

1 June 29, 2010 – Board of Supervisors Recessed Meeting

VIRGINIA: AT A RECESSED MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD JUNE 29, 2010 AT 6:00 P.M. IN THE TAZEWELL COUNTY ADMINISTRATION BUILDING, 108 EAST MAIN STREET, TAZEWELL, VIRGINIA 24651

PRESENT: SETH R. WHITE, CHAIRMAN
DAVE 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
ARLENE MATNEY, ACCOUNTING AND BUDGET DIRECTOR
RUTH GROSECLOSE, ADMINISTRATIVE ASSISTANT
OTHERS PRESENT:
MEMBERS OF THE PRESS

Seth R. White, Chairman of the Tazewell County Board of Supervisors called the recessed meeting to order and presided with all members in attendance.

Supervisor White gave the invocation with Supervisor Hymes leading those present in the pledge of allegiance to the United States Flag.

AGENDA FORMAT APPROVED

Upon motion of Supervisor Absher, 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 the June 29, 2010 agenda format as hereby amended.

MINUTES APPROVED

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 June 1, 2010 Regular Meeting minutes as written.

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 June 21, 2010 Special Meeting Minutes as written.

EXECUTIVE/CLOSED SESSION

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 2.1-3711:

- A-7 Legal Matter, contract negotiations involving County Reassessment
- A-7 Legal Matter involving potential litigation (ADA requirements)
- A-7 Legal Consultation involving the Bluestone
- A-7 Legal Consultation regarding Sales Tax Recoupment
- A-7 Legal Consultation regarding Jeffersonville Volunteer Rescue Squad
- A-7 Legal Consultation involving Covington Road
- A-6 Consideration of the investment of public funds where competition or bargaining is involved, where is made public initially, the financial interest of the County would be adversely affected involving WIB-Youth Program Agreement
- A-1 Personnel matters involving eight (8) county employees

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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 Meeting and hereby adopts the following Resolution of Certification read by Supervisor Hymes:

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: Supervisors Absher, Campbell, Hymes, White and Anderson

Nays: None

Absent: None

Absent during vote: None

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

However, the Chairman stated that the Board of Supervisors would need to return to the executive/closed meeting at the end of the meeting to discuss unfinished business.

Now, 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 amends the agenda to include an additional Executive/Closed meeting to item # 17 on the agenda format.

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PYOTT- BOONE ELECTRONICS

The Board of Supervisors recognized Pyott – Boone Electronics, 1459 Wittens Mill Road, North Tazewell, Virginia for receiving the “Excellence in Innovation Award” at the Southwestern Virginia Technology Council (SWVTC) held at its 11th Annual Gala Tech Expo and Awards Ceremony at the Virginia Highlands Community Center – Higher Education Center. Mike Thompson accepted the award on behalf of Pyott-Boone Electronics.

Mr. Thompson thanked the Board of Supervisors for their support and for always being available when needed.

PUBLIC HEARING

ORDINANCE PROVIDING FOR A CENTRAL ABSENTEE PRECINCT IN ALL ELECTIONS IN TAZEWELL COUNTY, VIRGINIA

Seth R. White, Chairman of the Board of Supervisors called to order a Public Hearing that was duly advertised according to law entitled “**AN ORDINANCE TO PROVIDE FOR A CENTRAL ABSENTEE PRECINCT IN ALL ELECTIONS IN TAZEWELL COUNTY, VIRGINIA.**”

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

Then 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 adopts the following ordinance:

WHEREAS Section 24.2-712 of the Code of Virginia authorizes the governing body of a city or county to establish one or more central absentee precincts in the courthouse or other public buildings for the purpose of receiving, counting, and recording absentee ballots cast in the locality; and

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WHEREAS Section 24.2-101 of the Code of Virginia gives the county electoral board responsibility for administering elections in towns located totally or in greater part within the county; and

WHEREAS all locations for in person absentee voting are considered polling places for accessibility purposes (EAC Advisory 2007-001); and

WHEREAS Section 24.2-710 requires counting absentee ballots separately for each precinct after polls close on election day unless a central absentee precinct has been established; and

WHEREAS a central absentee precinct will serve the best interests of the citizenry;

NOW THEREFORE BE IT ORDAINED by the Tazewell County Board of Supervisors as follows:

THAT there is hereby established a permanent central absentee precinct to be used for all elections. The polling place for such precinct shall be located on in the Tazewell County Courthouse, at 101 Main Street in Tazewell, Virginia, on the Third Floor, in the Registrar's Office. Such central absentee precinct shall be operated as provided in Code of Virginia, Section 24.2-712, as amended.

VDOT REPORTS

Marty Halloway, VDOT, Land Development Engineer, Bristol District, updated the Board with a list of on-going road projects in Tazewell County.

Construction

- RTE 782 – Bridge Project – Project Completed. On time and within budget.

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- RTE 747 – Bridge Project – Project Completed. Finished late due to asphalt placement/availability, but within budget.
- 460 Bluestone Project – Contractor has placed a temporary crossover for equipment delivery access to the site.
- Bridge Overlay Projects – Contractor has completed the projects on time and within budget.
- Rte. 460 Bridges – Cedar Bluff (Cuts) – Contractor has installed left lane closures both east and west bound. Deck repairs have started on the east bound left lane.

Project Development

- Guardrail Schedule and 2009 Revenue Sharing Paving Schedule will hopefully be advertised in July 2010.
- Two Highway Safety Improvement Program (HSIP) projects will be preformed hopefully sometime this year. Locations are one Rte. 460 near Buchanan County Line and one near exit 3 in the Tazewell area. These projects consist of replacing/extending guardrail, adding pavement markings and paving shoulders.

Miscellaneous

Maintenance crews were able to overlay the old section of Big Branch Road (Rte. 696) along with various other locations in Tazewell County from the winter breakup. Some of the routes are locations that are on the 2009 Revenue Sharing Paving Schedule. VDOT will work with the contractor to pave additional locations by using the priority list that was approved by the CST Board.

SIX –YEAR PLAN APPROVED

Mr. Halloway then presented the Secondary System Construction Program Projects Plan, FY2011-2016 and estimated allocations to the Board for review. The construction total for FY11 is \$97,357 with a grand total of \$579,537.00 listed for the entire six-year project.

Now, 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 approves the Secondary System Construction Program and Estimated Allocations for FY2011-2016. A copy of same is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

RESOLUTION – ROUTE 19 AND ROUTE 460
(TOWN HOLLOW ROAD VICINITY)

Upon motion of Supervisor Absher, seconded by Supervisor White 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 a safety study for the placement of speed reduction signs as follows:

Beginning termini: traffic signal at the intersection of Route 19 and 460

Ending termini: traffic signal at the intersection of Route 609 (Kents Ridge Road)

Further, that the Virginia Department of Transportation provide a result from such findings to the Board of Supervisors as soon as possible.

Mr. Holloway said he would discuss the importance of the speed request near Town Hollow Road with VDOT's traffic specialist.

Other Road Concerns

Supervisor White questioned the status of guardrails in the County, more particularly, the guardrail request on Smith Ridge, in the Northwestern District, where a logging project is taking place. Mr. Holloway stated that VDOT would try to get something going for that section of guardrail. All other guardrail projects are moving forward as scheduled.

Supervisor Anderson mentioned a recent complaint from Mrs. Burton, a resident of Route 696 relative to no sight distance/blind curve concern near her driveway. Mr. Holloway stated that he would have a VDOT official check the situation.

Supervisor Campbell questioned the status of the speed study for Santana Road as well as asking about the placement of signs on Rte 696 for Historic Pocahontas. Mr. Holloway stated that he would check on the Santana Road matter, but regard to destination signs for Historic Pocahontas, Virginia LOGO handles these requests.

CONSENT CALENDAR

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 following items

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as Consent Calendar as set forth below. The County Administrator is hereby further 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

May/June 2010

Payroll

Ordered that Warrant Nos. 132031 through 132119, and direct deposits totaling \$200,104.92 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending May 31, 2010, be approved.

Ordered that Warrant Nos. 132121 through 132213 and 132215 through 132218 and direct deposits totaling \$202,851.44 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending June 15, 2010 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 448150 through 448320, for \$400,802.99 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of May 2010, be approved.

Ordered that Warrant Nos. 448322 through 448338, for \$147,963.29 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending May 31, 2010, be approved

Ordered that Warrant Nos. 448340 through 448517, for \$598,784.86 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of June 2010, be approved.

Ordered that Warrant Nos. 448519 through 448537 for \$153,841.44 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending May 15, 2010, be approved.

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Handwritten

Ordered that Warrant Nos. 801462 through 801477 for \$80,463.25 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of May 2010, be approved.

- ◆ Warrants Approved as paid:
- ◆ Coyote Claims totaling \$1050.00 approved:
 - \$50.00 to Donald B. Howard, 375 Dairy Barn Road, Bluefield, VA 24605 for 1 coyote killed on May 28, 2010 with a rifle
 - \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 1 coyote killed on May 11, 2010 with a snare
 - \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 1 coyote killed on May 8, 2010 with a snare
 - \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 1 coyote killed on May 1, 2010 with a snare
 - \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 1 coyote killed on May 8, 2010 with a snare
 - \$50.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 1 coyote killed on May 7, 2010 with a snare
 - \$150.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 3 coyotes killed on May 1, 2010 with a snare
 - \$100.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 2 coyote killed on May 29, 2010 with a snare
 - \$50.00 to Jessie Asbury, 402 Hogback Road, Tazewell, VA 24651 for 1 coyote killed on May 19, 2010 with a snare
 - \$50.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, VA 24605 for 1 coyote killed on May 28, 2010 with a snare
 - \$50.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, VA 24605 for 1 coyote killed on June 4, 2010 with a snare
 - \$100.00 to Ron Profitt, 2895 Witten Mill Road, North Tazewell, VA 24630 for 2 coyotes killed on June 7, 2010 with a rifle

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- ▶ \$50.00 to Barry Maney, 621 Little Valley Road, Tazewell, VA 24651 for 1 coyote killed on June 20, 2010 with a rifle
- ▶ \$50.00 to Rick Kinder, 137 Barnett Ave. North Tazewell, VA 24630 for 1 coyote killed on June 22, 2010 with a rifle
- ▶ \$50.00 to Rick Kinder, 137 Barnett Ave. North Tazewell, VA 24630 for 1 coyote killed on April 23, 2010 with a rifle
- ◆ Damage Stamp Fund: Approved the amount of \$144.00 payable to Amy Brooks, 234 Cleveland St. Falls Mills, VA 24613 for 36 chickens killed by stray dogs

District Funds:

- ◆ Approved \$1,250.00 from the Southern District Funds payable to the Tannersville Fire Department – 4th of July fireworks
- ◆ Library Transfers 2009-10 - Transferred from the Contingent Expenditures & Grant Acct. 91050-7041 as donations received:
 - \$50.00 to 7301-3099 - Blfd. Women's Club
 - \$50.00 to 7301-6012 - Ben and Sarah Lineberry
 - \$9100.00 to 7301-8101 - Bill and Melinda Gates Foundation
 - \$200.00 to 7301-3099 – First Sentinel Bank
 - \$25.00 to 7301-3099 – Four Way Drug
 - \$50.00 to 7301-3099 – Hurst-Scott Funeral Home
- ◆ Commonwealth's Attorney Transfers approved 2009-10
SATIRA FY2009-10 – Reimbursements received:
 - \$28,300.54 (Compensation) to 4-22-2201-1136
 - 2,063.00 (FICA/Medicare) to 4-22-2201-2100
 - 416.21 (WC Premium) to 4-22-2201-2700
 - 2,604.57 (Retirement) to 4-22-2201-2210
 - 34.85 (Health Ins. Cr.)to 4-22-2201-2210
 - 104.83 (Life Ins.) to 4-22-2201-2400
 - 9,102.30 (Hospitalization) to 4-22-2201-2300

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Overtime paid to employees reimbursements:

- \$18,437.44 (Compensation) to 4-22-2201-1136
- 1,895.28 (FICA/Medicare) to 4-22-2201-2100
- 21.59 (WC Premium) to 4-22-2201-2700
- ◆ Commissioner of Revenue Budget
 - Transferred the amount of \$3,751.00 from the Contingent Expenditures and Grant Account No. 91050-7041 to the Commissioner of Revenue's Budget 12090-3160 (NADA [used car guide] invoice paid twice)
- ◆ Finance Office
 - Transferred the amount of \$95.00 from the Contingent Expenditures and Grant Account No. 91050-7041 to the Finance Office Account No. 12140-5510 – refund of conference fees
- ◆ Forfeiture Funds - carried forward all balances in forfeiture funds that the Treasurer has control of:
 - Sheriff Funds \$233,506.00
 - Commonwealth Attorney Funds \$680,101.41
- ◆ Treasurer's Office – approved \$30,000.00 from the Contingent Expenditures & Grant Account to the Treasurer's Office –DMV lines (contractual service- DMW stops on Delinquent Taxpayers)
- ◆ Sheriff's Office
 - Carried forward the amount of \$27,050.0 to the FY11 Sheriff's Budget as monies received from Insurance checks for two wrecked police cars, \$10,500.00 and \$16,550.00 respectively.
- ◆ Adopted a Resolution – Read Aloud (Tazewell County School Board)
- ◆ Included the text of the Carlock Pruett Foundation Comprehensive Agreement with the Tazewell County School Board part of the June 1, 2010 TCBOB meeting minutes.
- ◆ Northern District Funds – Approved \$447.70 to the Bishop Fire Department for new tires and brakes

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- ◆ Northwestern District Funds – Approved \$5000.00 to the Jewell Ridge Recreation Development Authority
- ◆ Eastern District Funds – Approved \$5800.00 payable to the Bluefield Chargers for equipment

SHERIFF H.S.CAUDILL – SPACE NEEDS ADDRESSED

Sheriff H.S. Caudill was present with a delegation of office personnel, county deputies, investigators as well as a number of 911 staff. The Sheriff stated there was a serious need to relocate the sheriff's office and the County's 911 facility. He said the sheriff's office did not have the room to be efficient and that the 911 Center was unsafe and did not enough room for new equipment. He presented the Board with a history of on-going problems with both facilities. He asked about using the old county health department building and stated that he recently met with members of the Industrial Development Authority where he was told the decision was up to the Board of Supervisors. Chairman White told the Sheriff that the Board of Supervisors requested that the IDA market the old health department building in order to bring revenue into the County and stated that the Board of Supervisors would address this matter again at the August 3, 2010 or until the Board could evaluate the situation.

Randy Ann Davis, 911 Dispatcher spoke from the audience. She reiterated the need for the County to place the 911 Center as a priority, and said it would be worthwhile for the Board of Supervisors to make a decision as soon as possible.

EMERGENCY SERVICES NEEDS/REPORT (ESC)

POWER POINT PRESENTATION BY SAM WOLFORD

Sam Wolford, IT Director, gave a power point presentation on Emergency Services Equipment Needs/Apparatus and Vehicle needs for the various fire departments in the County. He gave a 2009-10/11 Budget Comparison and an Operations Budget for each department. He expressed ways for the County to become more fiscally efficient, i.e. focus on purchasing quality used trucks; establish equipment inventory system needs; establish central purchasing system; establish annual new vehicle/equipment purchasing plan;

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develop a grant application process that focuses on greatest need and benefit and continue to expand local fund raising opportunities.

The Board thanked Mr. Wolford for his presentation. Supervisor Campbell expressed the need to execute a firm commitment to fire & rescue needs with Supervisor Anderson suggesting that the County budget be reviewed every so often to assure the County/ESC if filing for available grant funding, etc. He also recommended that ESC needs be relooked on an as needed basis. Supervisor Hymes echoed these remarks.

TAZEWELL COUNTY BUDGET FY2010-11 ADOPTED

Each member of the Board received a copy of the proposed amendments to the County Budget Ordinance as advertised. They discussed and reviewed the amendments.

Now, upon motion of Supervisor Anderson, seconded by Supervisor Campbell and adopted by a vote of 4 to 0, with Supervisor White abstaining from the vote, the Tazewell County Board of Supervisors hereby approves the amendments to the FY2010-11 proposed Tazewell County Budget as recommended by the Tazewell County Budget Committee as set forth below:

Changes from Proposed Advertised Budget

FY2010-2011

General Fund

	<u>As Advertised</u>	<u>Adjustments</u>	<u>Revised Budget</u>
Current Beginning Balance:	\$ 1,250,000		
Increase Beginning Balance:			
District fund carryover		314,648	
Tourism Budget Carryover		9,700	
Employee Benefit Account		125,000	
Adjusted Beginning Balance:			\$ 1,699,348
Current Budgeted Revenue:	45,703,914		
Additional Changes to Revenues:			
Workforce Investment Act Grant		783,996	

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Total Current Rev. with Revisions:		<u>46,487,910</u>
Current Budgeted Expenditures:	\$ 46,801,539	
Additional Changes to Expenditures:		
District fund carryover - Youth Funds		10,500
District fund carryover - Road Funds		183,804
District fund carryover		120,013
Tourism Budget carryover		9,700
Workforce Consortium Budget - Part-time		15,226
Sheriff's Department - Repairs & Maintenance		6,989
Clerk of Circuit Court - Add. State Funded Pos.		27,234
Planner Engineer - Zoning Contract		30,000
Employee Benefit Account		125,000
Workforce Investment Act Grant		767,359
Total Expenditures with Revisions:		<u>48,097,364</u>
Adjusted Ending Fund Balance:		<u><u>\$ 89,894</u></u>

911 Fund

	<u>As Advertised</u>	<u>Adjustments</u>	<u>Revised Budget</u>
Current Beginning Balance:	\$ 651,159		
Adjusted Beginning Balance:			\$ 651,159
Current Budgeted Revenue:	2,791,958		
PSIC-Radio Interoperability Upgrades		(307,015)	
RSAF-EMD/CACH Software		(18,568)	
VDM/DHS Grant-Mass Notification System		3,214	
VDM/DHS Grant-Video Monitoring System		1,885	
Total Revenues with Revisions:			<u>2,471,474</u>
Current Budgeted Expenditures:	\$ 2,967,349		
Additional Changes to Expenditures:			
PSAP-Mapping/Workstations		(11,237)	
Generators-Mountain Top		(6,252)	
PSAP-CPE System/4th Call Tak		25,000	
VRSAF-Powerphone EMD/CACH System		(8,188)	
Total Expenditures with Revisions:			<u>2,966,672</u>
Adjusted Ending Fund Balance:			<u><u>\$ 155,961</u></u>

SUMMARY ALL FUNDS

	<u>As Advertised</u>	<u>Adjustments</u>	<u>Revised Budget</u>
Current Beginning Balance:	\$ 14,180,774		
Increase Beginning Balance:			
All Funds		449,348	
Adjusted Beginning Balance:			\$ 14,630,122
Current Budgeted Revenue:	103,144,584		
Additional Changes to Revenues:			
All Funds		463,512	
Total Revenues with Revisions:			<u>103,608,096</u>
Current Budgeted Expenditures:	\$ 111,861,546		
Additional Changes to Expenditures:			
All Funds		1,295,148	
Total Expenditures with Revisions:			<u>113,156,694</u>
Adjusted Ending Fund Balance:			<u>\$ 5,081,524</u>

FY10-11 TAZEWELL COUNTY BUDGET ADOPTED

Now, following a public hearing on the proposed budget that was duly held on June 1, 2010, in accordance with applicable Virginia Codes, and which public hearing was advertised in local newspapers having general circulation within Tazewell County, Virginia, with said certificate of publication on file in the office of the Tazewell County Administrator, 108 East Main Street, Tazewell, Virginia, and following approval of the *amendments to the aforementioned budget by a vote of 4 to 0*, with Supervisor White abstaining, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts by **a vote of 5 to 0**, AN ORDINANCE APPROVING THE FY2010-11 BUDGET ORDINANCE, ADOPTING LOCAL TAX LEVIES, AND BUDGET FOR THE COUNTY OF TAZEWELL, VIRGINIA, FOR FISCAL YEAR BEGINNING JULY 1, 2010 AND ENDING JUNE 30, 2011, TO BE EFFECTIVE ON JULY 1, 2010 AT 12:01 a.m. as hereby amended. A copy of the complete budget ordinance in its amended form in on file in the office of the

Tazewell County Administrator, 108 East Main Street, Tazewell, Virginia 24651. The roll call vote *of 5 to 0*, as hereby recorded adopting said budget ordinance is set forth below:

- Supervisor Absher - Aye
- Supervisor Campbell – Aye
- Supervisor Hymes – Aye
- Supervisor White – Aye
- Supervisor Anderson – Aye

MOTION TO INCLUDE \$8,000.00 TO RECOVERY OUTREACH IN FY11 BUDGET

Upon motion of Supervisor Anderson, seconded by Supervisor Absher and adopted by a vote of 4 to 0, with all members present and no voting against the same, with Supervisor White abstaining from the vote, the Tazewell County Board of Supervisors hereby approves the amount of \$8,000.00 for Recovery Outreach to be included in the FY10-11 Tazewell County Budget.

TAX LEVIES ADOPTED

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 adopts and fixes the tax rates and levies for the current year and calendar year FY2010-11 in accordance with Section 58.1-3001 of the Code of Virginia, 1950 as amended. A complete copy of the tax rates and levies as hereby adopted and fixed are set forth in the County Budget Ordinance as hereby adopted, and which said Budget Ordinance in its amended form as adopted is on file in the Office of the County

Administrator, 108 East Main Street, Tazewell, Virginia 24651:

TAX RATES AND LEVIES, FY 2010-2011

TYPE OF TAX	CURRENT FY2009-2010	PROPOSED FY2010-11
Consumer Electric/Utility Tax	Residential - \$0.01525 per kwh w/a minimum of \$1.50 per month and a maximum of \$3.00 per month. Commercial - \$0.01500 on 1 st 667 kwh & \$0.00105 over 667 kwh with a	Residential - \$0.01525 per kwh w/a minimum of \$1.50 per month and a maximum of \$3.00 per month. Commercial - \$0.01500 on 1 st 667 kwh & \$0.00105 over 667 kwh with a minimum of

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	minimum of \$1.50 & a maximum of \$90.00 per month. Industrial – Same as Commercial	\$1.50 & a maximum of \$90.00 per month. Industrial – Same as Commercial
CABLE FRANCHISE TAX	5% of annual gross revenue	5% of annual gross revenue
REAL ESTATE LEVY	\$.58 per \$100.00 Assessed Value	\$.58 per \$100.00 Assessed Value
PERSONAL PROPERTY LEVY	\$2.00 per \$100.00 Assessed Value	\$2.00 per \$100.00 Assessed Value
MERCHANTS CAPITAL LEVY	\$4.30 per \$100.00 Assessed Value	\$4.30 per \$100.00 Assessed Value
MACHINERY & TOOL LEVY	\$2.00 per \$100.00 Assessed Value	\$2.00 per \$100.00 Assessed Value
PUBLIC SERVICE LEVY	Real Estate \$.58 per \$100.00 Assessed Value Personal Property \$2.00 per \$100.00 Assessed Value Merchants Capital \$4.30 per \$100.00 Assessed Value	Real Estate \$.58 per \$100.00 Assessed Value Personal Property \$2.00 per \$100.00 Assessed Value Merchants Capital \$4.30 per \$100.00 Assessed Value
MOBILE HOME LEVY	\$.58 per \$100.00 Assessed Value	\$.58 per \$100.00 Assessed Value
MOTOR VEHICLE – DECAL	\$10.00 per newly acquired vehicle	\$10.00 per newly acquired vehicle
UTILITY CONSUMER TAX	½ of 1% of Gross County Receipts	½ of 1% of Gross County Receipts
E-911 Emergency System Tax	\$1.50 per month per service connection	\$1.50 per month per service connection
AIRCRAFT TAX	\$.50 Per \$100.00 Assessed Value	\$.50 Per \$100.00 Assessed Value
TRANSIENT OCCUPANCY TAX	5% Lodging fee	5% Lodging fee

ANNUAL APPROPRIATION OF COUNTY FUNDS, FY10-11

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 approves an ANNUAL

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APPROPRIATION for the operation of all General County Agency budgets, for fiscal year beginning July 1, 2010 and ending June 30, 2011, to be effective July 1, 2010 at 12:01 a.m. except that the Tazewell County School Board Budget, FY10-11 be hereby appropriated in the following major categories:

Administration/Attendance/Health	1,765,119
INSTRUCTION	40,750,712
Operation & Maintenance	5,528,499
Other School Food Services	310,000
Pupil Transportation	3,621,387
Capital Outlay Facilities	0
Debt Service	1,938,449
Technology	<u>2,661,385</u>
Total	56,575,551

BUDGET TRANSFERS/APPROPRIATIONS APPROVED

Upon motion of Supervisor Anderson, seconded by Supervisor Absher 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 budget transfers/appropriations as may be necessary from surplus accounts, etc. to close all such accounts for the fiscal year FY2010-11.

BUDGET COMMENTS

Chairman White stated that he wanted citizens to know that County taxes were not being raised this year and said at the beginning of the budget process his goal was to reduce the tax rate by 2 cents, but was unable to accomplish that. He said he would like to see the County reduce its tax level and in the same concept, eliminate waste. Supervisor Absher agreed with Supervisor White with Supervisor Hymes stating that he would like to lower taxes too, but he would not be in favor of reducing revenue that would adversely affect county services or the school system.

VRS PLAN PROVISIONS – RESOLUTION ADOPTED

Upon motion of 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 approves to pick up and pay its Plan 2

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Employees' Member contributions to VRS as an additional benefit not paid as salary in an amount equal to five percent (5%) of creditable compensation for fiscal year, FY2010-11. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

RESOLUTION

Authorization to Pick-up the Employee's Contribution to VRS Under § 414(h) of the Internal Revenue Code For Plan 2 Employees

WHEREAS, the Virginia General Assembly, in its 2010 session passed legislation creating a separate retirement plan for employees hired on or after July 1, 2010 (hereafter referred to as "Plan 2 Employees"). The legislation stipulates that Plan 2 Employees will pay their 5 percent member contribution and that, absent other action by the employer, such contribution will be paid through salary reduction according to Internal Revenue Code § 414 (h) on a pre-tax basis; and

WHEREAS, the legislation allows certain employers, including the Tazewell County Board of Supervisors to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary; and

WHEREAS, the election to pick-up and pay all or a portion of the member contributions on behalf of its Plan 2 Employees as an additional benefit not paid as salary shall, once made, remain in effect for the applicable fiscal year (July 1 - June 30) and shall continue in effect beyond the end of such fiscal year absent a subsequent resolution changing the way the 5 percent member contribution is paid; and

WHEREAS, employee contributions that are picked-up as an additional benefit not paid as salary are not considered wages for purposes of VA Code § 51.1-700 et seq. nor shall they be considered salary for purposes of VA Code § 51.1-100 et seq.; and

WHEREAS, the Tazewell County Board of Supervisors desires to pick-up and pay its Plan 2 Employees' member contributions to VRS as an additional benefit not paid as salary in an amount equal to five percent (5%) of creditable compensation; and

WHEREAS, VRS tracks such picked-up member contributions and is prepared to treat such contributions as employee contributions for all purposes of VRS.

NOW, THEREFORE, IT IS HEREBY RESOLVED that effective the first day of July 1, 2010, the Tazewell County Board of Supervisors shall pick-up member contributions of its Plan 2 Employees to VRS as an additional benefit not paid as salary in

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an amount equal to five percent (5%) of creditable compensation subject to the terms and conditions described above; and it is further

RESOLVED that such contributions, although designated as member contributions, are to be made by the Tazewell County Board of Supervisors in lieu of member contributions; and it is further

RESOLVED that nothing herein shall be construed so as to permit or extend an option to VRS members to receive the picked-up contributions made by the Tazewell County Board of Supervisors directly instead of having them paid to VRS.

Adopted in Tazewell County, Virginia this 29th day of June, 2010.

TEN (10) MINUTE RECESS

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

ANNUAL BIDS VEHICLE FUEL/DIESEL

FY10-11

The County Administrator reported that bids were solicited to provide vehicle/diesel fuel to the County for FY10-11. The county received no bids by the due date. However, the current suppliers, Petroleum Products inadvertently looked over the advertisement and sent a bid this date. The Board reviewed the bid with the County Attorney who advised the Board that they could award the bid to Petroleum Products or solicit other bids. Supervisor Campbell suggested that the Board solicit additional bids with Supervisor Hymes requesting that the Assistant County Administrator do an average price comparison for fuel costs for FY2009-10 and report same to the Board at its August 3 meeting. The Board will consider awarding same August 3, 2010.

BUILDING INSPECTION FEES

The County Administrator, Jim Spencer, reported that the County Engineer conducted a survey with regard to building inspection fees from other counties in the area. He said most other counties charge for performing re-inspections if they have to revisit the site more than a set number of times. The Board agreed to defer this matter until such time

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that the County can track the number of re-inspections performed by the County building inspectors. The Board will revisit this matter at its August 3, 2010 regular meeting.

DOVE STREET –ORDINANCE OF VACATION

The County Engineer, Gary Earp, reported that he obtained two estimates for rights of entry with regard to the Board of Supervisors consideration of vacating a public right of way, west of the town of Tazewell, Virginia connecting to the Baptist Valley Road running adjacent to parcels 092-01-0003, 0004 and 0004A. This matter will be addressed in the August 3, 2010 executive/closed meeting. This will give the County time to notify property owners and to negotiate easements accordingly.

DAYTON ROAD

The County Engineer, Gary Earp reported that Dayton Road surveys are complete. However, this matter will be addressed at the August 3, 2010 meeting to give the County Attorney sufficient time to notify Dayton Road residents of the Board of Supervisors intent to receive public comment from property owners affected by improvements to Dayton Street. The Board has received several requests from residents to improve Dayton Street also known as Oak Street. This matter will be placed on the August 3, 2010 agenda for public comment.

SHERIFF – 911 CONCERNS ADDRESSED

Supervisor White stated that he was prepared to allow the Sheriff to utilize the old County Administration Building as a potential site for the 911 & Sheriff's office. Supervisor Hymes agreed that a decision should be made. Supervisor Campbell agreed that a new location was needed, but felt the Board should review the matter in more detail. It was a consensus of the Board to allow the BOS/911 Committee to meet with the Sheriff and to further consider allocating \$250,000 from the Capital fund to assist in remodeling the building, as well as making a decision with regard to the use of the Sheriff's Forfeiture funds in the amount of \$233,506 (these monies will be carried over to FY10-11 budget).

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However, there are certain stipulations how the Sheriff's office can use the forfeiture funding. This matter will be addressed at the August 3, 2010 regular meeting.

TOURISM ZONES

The County Administrator, Jim Spencer, stated that the Tourism Committee continues to evaluate areas to be included in the "zones". This matter will be addressed during a community meeting in August.

ENTERPRISE ZONES

The County Administrator, Jim Spencer, stated that the maps are not ready and the County continues to work on the revisions. It is hopeful that a public hearing can be held in September 2010 to consider amendments to the Enterprise Zone ordinance.

HEALTH DEPARTMENT INCREASE IN FEES

The County Administrator, Jim Spencer, reported an increase in fees for Health Department –Environmental Direct Services. The increase includes fees for Onsite Sewage and Well Applications, Annual Plan Review Fees and Annual Permit Fees for Hotels, Restaurants, Summer Camps and Campgrounds, as well as increase in permit fees for bed & breakfast facilities. The health department submitted this to the County Administrator for informational purposes only. There was no action required by the Board of Supervisors.

RABIES CLINICS – REQUESTED TO BE SCHEDULED

Supervisor Anderson requested County staff to cooperate with the Tazewell County Health Department and local veterinarians for the purpose of scheduling local Rabies Clinics. He also requested that the Health Department notify the County office of any rabies cases prior to being published in local newspapers.

APPOINTMENTS

APPALACHIAN AGENCY FOR SENIOR CITIZENS (AASC)

Upon motion of Supervisor Hymes, seconded by Supervisor Anderson and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints G. Irma Mitchell, 166 Scraton Avenue, North Tazewell, Virginia 24630 to serve as a member of the

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Appalachian Agency for Senior Citizens, with a term commencing July 1, 2010 and expiring June 30, 2010 (two 2 year term). This appointment replaces the expiring term of Rod Curry, effective June 30.

INDUSTRIAL DEVELOPMENT AUTHORITY (IDA)

One appointment to fill the expiring term of Jim Boyd was deferred to the August 3, 2010 meeting.

REDISTRICTING COMMITTEE

Two appointments to the Tazewell County Redistricting Committee was deferred to the August 3, 2010 meeting.

ROAD VIEWERS

Upon motion of Supervisor Campbell, seconded by Supervisor Absher 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 reappoints Ray Howell, Box 1477 Rosenbaum Road, Bluefield, Virginia 24605 to serve as a member of the Tazewell County Road Viewers with a term commencing July 1, 2010 and expiring June 30, 2011 (Northern District).

TALL STRUCTURES APPEALS BOARD

Upon motion of Supervisor White, seconded by Supervisor Absher 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 appoints Rev. Jim Denton, Jr. 116 First Avenue, Richlands, Virginia 24641 to serve as a member of the Tall Structures Appeal Board (Northwestern District).

Upon motion of Supervisor Campbell, seconded by Supervisor Absher 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 appoints Ann Robinson, PO Box 11, Falls Mills, Virginia 24613 to serve as a member of the Tall Structures Appeals Board (Northern District).

WIRELESS AUTHORITY

Upon motion of Supervisor Campbell, 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

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same, the Tazewell County Board of Supervisors hereby appoints John Wimmer to the Tazewell County Wireless Authority.

JEFFERSONVILLE RESCUE SQUAD BOARD OF DIRECTORS

One (1) appointment to the Jeffersonville Rescue Board of Directors was deferred to the August 3, 2010 regular meeting.

RECYCLING COMMITTEE (NEWLY ESTABLISHED)

Upon motion of Supervisor Anderson, 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 appoints the following individuals to serve as a member of the newly established Tazewell County Recycling Committee:

- ◆ Keith Jenovec; Alana Combs and Sonja Ratliff

EMERGENCY SERVICES COMMITTEE (ESC)

Upon motion of Supervisor Absher, 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 appoints Barry Patton, PO Box 983, Pounding Mill, VA 24639 to the Tazewell County Emergency Services Committee, with a term effective immediately and expiring June 30, 2010 (two -2 year term). This appointment replaces James Richardson.

EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Absher, 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 enters into an executive/closed meeting pursuant to Virginia Code, Section 2.1-3711 to address the following matters.

- ◆ A-7 Legal Consultation involving the Bluestone
- ◆ A-7 Legal Consultation involving Sales Tax Recoupment
- ◆ A-7 Legal Consultation regarding Jeffersonville Volunteer Rescue Squad
- ◆ A-7 Legal Consultation involving Covington Road

- ◆ A-6 Consideration of the investment of public funds where competition or bargaining is involved, where is made public initially, the financial interest to the County would be adversely affected involving WIB – Youth Program Agreement
- ◆ A-1 Personnel matter involving eight (8) county employees
- ◆ A-3 Property disposition involving the old Jr. High School Building/ County Administration Building

RETURN FROM THE EXECUTIVE /CLOSED MEETING

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 returns from the Executive/Closed Meeting and hereby certifies the following:

CERTIFICATION OF EXECUTIVE/CLOSED MEETING

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

Absent: None

Absent during vote: None

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

WORKFORCE INVESTMENT BOARD (WIB)

Upon motion Supervisor Anderson, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present voting in favor and no one against the same, the

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Tazewell County Board of Supervisors hereby ratifies and approves submitting a grant application to the Workforce Investment Board (WIB), entering into an agreement, and further hereby authorizes and directs Sam Wolford to execute the documents relating to same for the Workforce Youth Investment Programs on behalf of the Board of Supervisors of Tazewell County, Virginia. A copy of same is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

REASSESSMENT – WINGATE, LTD

Upon motion of Supervisor White, 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 accepts Wingate, LTD, as the low bidder with regard to the County's General Reassessment and further hereby authorizes and directs the Reassessment Committee to negotiate with Wingate, with regard to modifications or other changes as necessary.

RESOLUTION ADOPTED

COMPENSATION/SPECIAL DUTY

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 adopts a Resolution amending the Tazewell County Personnel Policy, with regard to accrued Special Duty Leave time for certain county personnel. The Resolution caps the amount of Special Duty time County employees exempt from the Fair Labor Standards Act may accrue such they shall not be permitted to accrue more than One Hundred and Twenty (120) hours of total special duty leave. A copy of the complete Resolution in a form as hereby adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

BLUESTONE CHANGE ORDER NO. 4

CONTRACT NO. 1

Upon motion of Supervisor Anderson, 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 approves CHANGE ORDER NO. 4 to CONTRACT 1, on the Bluestone for \$121,276.00, being the requested amount of

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\$142,976.00 less \$5,700.00 for design cost on CHANGE ORDER NO. 3, and less \$16,000.00 for the Tazewell County Industrial Development Authority's (IDA) costs to redesign.

SALES TAX RECOUPMENT

Upon motion of Supervisor Anderson, seconded by Supervisor Campbell and adopted by a vote of 3 to 2, with Supervisor Absher and Supervisor Hymes voting nay, the Tazewell County Board of Supervisors hereby requests the Treasurer of Tazewell County, Virginia to recoup the sales tax overpayments to the Towns made between August 2008 to March 2009 as follows:

<u>Bluefield</u>	<u>Cedar Bluff</u>	<u>Pocahontas</u>	<u>Richlands</u>	<u>Tazewell</u>
\$14,416.17	\$150,220.91	\$-1,880.39	\$38,443.18	\$72,080.97

BRAIN INJURY SERVICES - \$800.00

DISTRICT FUNDS APPROVED

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following monies from FY10-11 District Fund Accounts, payable to BRAIN Injury Services, 302 2nd Street, 3rd Floor, Roanoke, VA 24011. The County Administrator is hereby authorized and directed to issue said warrants accordingly, which will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

- ◆ Southern \$200.00
 - ◆ Northwestern \$200.00
 - ◆ Western \$200.00
 - ◆ Eastern \$100.00
 - ◆ Northern \$100.00
- \$800.00
-

TAZEWELL COUNTY CLASSIC HORSE SHOW
SHRINERS

Upon motion of Supervisor Absher, 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 following monies from the FY10-11 District Funds, payable to the Tazewell County Classic Horse Show – Shriners. The County Administrator is hereby authorized and directed to issue said warrants accordingly, and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia (Total \$450.00)

- ◆ Western \$100.00
- ◆ Northern \$100.00
- ◆ Northwestern \$100.00
- ◆ Southern \$100.00
- ◆ Eastern \$ 50.00

CLINCH VALLEY COMMUNITY ACTION, INC.
SUMMER YOUTH PROGRAM

\$2,500.00

Upon motion of Supervisor Absher, seconded by Supervisor White 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 (\$1,250.00 from Western District & \$1,250.00 from Northwestern District) payable to the Clinch Valley Community Action, Inc., Summer Youth Program, PO Box 188, North Tazewell, Virginia 24630. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrant will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

ABBS VALLEY YOUTH LEAGUE
\$500.00 FROM NORTHERN DISTRICT FUNDS

Upon motion of Supervisor Campbell, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against

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the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 from the Northern District Youth Fund payable to the Abbs Valley Youth League (community events). The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

SOUTHERN & NORTHERN DISTRICT & YOUTH FUNDS APPROVED

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 and none against the same, the Tazewell County Board of Supervisors hereby approves the following monies from the Southern District Funds, payable as follows. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

- ◆ Southern District Youth Funds - \$1000.00 to Tazewell Young Life
- ◆ Southern & Northern District Funds \$250 each \$500.00 to the 9-10 yr.old Tazewell All-star's Softball League for uniforms
- ◆ Southern District Funds - \$3,500.00 to Tazewell Main Street Heritage Festival

HISTORIC POCAHONTAS – \$1,000,000.00

Supervisor Campbell gave an update on Lt. Governor Bolling's visit to Richlands and his presentation of a \$1,000,000.00 plaque for the Historic Pocahontas Revitalization Project; Phase I. County Officials are planning to meet with the Town of Pocahontas in cooperation with the Cumberland Plateau Planning District who will assist the Town in administering the grant monies. Supervisor Campbell said the only request by Lt. Governor Bolling was that the monies be used wisely.

PEDDLER'S LICENSE – ORDINANCE

Supervisor Campbell requested that the County Attorney draft a proposed "Peddler's Ordinance" and present same to the Board at the August 3, 2010 regular

meeting. Supervisor Campbell has concerns with “curbside peddling” including the traffic hazards as a result of same. Supervisor Campbell said it was not his intent to shut down yard sales or farmers selling fresh vegetables. He said he would like the ordinance to focus on unidentifiable peddlers in the County that operate several days in a row at peak times and in high traffic areas. Supervisor Campbell said he was concerned for County citizens who buy products from untraceable merchants. The County Attorney stated that he would study this matter and possibly obtain a copy of Washington County’s ordinance. This matter will be addressed at the August 3, 2010 meeting.

PSA PROJECTS SUPPORTED

Middle Creek Sewer Project

Upon motion of Supervisor Anderson, 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 supports the Tazewell County Public Service Authority in its application for Community Development Block Grant (CDBG) Construction Ready Funding for the Middle Creek Sewer Project in the amount of \$160,000.00.

Horsepen VA Water Project

Upon motion of Supervisor Anderson, seconded by Supervisor White with Supervisor Hymes abstaining, and by a vote of 4 to 0, with all members present, the Tazewell County Board of Supervisors hereby authorizes and directs the Tazewell County Public Service Authority (PSA) to apply for Coalfield Water Development Funds for the Horsepen Virginia Water Project for short gap funding, contingent upon legal review and approval.

The Board of Supervisors further supports the Tazewell County PSA’s submittal of six (6) Rural Development applications and a DEQ application for the CPH WWTP. (Claypool Hill Waste Water Treatment Plant).

Supervisor White again acknowledged his abstention from BOS action taking earlier this date with regard to budget matters/monies approved for the Recovery Outreach Center. He said he had a potential conflict of interest.

Supervisor Hymes requested the Assistant County Administrator to write a letter to Dr. Lawson, School Superintendent asking for a status with regard to the Board of Supervisors requests relative to the virtual checkbook and ethic's hotline and further that the County Attorney seek the status of the part-time student request.

LETTER OF SUPPORT

NEW EMPLOYER /OWNER FOR BLUEFIELD REGIONAL MEDICAL CENTER

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 approves a letter of support from Tazewell County with regard to the new employer/owner of the Bluefield Regional Medical Center. Supervisor Anderson stated he and Supervisor Hymes spoke today to Bluefield, West Virginia officials, Mayor Walen and City Manager Merriman with regard to this matter. Supervisor Hymes stated this would keep people employed in the surrounding areas.

POCAHONTAS PROJECT 2010 GRANT

HILL STUDIO PRESENTATION

Supervisor Campbell mentioned the 2010 Community Improvement Grant for the Town of Pocahontas and said that David Hill, Hill Studio would present a power-point presentation on this subject during the August 3, 2010 regular Board of Supervisors meeting.

Supervisor White acknowledged the identity of the property acquisition matter added to the 2nd Executive/Closed meeting this date, e.g. Old Jr. High Building.

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ADJOURN

Now, there being no further business to be transacted, and 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 adjourns this meeting. The next regular meeting is scheduled for August 3, 2010 at 6:00 p.m.

Seth R. White, Chairman

Adjourn time: 12:11 a.m.

By: Rg