

VIRGINIA: AT A SPECIAL CALLED MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD JULY 12, 2010 AT 5:30 P.M. IN THE TAZEWELL COUNTY ADMINISTRATION BUILDING, 108 EAST MAIN STREET, TAZEWELL, VIRGINIA 24651

PRESENT: SETH R. WHITE, CHAIRMAN
DAVID R. ANDERSON, VICE CHAIRMAN
D. MICHAEL HYMES, MEMBER
JIM CAMPBELL, MEMBER
JOHN ABSHER, MEMBER
JIM SPENCER, COUNTY ADMINISTRATOR
C. ERIC YOUNG, COUNTY ATTORNEY
PATRICIA GREEN, ASSISTANT COUNTY ADMINISTRATOR
MEMBERS OF THE PRESS: JIM TALBERT, CLINCH
VALLEY NEWS/RICHLANDS NEWS PRESS

The Chairman, Seth R. White, called the SPECIAL CALLED MEETING to order and presided with all five (5) members in attendance. The SPECIAL CALLED MEETING was called in order for the Board of Supervisors to discuss and possibly act upon the following:

Executive/Closed Session – VA Code Section 2.1-3711

- ▶ *A(3) Property Disposition regarding the Old Junior High Building in Tazewell*
- ▶ *A(6) Contractual Negotiations regarding Contract II for the Bluestone Regional Business and Technology Park*
- ▶ *Report of Action as a result of the Executive/Closed Meeting*

All those individuals required to be notified of the Special Called Meeting in accordance with The Virginia Freedom of Information Act were so informed. A copy of the Request for the Special Called Meeting and Waiver of Notice in accordance with the Virginia Code Section 15.2-1417 and 15.2-1418 and 2.2-3707, paragraphs A, C, D, & E are attached to these Minutes and incorporated herein by reference thereto.

Chairman White then welcomed those in attendance. Supervisor Anderson gave the invocation with Chairman White leading those present in the Pledge of Allegiance to the United States Flag.

AGENDA APPROVED AS AMENDED

Upon motion of Supervisor Campbell, seconded by Supervisor Absher 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 agenda as hereby amended. Amendments include consideration of donating monies to the 9-10 year old Tazewell All Stars Softball League and the inclusion of an additional item in the Executive/Closed meeting concerning A-3 Property Disposition – Jeffersonville Rescue Squad.

Now, upon motion of Supervisor Anderson, seconded by Supervisor Campbell and adopted by a vote of 5 of 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 (3) Property Disposition regarding the Old Junior High Building in Tazewell.*
- *A(6) Contractual Negotiations regarding Contract II for the Bluestone Regional Business and Technology Park*
- *A(3) Property Disposition regarding Jeffersonville Volunteer Rescue Squad*
- *Report of Action as a result of the Executive/Closed Meeting*

Then, upon motion of Supervisor Anderson, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs that other persons as necessary and appropriate be allowed to enter into the executive/closed meeting.

RETURN FROM THE EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Hymes, seconded by Supervisor Campbell 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 returns from the Executive/Closed Meeting and adopts the following resolution, read by Supervisor Hymes:

RESOLUTION OF CERTIFICATION

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

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

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

Ayes: Five (5) Supervisor Absher, Campbell, Hymes, White and Anderson

Nays: None

Absent: None

Absent during vote: None

Report of Action as a Result of the Executive/Closed Session

BLUESTONE REGIONAL BUSINESS AND TECHNOLOGY CENTER

CONTRACT II

BLUESTONE REGIONAL BUSINESS AND TECHNOLOGY CENTER

CONTRACT II

Upon motion of Supervisor Anderson, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the award of Contract II for the Bluestone Regional Business and Technology Center to Haymes Brothers as previously approved by the Tazewell County Industrial Development Authority (IDA) less the Add Alternate for Landscaping and Trails. The Board also authorized giving said contractor notice to proceed upon approval of the contract manager, Jim Spencer, and the IDA Attorney, Eric Young that all bonding and permitting requirements have been met by the Contractor. A copy of

the Contract once executed will be on file in the Office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

CHANGE ORDER NO. 3

Upon motion of Supervisor Anderson, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the Tazewell County Industrial Development Authority (IDA) to approve a revised Change Order Number 3 for Contract 1 on the Bluestone Regional Business and Technology Center in the amount of \$499,415.50. A copy of the Change Order in a form as hereby approved and once executed will be on file in the Office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

CHANGE ORDER NO. 4

Upon motion of Supervisor Anderson, seconded by Supervisor Absher 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 Tazewell County Industrial Development Authority (IDA) to negotiate a new Change Order Number 4 for Contract 1 on the Bluestone Regional Business and Technology Center in accordance with the terms discussed this date in the Executive/Closed Meeting. Once negotiated and executed, a copy of same will be on file in the Office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enters into an Executive/Closed Session pursuant to Virginia Code Section 2.2-3711 to discuss the remaining items in the executive/closed meeting:

- *A-3 Property Disposition regarding the Old Junior High Building in Tazewell*
- *A-3 Property Disposition regarding the Jeffersonville Rescue Squad*

Upon motion of Supervisor Anderson, seconded by Supervisor Absher and adopted by

a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed Session and hereby adopts the following resolution read by Supervisor Anderson.

CERTIFICATION OF RESOLUTION

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

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

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

Ayes: Five (5) Supervisor Campbell, Absher, Hymes, White and Anderson

Nays: None (0)

Absent: None (0)

Absent during vote: None (0)

Report of Action as a result of the Executive/Closed Meeting:

Upon return from the Executive Session, Mr. Hymes moved to transfer \$175,000.00 from the Capital Projects fund for renovations to the former Tazewell Junior High School located at 315 School Street, for E911 and Tazewell County Sheriff’s office. Supervisor Anderson stated that the relocation of 911 should be a top priority of the project. There being no further discussion; the Chairman brought the matter to a vote; and

**\$175,000.00 APPROVED FROM CAPITAL PROJECT FUND
TO SHERIFF’S DEPT/911 RENOVATIONS**

Now, 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 approves the amount of \$175,000.00

from the Capital Projects Fund, Account No. 97010-8162 to the Sheriff's Dept to assist with renovations to the old Jr. High facility located on School Street, Tazewell Virginia. The County Sheriff and County 911 Office will be relocating their offices to the old Jr. High facility and this money will assist the Sheriff with the process. The County Administrator is hereby authorized and directed to transfer these funds in accordance with this action.

DONATION - \$3,000.00 (\$1,500 SOUTHERN YOUTH FUNDS & \$1,500 NORTHERN YOUTH) TO 9-10 YR. OLD TAZEVELL ALL-STAR'S SOFTBALL LEAGUE

Upon motion of Supervisor Hymes, seconded by Supervisor Campbell 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 \$3,000 (\$1,500 Northern Youth & \$1,500 Southern Youth), Account Nos. 72010-5607 & 5606 respectively, payable to the 9-10 year old Tazewell All Star's Softball League. The County Administrator is hereby authorized and directed to issue said warrant in accordance this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

ADJOURN

Now, there being no further business to be transacted, this Special Called Meeting is hereby adjourned.

The next regular meeting is scheduled for August 3, 2010 at 6:00 p.m.

Seth R. White, Chairman

Adjourn time 10:48 p.m.

By: Rg

