

VIRGINIA: At a recessed meeting of the Tazewell County Board of Supervisors held October 25, 2010 at 5:30 p.m. in the Tazewell County Administration Building, 108 East Main Street, Tazewell, Virginia 24651

PRESENT: Seth R. White, Chairman
Dave R. Anderson, Chairman
D. Michael Hymes, Member
John Absher, Member (arrived at 5:48 p.m.)
Jim T. Campbell, Jr., Member
Jim Spencer, III – County Administrator
C. Eric Young, County Attorney
Patricia Green, Assistant County Administrator
Ruth Groseclose, Administrative Assistant
Arlene Matney, Director of Finance/Budget
Members of the Press

OTHERS

PRESENT: Members - Tazewell County School Board
Dr. Brenda Lawson, Division Superintendent

ABSENT: None

Seth R. White, Chairman, called the recessed meeting to order and presided with all members in attendance. Supervisor Anderson gave the invocation, followed by the pledge of allegiance to the US Flag.

The Chairman then welcomed Dr. Brenda Lawson and members of the Tazewell County School Board to the recessed meeting. The first hour of the meeting 5:30 p.m. to 6:30 p.m. was a joint meeting with members of the school board to address various concerns, e.g. Education Jobs Funding Grant monies as well as school board renovation/projects and other topics. Chairman White noted that the joint meeting would be held to one (1) hour – reiterating the importance of having a successful, productive and professional meeting.

The first matter addressed was the \$1.65 million Education Jobs Fund. Chairman Mike Dennis explained recent action of the school board whereby staff and teachers would receive stipends in FY2010 and FY2011. He said part of the \$1.65 would be used in the current fiscal year and the remaining held for the next school year. The amount of \$800.00; \$500.00 and \$4,900.00 will be given to full-time school employees as follows, in December 2010 and May 2011. The stipend will not be added to the employee's annual salary and therefore have no effect on their retirement.

- Full time professional - \$800 in 2 equal payments
- Full time classified - \$500 in 2 equal payments
- Professional employees at the 20th & 21st year of experience - \$4900 in 2 equal payments
- Central office employees will also receive the stipend, but only those working directly with children will be funded through the Education Jobs Fund allocation.

Questions with regard to the pay scale inadequacies were addressed, with School Board Member Steve Davis stating the school board's budget committee is evaluating ways to make the pay scale fairer in order to alleviate the long wait for pay increases for teachers. Supervisor Anderson stated several teachers at the top of the scale talked to him and were very upset over the salary situation. He requested that \$40,000 be found for the teachers that are due the pay scale increases. School board member Dave Woodward stated that morale was very low among some school employees and the pay scale was not fair and should be changed. He noted that part-time employees had not received a pay increase in years and would not be receiving a stipend. Supervisor Hymes presented figures showing that some employees were receiving as much as the full \$800 that they would not have received if the standard step increases were given; with several employees receiving \$3,149, less than they would have received with the increases. Supervisor Hymes reiterated the need to fix the pay scale and requested that the teachers scheduled to receive the step increases be made whole and be given the steps due. School Board member Cookie Johnson said the pay scale had been an issue for a long time and the present school board inherited the problem and it was an enormous one. She mentioned the loss of 121 students and the loss in enrollment would have a direct effect on school funding. Supervisor White and Supervisor Campbell both agreed that the salary scale needed to be fixed.

Dr. Brenda Lawson mentioned the latest state figures from Governor McDonnell noting a possible 6 percent funding reduction in the upcoming year. School Board member Mike Dennis said that some localities were holding on to the funding and not using it in this year's budget. The funding has to be spent by September 12, 2012.

Supervisor Anderson questioned the loss of the assistant band director at Graham High School. He wanted to know if the school could use an intern or some other assistance to help with the large band class at Graham. Dr. Lawson said the band relies on volunteer support from band boosters as well as band parents and other unpaid help from the community.

Supervisor White asked about the \$1.8 received for renovations and questioned how the money would be used. School Board member Mike Dennis stated that needs were being looked at in each school and the renovations list should be finalized by the November 2010 meeting. He said there could be several large projects or several small projects, with safety as the School Board's main objective. Supervisor Campbell questioned why some elementary schools were not air-conditioned. School board member Mike Dennis stated that the projects were prioritized and the school board did not spend money on schools that might be closed in 20 years.

Board of Supervisor Absher thanked the School board for their diligence and for approving the stipends for school employees. He said he liked the stipend approach.

A status of current capital projects was presented. The five (5) elementary school projects are on track. However, there is a drainage problem at the Tazewell Elementary School that is being worked on.

The Carlock- Pruett building is on schedule. School board member Cookie Johnson spoke how citizen contributions and other donations from various foundations played a vital part in funding the Carlock-Pruett Building project.

Virtual Checkbook – a request for the School Board to place a Virtual Checkbook on the School's website showing expenditures over \$1,000 was questioned. Member Mike Dennis stated that School board has made no decision on the matter, but continues to study.

High school graduation rates vs. other district graduation rates in PD1 & PD2 were addressed by George Brown, Supervisor of Secondary Education, who presented figures from the Central Office showing 73.5 percent of the members of the Class of 2010 graduated on time. The statewide rate for on-time graduation was 85.45 percent. The state's figures reflect a 13.5

percent dropout rate for Tazewell County. He said everyone that works in education is trying his or her best to lower the dropout rate.

Supervisor Hymes questioned the current truancy rate in Tazewell County. He wanted to know if the rate was up or down and mentioned the school boards elimination of a truancy officer in the Tazewell area. An immediate answer was not given. He requested that the information be forwarded to him or Chairman White. Supervisor White mentioned the perfect attendance incentives offered the Cedar Bluff Elementary School. He said students with perfect attendance receive a bicycle at the end of the school year. The program is funded through parent and community donations.

Dr. Lawson spoke highly of the Elgin Foundation Reading Program in Tazewell County Schools. The goal of the reading program is to have 90 percent of the students leaving third grade reading on or above grade level.

Consideration of approving “APPENDIX G- Local Government Guarantee without Standby Trust – Made by Local Government” with regard to underground storage tank(s) owned by the Tazewell County School Board was addressed. The Board of Supervisors requested that the School board validate whether the tanks comply with the Department of Agriculture’s – state inspection requirements. According to Dr. Lawson, the tanks are inspected as required.

Discussion regarding shared services between the School Board and County were addressed, e.g. county/school board garage services. School board member Dave Woodard suggested that the two entities explore ways to jointly utilize the Career & Technical Center for vehicle repairs, inspections, etc.

The joint meeting was concluded with Chairman White declaring a brief recess, after which the meeting was duly reconvened.

**ROBERT’S RULES OF ORDER SUSPENDED –
EXECUTIVE SESSION TO BE HELD LAST ON THE AGENDA**

Upon motion of Supervisor Absher 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 suspends Robert’s Rules of Order changing the agenda format moving the executive/closed session from the beginning of the agenda to the end.

Now, 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 approves the agenda format as amended.

CONSENT CALENDAR APPROVED

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 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

September/October 2010

Payroll

Ordered that Warrant Nos. 132772 through 132864, and direct deposits totaling \$205,342.70 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending September 30, 2010, be approved.

Ordered that Warrant Nos. 132866 through 132956 and direct deposits totaling \$214,990.46 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending October 15, 2010 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 449611 through 449782, for \$1,633,522.27 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 2010, be approved.

Ordered that Warrant Nos. 449784 through 449801, for \$148,977.52 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending September 30, 2010, be approved

Ordered that Warrant Nos. 449803 through 449990, for \$1,551,848.97 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of October 2010, be approved.

Ordered that Warrant Nos. 449992 through 450009 for \$150,991.80 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending September 15, 2010, be approved.

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Ordered that Warrant Nos. 801504 through 801528 for \$77,793.48 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of September 2010, be approved.

- Approved coyote claims as follows:
 - \$50.00 to Jack Harman, 6440 Sinking Waters Road, Bandy, Virginia 24602 for 1 coyote killed with a snare on October 11, 2010
 - \$50.00 to Jack Howery, Jr. 230 Ferndale, Cedar Bluff, VA 24609 for 1 coyote killed with a rifle on October 14, 2010
 - \$50.00 to Brenda Hayes, 176 Empire Drive, North Tazewell, Virginia 24630 for 1 coyote killed with a snare on October 10, 2010
 - \$50.00 to William Hudson, 1683 Laurel Red Rd. Tazewell, Virginia 24651 for 1 coyote killed on October 13, 2010.
- Commissioner of Revenue's Office – approved a transfer of \$1,127.58 from the Contingent Expenditures & Grants Account No. 91050-70410 to Account No. 12090-6009 Vehicle Supplies and Repairs – check received from Agency Insurance Company for vehicle accident on August 12, 2010
- Sheriff's Office – K9's
 - Retired K9 Abby and approved donation to K9 handler Tim Carroll
 - Accepted K9 training items for County K9 units in lieu of payment for K9 Scooby transferred to the Ohio County Detention Center
- Library Account: Approved transfers from the Contingent Expenditures & Grants Account No. 91050-70410 to the following Library Accounts (flow through funding):

- ▶ \$50.00 to Account No. 7301-3099 (GFWC Women's Club)
- ▶ \$12.95 to Account No. 7301-6012 (Oxmoor House)
- ▶ \$244.39 to Account No. 7301-6012 (Tumbleweed Press)
- Approved \$10,000.00 from the Southern District Fund to the YMCA – to assist with reduced cost membership
- Approved \$1,000.00 from the Southern District Fund to the Tazewell Wrestling Club.
- Approved payment of \$2,000 to assist with the Burkes Garden fence project (Maintenance Account)

EMERGENCY SERVICES COMMITTEE

2010 KUBOTA 6 PASSENGER/WHEELER

Following recommendation of the Tazewell County Emergency Services Committee 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 authorizes and directs that the 2010 Kubota six passenger/wheeler with trailer purchased by the Thompson Valley Fire Department be insured and titled in the name of Tazewell County, Virginia. The 2010 Kubota will be utilized County wide on an as-needed basis.

Other ESC concerns:

Supervisor Campbell suggested that the fire truck for Abbs Valley Fire Dept. be purchased through grants if applicable. He also requested that the Abbs Valley Fire Dept. be loaned a temporary unit from another county fire department if available.

Supervisor Hymes requested that the grant funding for a tanker-truck for the Clearfork Fire Dept. be clarified.

APPOINTMENTS

Tazewell County Airport Authority:

Upon motion of Supervisor White 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 James Pruitt, 1533 Red Root Ridge Road, Raven, VA 24639 as a member of the Tazewell County Airport Authority with a term commencing immediately and expiring December 31, 2011. This appointment fills the unexpired term of Phil Mahon who resigned.

Upon motion of Supervisor Anderson, 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 recommends to the Town of Bluefield, VA – the reappointment of Mr. Curt Gillespie to represent the Town of Bluefield, VA as a member of the Tazewell County Airport Authority. Mr. Gillespie’s term has expired.

Further, that an individual to represent Buchanan County as a member of the Tazewell County Airport Authority be considered. Steve Cole currently represents Buchanan County.

Joint Economic Development Authority (JEDA):

Two (2) appointments to the Joint Economic Development Authority (JEDA) were deferred to the December 7, 2010 meeting.

Redistricting Committee

Upon motion of Supervisor Campbell, 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 Arthur Scott, PO Box 27, Pocahontas, VA 24635 as a member of the Tazewell County Redistricting Committee with a term commencing immediately and expiring at the will and pleasure of the Tazewell County Board of Supervisors.

GIS Position

The board discussed the urgency to hire a GIS person or consultant to assist in the upcoming Redistricting process as a result of the 2010 Census. It was noted that the low salary of the advertised position could be the reason for not receiving qualified applicants. Chairman White suggested that the position be advertised statewide, e.g. VACo’s newsletter. Supervisor Campbell suggested that the salary be based on experience.

Richlands Incubator and Administrative Board (IDA Representative)

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 appoints Shea Cook, 215 Washington Square, Richlands, Virginia 24641 as a member of the Richlands Incubator and Administrative Board (IDA Representative) , with a term commencing immediately and expiring at the will and pleasure of the Board of Supervisors. This appointment replaces Mr. Jim Boyd who resigned.

Tall Structure Appeals Board- Terms Set

Upon motion of Supervisor Anderson 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 set the terms of the Tall Structures Appeals Board as follows:

EXHIBIT A

<u>Name</u>	<u>Address</u>	<u>Expiration of Initial Term</u>
Ann Robinson	<u>Northern District</u> Ann Robinson PO Box 11 Falls Mills, Virginia 24613	June 30, 2014
James B. Denton, Jr.	<u>Northwestern District</u> Rev. James B. Denton, Jr. 116 First Avenue Richlands, Virginia 24641	June 30, 2014

Ron Mullenau	<p><u>Eastern District</u></p> <p>Ron Mullenau</p> <p>103 Chesterfield Lane</p> <p>Bluefield, VA 24605</p>	June 30, 2014
Curt Breeding	<p><u>Western District</u></p> <p>Curt Breeding</p> <p>425 Arrow Street</p> <p>PO Box 494</p> <p>Richlands, Virginia 24641</p>	June 30, 2013
Charlie Hart	<p><u>Southern District</u></p> <p>Charlie Hart</p> <p>499 Dial Rock Road</p> <p>North Tazewell, VA 24630</p>	June 30, 2012

<p>William Gillespie</p>	<p><u>Planning Commission Representative</u></p> <p>William Gillespie</p> <p>109 Clinch Mt. Road</p> <p>Tazewell, Virginia 24651</p>	<p>June 30, 2011</p>
<p>Kay Bayless</p>	<p><u>At Large</u></p> <p>Kay Bayless (Attorney)</p> <p>1607 West Main Street</p> <p>Princeton, WV 24740</p> <p>(Lives in Bluefield, VA)</p>	<p>June 30, 2015</p>

Tazewell County Wireless Authority:

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 appoints Marco Warner, 2343 Front Street, Richlands, Virginia 24641 as a member of the Tazewell County Wireless Authority, with a term commencing December 1, 2010 and expiring June 30, 2014.

Zoning Committee:

It was the consensus of the Board of Supervisors to appoint Supervisor Dave Anderson to serve as a member of the Zoning Committee as well as reviewing the zoning committee appointment list and agreeing to same, as recommended by the Tazewell County Planning Commission.

Board of Supervisors Chairman, Seth White stated that the Zoning Schedule was revamped. He disseminated each board member a copy of the revised schedule. The County Administrator reported that the Zoning/Stakeholders Committee plans to meet within a week.

GENERAL UPDATE/PROJECTS

Bluestone Update

The County Administrator, Jim Spencer, reported that the Bluestone is now in compliance with DEQ with regard to the Erosion and Sediment (E&S) control concerns and the contractor has recommenced work at the Bluestone site.

Business-to-Business Showcase- SWCC

The County Administrator, Jim Spencer, reported that the Business-to-Business Showcase was a success and approximately 80 vendors attended the annual event at Southwest VA Community College. SWCC Supervisor White, Anderson and Absher stated that the event was a great opportunity for businesses to communicate with each other and to reach out and market their business. Supervisor White commended Margie Douglass and Jim Spencer for making the event a success.

Rabies Clinic – Saturday, November 6, 2010

The County Administrator, Jim Spencer, reported that a free rabies vaccination clinic would be held in various locations throughout the County on Saturday, Nov. 6 in cooperation with the Tazewell County Health Department and local veterinarians. A flyer was available showing the times of locations of the rabies clinics. The clinics will be held at the Dyna Pump, Gratton; Tazewell Fire Dept.; Bandy Community Center; Bluefield Fire Dept.; Abbs Valley Elementary School; Thompson Valley Fire Dept; Tannersville Fire Dept. Dr. Roy Wright will give vaccination in his office the week of Nov. 8-12 during regular business hours.

Orphan Road Ordinance – Public Hearing Authorized

Upon recommendation of the Tazewell County Planning Commission, and 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 authorizes and directs the County Administrator to advertise for a public hearing to hear concerns regarding a proposed “Ordinance to regulate the acceptance of

roads into the County System.” The public hearing will be held Dec. 7, 2010 – during the Board of Supervisors regular meeting.

Long Range Transportation Plan

The County Administrator reported that the Long-Range Transportation Plan (30 Year Plan) will be used to identify existing transportation needs, and assist with further travel demands as well as assist in the development of transportation improvement recommendations for the region’s transportation system. In essence, the plan will be the driving force behind future six-year road plans by VDOT with objectives on dangerous and congested areas, dangerous intersections, narrow roads, as well as new roadways – no pet projects should be submitted. The Board was requested to identify and submit problem areas of concern to Gary Earp or the County Administrator. The Board will review the list at the December 7, 2010 regular meeting.

VA DEPARTMENT OF HEALTH – LOCAL HEALTH CARE CONCERNS

Kathy Mitchell and Brian Stanley with the Virginia Department of Health presented statistics compiled by the Virginia Cancer Registry between 2002 -2006. The information was provided as a result of Supervisor Jim Campbell’s and Supervisor Hymes request for a cancer rate study in Tazewell County because of what appears to be a high rate of cancer among teachers and students in Tazewell County. Compared to a statewide rate of 423.9, data shown in the report indicated that the Cumberland Plateau District, i.e. counties of Tazewell, Russell, Buchanan and Dickenson had a cancer rate of 387.8 – which was a much lower rate than the state average, with the exception of lung and bronchial cancers.

Supervisor Campbell requested that the county proceed with letters to State & Federal officials asking for cancer studies/statistics. He also wanted to know if the questionnaire had been completed with regard to certain types of cancers to determine if there was a common denominator, such as a chemical or other pollutant that could have contributed to the cancers. Mrs. Mitchell stated that because of sensitive issues, the health department did not request specific data out of respect for cancer victims and their families; however, she did state that the Code of VA requires hospitals, labs and clinics to report information about patients having malignant tumors or cancers but the patient’s names are kept confidential.

**CUMBERLAND PLATEAU HEALTH DISTRICT
CARRY-OVER REQUEST \$56,090.77 – APPROVED**

Now, upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 4 to 0, with Supervisor White absent from the meeting, and with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby grants the Tazewell County Health Department, of the Cumberland Plateau Health District, permission to carry-over the FY2010 balance of \$56,090.77. This carry-over will be added to the Tazewell County Health Department's FY2011 budget and does not require an additional local appropriation. The funding will be used to help the local health department continue the process of providing essential services to the residents of Tazewell County.

CITIZEN COMMENTS UNSCHEDULED

There were no unscheduled citizen comments heard.

PROPERTY MAINTENANCE & HOUSING INSPECTOR

The County Administrator, Jim Spencer reported that Dave White, Emergency Services Coordinator passed certification for the Property Maintenance and Housing Inspection and is now certified to issue citations/tickets with regard to nuisances and other property maintenance issues.

ILLEGAL GAMBLING ESTABLISHMENT IN COUNTY

The County Attorney, Eric Young, reported that a certain establishment in the County borders on gambling and the Commonwealth's Attorney & the Sheriff's office were requested to investigate the alleged business.

BLUE RIDGE TRAVEL ASSOCIATION OF VA

The County Administrator announced the Annual BlueRidge Travel Association of VA Conference scheduled for November 4 & 5, 2010 at the Wytheville Meeting Center. This year's theme will focus on Adventure Tourism Business, aimed at Outdoor Recreation business start-ups. He requested that members of the Press help get the word out.

TANNERSVILLE BROADBAND

The County Administrator, Jim Spencer, reported that the Tannersville Broadband Project towers are up and the infrastructure built. The opening ceremony is scheduled for Wednesday October 27, 2010 at the Tannersville Community Center. He noted a conflict with the October 27 date and sent his apologies to the folks in Tannersville. Mr. Spencer said that he and the County Attorney had a property maintenance meeting in Pocahontas.

BOARD CONCERNS

Supervisor Hymes

Farm Bureau Request

Supervisor Hymes reported that the Farm Bureau Association requested that the Farm Bureau be represented with membership on the IDA, Tourism and Zoning Appeals Board.

The County Attorney, Eric Young stated that he would write a letter to Eric Whitesell, President of the Farm Bureau explaining the membership guidelines pursuant to VA Code, as well as the possibility of ad-hoc membership on the committees.

Orphan Road Schedule

Supervisor Hymes requested that a copy of the orphan road-paving schedule be sent to him.

Tazewell Carilion Hospital Status

Supervisor Hymes reported that the administrator for Carilion continues to wait on the response from the study and stated that an update would be presented to the Board of Supervisors in December 2010. He said the Farm Bureau Association also requested that respective communities adequately support Tazewell Carilion and Clinch Valley. He said anxiety is high in the county concerning the possible closure of the facilities.

Supervisor Campbell

\$1000.00 TAZEVELL LITTLE LEAGUE –

DESIGNATE FOR BLEACHER/BLOCK PROJECT

\$500.00 SOUTHERN DISTRICT FUNDS & \$500.00 NORTHERN DISTRICT FUNDS

Upon motion of Supervisor Campbell, 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 amount of \$1000.00 (\$500.00

Southern District & \$500.00 Northern District) payable to the Tazewell Little League, and designated specifically for the Bleacher Project at the facility. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

SW Regional Jail Inmates

Supervisor Campbell suggested that an additional person be considered for the County's Animal Control Dept. under the direction of Dave White, and be certified to work with inmates from the Regional Jail on various county projects, such as cutting grass, litter control, etc. It was the consensus of the Board to allow the County Administrator to contact the various towns, police chiefs, VDOT officials asking for their support as well as asking them to identify/outline county projects for county inmates. The Board also suggested that the County Administrator check into bonding issues as well as transportation/purchase or use of a small activity bus as well as the use of tools/ equipment. The County Administrator will make a report on this once confirmed.

**JEFFERSONVILLE VOLUNTEER RESCUE –
DISPOSITION OF ASSETS – PUBLIC HEARING AUTHORIZED**

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 the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to advertise for a public hearing for the December 7, 2010 regular meeting to hear concerns regarding the Board of Supervisors intent to dispose of the assets of the Jeffersonville Volunteer Rescue, e.g. ambulances/crash truck and other assets/inventory as may be appropriate.

**LEGISLATIVE MEETING – RICHMOND TRIP
(ATTENDANCE LIST BE APPROVED BY BOARD)**

Upon motion of Supervisor Campbell, seconded by Supervisor White and adopted by a vote of 4 to 1, with Supervisor Absher voting no, the Tazewell County Board of Supervisors hereby authorizes and directs that a county employee final attendance list for the 2011 Richmond Legislative Meeting be presented to the Board of Supervisors for approval. Supervisor

Campbell felt the need to trim the attendance list thus cutting County costs associated with the Annual Legislative Meeting.

The County Administrator reminded the Board of the hard work and preparations Margie Douglass puts forth to make the Legislative event a success. He said the Ms. Douglass would need the numbers ahead of time in order to confirm room reservations, etc.

**GREATER BLUEFIELD CHAMBER OF COMMERCE –
DAVID’S CLUB – AT THE BLUEFIELD ELKS \$1,100 RATIFIED**

Upon motion of Supervisor Anderson, seconded by Supervisor Absher and adopted by a vote of 4 to 1, with Supervisor Campbell voting no, the Tazewell County Board of Supervisors hereby ratifies/approves the amount of \$1,100.00 from the BOS Travel/Training Account No. 11010-5510, payable to the Greater Bluefield Chamber of Commerce, PO Box 4098, Bluefield, WV 24701. This amount sponsored a table, Oct. 19, 2010 at David’s Club at the Bluefield Elks Lodge during the Greater Bluefield Chamber of Commerce’s Annual Dinner. The County Administrator is hereby authorized and directed to issue a check in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

**APPENDIX G –
LOCAL GOVERNMENT GUARANTEE WITHOUT STANDBY TRUST**

- STORAGE TANKS/GAS

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 APPENDIX G – LOCAL GOVERNMENT GUARANTEE WITHOUT STANDBY TRUST – MADE BY A LOCAL GOVERNMENT, relative to underground storage/gas tanks owned by the Tazewell County School Board. The Chairman of the Board of Supervisors is hereby authorized and directed to enter into and execute the Agreement on behalf of the Tazewell County Board of Supervisors. A copy of the Agreement in a form as hereby approved is attached hereto and incorporated herein by reference.

SLUDGE DISPOSAL AGREEMENT – CONSOL ENERGY

Upon motion of Supervisor Anderson, 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 authorizes and directs Seth R. White, Chairman of the Tazewell County Board of Supervisors to enter into and execute the Sludge Disposal Agreement – Consol Energy, Inc. as approved by the Board of Supervisors at a meeting held October 5, 2010, and further the Contract as approved is hereby incorporated into the minutes by reference and a copy of said agreement shall be kept on file in the office of the County Administrator.

The Alternate Daily Coverage at the County Landfill in test mode by the Department of Environmental Quality (DEQ).

STACEY DRAINAGE ISSUE

Supervisor Anderson requested the County Administrator, County Attorney and County Engineer meet and address the Stacey drainage issue as well as responding to Mr. Stacey’s letter.

**\$5,000.00 to TOWN OF RICHLANDS –
SMALL BUSINESS OPPORTUNITY GRANT**

Upon motion Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$5,000.00 from the Northwestern District Fund, payable to the Town of Richlands, Richlands, Virginia, designated for Small Business Opportunity Grants. 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 White stated the Town of Richlands would like to extend the grant opportunity to the Town of Cedar Bluff and requested that Mr. Absher meet with him on this matter to address same.

EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Campbell, 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 enters into the Executive/Closed meeting pursuant to Virginia Code, Section 2.2-3711:

- A-1 Personnel – Two (2) matters involving County Administrator (1) and County Attorney (1)
- A-7 Legal Matter – Consultation with Legal Counsel regarding IDA Development Agreement for the Bluestone

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 returns from the Executive/Closed Meeting with Supervisor Hymes reading the following certification of resolution:

**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, with the Chairman of the Board asking for a roll call vote, and as hereby recorded below:

Ayes: Supervisor 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.

HILL STUDIO – PROPOSAL TO EXTEND WALKING TRAIL IN POCAHONTAS

The County Administrator reported that Hill Studio suggested that the Pocahontas Walking Trail be extended from the Train Depot to the High School. The grant extension deadline is due by December 1, 2010. Supervisor Campbell said he would talk to the Mayor of Pocahontas on this subject and report same to the Board of Supervisors.

RECESS

Now, there being no further business to be transacted and upon motion of Member Anderson, seconded by Member 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 recesses this meeting to November 9, 2010 at 5:30 p.m. for the purposes of conducting an executive/closed meeting.

Seth R. White, Chairman

By:rg

Recess time – 11:49 p.m.