rental fee arrangement to offset the Fairground Rental fees of the Fair Association with the contributions made to the County for improvements to the Fairgrounds. The County Administrator and Supervisor Hymes will serve as the County's representatives to work with the Fair Association with regard to this request as well as the suggested dates for the Fair. Tommy Williamson will also serve as a representative on these matters as well as reviewing the fairgrounds fencing project.

#### **RESOLUTION -**

#### **SOLID WASTE DISPOSAL**

Upon motion of Supervisor Griffith, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby amends the Resolution to Set Rates for Solid Waste Disposal as follows:

1. Tires shall be considered solid waste and an additional fee of \$2.00 per tire shall be charged for their disposal at either the transfer sites or the landfill. A discounted fee of \$75.00 per ton shall be charged for deposits of more than six (6) tires delivered to the landfill. This discount shall not be available at the transfer stations without scales. No single tire which exceeds two hundred (200) pounds will be accepted.

#### **TAZEWELL COUNTY COUNCIL 2008 - LEGISLATIVE RECEPTION**

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 that the County of Tazewell participate in a regional reception during the 2008 Legislative visit to Richmond. This will be done a trial basis and reviewed to see if it is advantageous for the County to host a separate reception in 2009.

#### **2010 CENSUS**

The Board of Supervisors decided to defer to the November 8, 2007 meeting whether to participate in the Local Update Census Address (LUCA) Program for the upcoming 2010 Census. The Board of Supervisor could also appoint a committee similar to the committee in 1998 in order to reach the hard to enumerate county citizens.

#### **COAL TO LIQUID FUEL TECHNOLOGY**

#### **LETTER OF SUPPORT**

Upon motion of Supervisor Hymes, 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 directs the County Administrator to forward a letter of support on behalf of the Tazewell County Board of Supervisors in support of Coal to Liquid Fuel Technology. Glen Loope is the person who asked for the support letter and the County is conducting more research on the gentleman as well as the CLFT.

**WORLD ECONOMIC DEVELOPMENT ALLIANCE (WEDA)**

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 an amount up to \$8,500.00 from the Economic Development Account for the County's participation and membership in the World Economic Development Alliance (WEDA).

The objective of the WEDA is to help use, identify and connect to numerous companies willing to expand and relocate to Tazewell County.

The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action as such time as deemed necessary and appropriate and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

**MERCER COUNTY AIRPORT -****RESOLUTION ADOPTED**

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 authorizes and directs that a resolution in support of Mercer County in its plea to Senator Rockefeller and Congressman Rahall to arrive at a prompt solution to this serious situation of impending loss to the commercial air service into Mercer County.

**TAZEWELL COUNTY DRUG TREATMENT ADVISORY COMMITTEE**

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 appoints C. Eric Young, County Attorney to serve as a member of the Tazewell County Drug Treatment Court Advisory Committee.

**WORKFORCE ADVISORY TASK FORCE**

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 implements a Workforce Advisory Task Force to move forward with the operation of the Bluestone Regional Technology Center. Representatives on the committee will be as follows, which shall be designated by the County Administrator:

- College representatives
- Clinch Valley Community Action, Inc.
- Department of Social Services
- Tazewell County School System
- Four (4) business representatives (example, Jennmar, Pyott Boone, Pemco, etc.)
- One Board of Supervisor Member and one alternate (Bill Wimmer and Mike Hymes)
- Virginia Employment Commission (VEC)
- County Administrator, Jim Spencer

**BIZZAK -****TWO (2) OFFICE TRAILERS ACCEPTED BY TAZEWELL COUNTY**

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 accepts two (2) trailers and equipment previously owned by Bizzack, Inc. The trailers are currently located in the Abbs Valley area of Tazewell County, VA.

**TAZEWELL COUNTY -****LOCAL BUSINESS AND EMPLOYMENT PLAN**

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 adopts a Tazewell County Local Business and Employment Plan and hereby designates as its Local Business and Employment Project Area the boundaries of Tazewell County, VA. A copy of the resolution as

adopted in a form as presented by Cumberland Plateau Planning District Commission and as executed by the Chairman of the Board of Supervisors is on file in the office of the County Administrator, Main Street in Tazewell, Virginia.

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**TANNERSVILLE COMMUNITY CENTER**

**\$2,500.00 -FLOOR REPAIRS**

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 \$2,500.00 from the Southern District Funds, Account No. 91400-5670 payable to the Tannersville Community Center, Tannersville, Virginia (floor repairs). 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 Mike Hymes requested that the County consider implementing a plan of action to install permanent bathroom facilities in the Burkes Garden area to accommodate the annual Burkes Garden Festival. Gary Earp and the Health Department will look into this situation.

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The County Administrator commended the Board of Supervisors on the way the Board conducted themselves during the school facilities discussion earlier in the meeting.

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**DRUG BLIGHT AREA- PUBLIC HEARING**

Upon motion of Supervisor Wimmer, seconded by Supervisor Griffith and adopted by a vote of 4 to 1, with Supervisor Hymes voting nay and with all members present, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to advertise for a public hearing to hear concerns regarding a possible DRUG BLIGHT area in the Cedar Bluff - Town Hollow Road area.

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**RICHLANDS VARIETY VOLLEYBALL TEAM**

**\$1,000.00**

Upon motion of Supervisor Griffith, seconded by Supervisor Wimmer and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves \$500.00 from the Northwestern District Fund, Account No. 72010-5609 and \$500.00 from the Western District Youth Fund, Account No. 72010-5608 respectively, payable to the Richlands High School Varsity Volleyball Team, Richlands, Virginia 24641. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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**MAID STREET REPAIRS- WESTERN DISTRICT**

**NOT TO EXCEED \$5,000.00**

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 repairs to Maid Street, located in the Western District, not to exceed the amount of \$5,000.00 and contingent upon legal review, and proper procurement procedures, from the Western District Road Fund, Acct. No. 41010-3310-4. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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**POWDER HOUSE ROAD REPAIRS- NORTHERN DISTRICT**

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 a cost estimate for asphalt on Powder House Road, located in the Northern District. Following such cost estimate and upon available funding from the Northern District Road Fund, Account No. 41010-3310-2, the County Administrator is hereby authorized and directed to issue said warrant for said repairs in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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**RAVEN ELEMENTARY \$1,500 -**

**5<sup>TH</sup> GRADE TRIP**

**RICHLANDS JR. ROTC \$1,500 -**

**NORTHWESTERN DISTRICT YOUTH 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 amounts from the Northwestern District Fund, Acct. No. 72010-5609, payable as follows. 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:

- \$1,500.00 to Raven Elementary School - 5<sup>th</sup> grade trip
- \$1,500.00 to Richlands High School - Jr. ROTC

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Supervisor Anderson questioned the status of the County's road paving projects. The County Administrator stated that the road paving program would start in the next few days.

Supervisor Anderson then questioned the Kersey Road project/ acceptance of deed progress. The deeds should be ready for acceptance at the November 8 regular meeting.

Supervisor Anderson wanted to know when tax tickets would be mailed and if the insert explaining how county tax dollars are spent would be ready for inclusion with the tax tickets. Patricia Green said yes. The tax tickets will be mailed in mid October.

He then questioned when the Town & Country building would be ready for occupancy. A confirmed date could not be given. The IT Department is working diligently on installation of the wiring for the computer equipment. The County Attorney said that the tax credits should be sold by the end of October.

Supervisor Anderson also questioned when the Parks & Recreation Facilities Authority would meet regarding the ATV trails. Ms. Green attended a recent meeting on this subject. The Virginia Tourism Commission is taking the lead on this project. Supervisor Anderson again requested that the County's Parks & Recreation Facilities Authority meet as soon as possible to discuss A.T.V. trails and other economic development and tourism concerns.

**EASTERN DISTRICT FUNDS**

**GRAHAM HIGH SCHOOL ATHLETIC DEPARTMENT**

**GRAHAM HIGH SCHOOL BAND**

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 following amounts from the Eastern District Youth Activity Funds, Account No. 72010-5606, payable as set forth below. The County Administrator is hereby authorized and directed to issue said warrants and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, Virginia:

- \$3,000.00 to Graham High School Athletic Department
- \$1,500.00 to Graham High School Band Boosters

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Supervisor Hymes requested that Gary Earp investigate the fence activity on Hill Street in the Riverjack section of North Tazewell. Mrs. Margaret Boothe a resident of Hill Street is the complainant.

Supervisor Hymes questioned the status of the request for a dumpster in the Clearfork area and whether Gary Earp had made contacts with individuals regarding this subject.

Supervisor Hymes wanted to know the responsible party for placement of road signs identifying certain locations in the County. The County Administrator said that VDOT typically does this type of road work. The County may be responsible for funding the cost of the signs.

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**TAZEWELL COUNTY SCHOOL BOARD-**

**ARCHITECTURAL EVALUATION TO BE PREFORMED NOT TO EXCEED \$50,000.00**

Upon motion of Supervisor Wimmer, seconded by Supervisor Griffith and adopted by a vote of 4 to 1, with Supervisor Rasnick voting nay, the Tazewell County Board of Supervisors hereby approves an amount not to exceed \$50,000.00 to the Tazewell County School Board for the purposes of obtaining the services of a qualified architectural firm to perform an evaluation on the design of improvements to Tazewell County Schools as requested in this Board's earlier resolution of even date herewith, with an anticipated refund of said monies to the Board of Supervisors at the end of FY2008 from School Board year end balance. This evaluation must be in a format acceptable to the Literary Fund for submission. The Tazewell County Board of Supervisors hereby further requests that the Tazewell County School Board obtain the services of an architectural engineer within the next 30 days and that the architectural evaluation is presented to the Tazewell County Board of Supervisors no later than November 8, 2007. The Treasurer of Tazewell County, Virginia is hereby authorized to transfer these funds (\$50,000.00) from the General Operating Fund to the General School Fund.

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**EXECUTIVE/CLOSED SESSION**

Upon motion of Supervisor Wimmer, seconded by Supervisor Griffith and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enters into an executive/closed meeting pursuant to Virginia Code Section 2.2-3711 - A- 6 Investment of public funds where competition or bargaining is involved relating to the Landfill Phase IV Development and A-3 Property Acquisition - Airport Authority.

Upon motion of Supervisor Wimmer, seconded by Supervisor Griffith and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed Meeting and hereby CERTIFIES that the Tazewell County Board of Supervisors in the closed meeting just concluded, that nothing was discussed except the matters specifically identified in the motion to convene in an executive closed meeting and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act that were cited in the motion to enter into the executive/closed meeting:

**ROLL CALL VOTE:**

Supervisor Hymes - Aye

Supervisor Wimmer - Aye

Supervisor Rasnick - Aye

Supervisor Griffith - Aye

Supervisor Anderson - Aye

**LANDFILL EXCAVATION NOT TO EXCEED \$110,000.00**

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 authorizes and directs the County Attorney, on behalf of the Tazewell County Board of Supervisors to negotiate with landfill contractors, A & A Energy, at a price not to exceed \$110,000.00, with regard to additional landfill excavation - Phase IV Development.

The County Administrator and County Attorney are hereby further authorized and directed to enter into and execute all documents with regard to this action, and further that the County Administrator is hereby

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

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**ADJOURN**

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 adjourns this meeting.

The next meeting is scheduled for November 8, 2007 (Thursday) 6:00 p.m.

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William B. Rasnick, Chairman

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Adjourn

11:55 p.m.