

VIRGINIA: At a regular meeting of the Tazewell County Board of Supervisors held September 7, 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, Jr., Member
John M. Absher, Member
James H. Spencer, III – County Administrator
C. Eric Young, County Attorney
Patricia Green, Assistant County Administrator
Ruth Groseclose, Administrative Assistant
Members of the Press: Warren Hinkle, Tazewell County Free Press;
Jim Talbert, Clinch Valley News/Richlands News Press

ABSENT: None

The Chairman, Seth R. White called the regular meeting to order and presided. Supervisor Absher arrived a few minutes late.

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

AGENDA APPROVED AS AMENDED

Upon motion of Supervisor Hymes, seconded by Supervisor Anderson and adopted by a vote of 4 to 0, with Supervisor Absher absent, and with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the September 7, 2010 agenda format as hereby amended.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Anderson, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Absher absent, and with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the August 3, 2010 Board of Supervisors meeting minutes as written.

EXECUTIVE/CLOSED SESSION

Upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 4 to 0, with Supervisor Absher absent, the Tazewell County Board of Supervisors hereby enters into an executive/closed meeting pursuant to Virginia Code, Section 2.2-3711, and further that the Board of Supervisor hereby grants Supervisor Absher permission to enter into the executive/closed meeting upon his arrival to the regularly scheduled meeting:

- A(7) Legal Matter – Consultation regarding Cedar Bluff v. Richlands and Tazewell County
- A(7) Legal Matter – Consultation regarding collections of gas severance taxes from a specific tax payer
- A (6) A(29) Solid Waste Proposal/Agreement -Consol
- A(6) Investment of Public Funds – Methane Collection
- A (1) Personnel - One (1) matter involving Information Technology Dept.

RETURN/CERTIFICATION/REPORT OF ACTION

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 by resolution with Supervisor Hymes reading same:

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: Supervisor Absher, Campbell, Hymes, White and Anderson

Nays: None

Absent: None

Absent during vote: None

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

Upon motion of Supervisor Absher seconded by Supervisor Anderson and adopted 5 to 0, with all members present and voting in favor thereof and no one against the same, the Board of Supervisors hereby authorizes and directs the County Administrator to negotiate with Consol Energy, Inc. for the disposal of water treatment sludge/solid waste at the Tazewell County Landfill within the guidelines discussed in the executive meeting held this date and further hereby authorizes & directs the County Administrator to apply for a permit modification with the Department of Environmental Quality to increase the maximum weekly tonnage capacity at the County Landfill.

RESOLUTION REGARDING GRANT APPLICATION FOR
LANDFILL GAS PROJECT

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 the following resolution:

Resolution Regarding Grant Application for Landfill Gas Project:

WHEREAS, the Tazewell County Landfill located at 2475 Lynn Hollow Road, North Tazewell, produces methane-containing gas emissions due to the natural decaying of municipal solid waste;

WHEREAS, the landfill gas currently is being vented or otherwise is not being captured for beneficial use;

WHEREAS, the County is interested in exploring opportunities for generating revenue or cost savings, or both, from the capture and use of the landfill gas;

WHEREAS, the landfill gas can potentially be cleaned and upgraded to natural gas pipeline quality standards;

WHEREAS, in 2009 the U.S. Environmental Protection Agency estimated that 322 standard cubic feet per minute of landfill gas could be extracted from the Landfill in 2010, with this amount peaking at 546 scfm or higher in 2038 (EPA reported available at http://www.epa.gov/lmop/documents/pdfs/tazewell_county_va.pdf);

WHEREAS, the methane content of landfill gas is approximately 50% and the current volume of landfill gas could result in natural gas production of approximately 72 million cubic feet per year;

WHEREAS, this amount of natural gas production may interest a natural gas distribution company to extend its natural gas pipeline several miles along Highway 19/460 to the Landfill, passing directly in front of the entrance to the Bluestone Business and Technology Park, as well as several businesses and residences;

WHEREAS, capturing potential value from landfill gas and extending natural gas service in the County is in the best interests of the County and its citizens;

WHEREAS, grant funding may be available to pursue a landfill gas utilization project;

NOW THEREFORE BE IT RESOLVED:

1. That the Board approves the Southwest Virginia Higher Education Center Foundation and the Clean Energy R&D Center to submit an application to the Virginia Tobacco Indemnification and Community Revitalization Commission for a grant to fund (a) the construction of a landfill gas collection system at the Landfill and (b) the installation of a system to upgrade the collected landfill gas to natural gas standards and connect to an extended natural gas pipeline; *provided, however*, that (a) the grant application will not request payment by the County for the project at the Landfill, though the County may be asked later to consider a contribution in aid of construction toward the pipeline extension, and (b) the County will share equally in revenue generated from the upgraded landfill gas.
2. That the Board appoints the County Engineer, Gary Earp., P.E., to serve as the project liaison with the SWVHEC Foundation and the Clean Energy R&D Center on this project.

It is so RESOLVED by the Board on this the 7th day of September 2010.

SPECIAL PRESENTATIONS

Jim Boyd

The Chairman, Seth R. White read a resolution recognizing Mr. Jim Boyd for his many years of service to Tazewell County as a member of the Industrial Development Authority. Mr. Boyd did not attend the meeting due to a previous engagement. A round of applause was given in his honor.

Now, upon motion of Member Absher, seconded by Member 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 acknowledging Mr. Boyd's dedicated services. 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.

Tazewell Girls Softball – Little League Team 9-10 Year Old

Supervisor Hymes read a resolution commending the Tazewell Little League Girls 9-10 Year Old Softball League for their outstanding season. Supervisor Hymes read each members name with Supervisor Campbell presenting each team player with a copy of the resolution.

Now, 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 adopts a resolution honoring the Tazewell Little League Girls 9-10 Year Old Softball League for their achievements. 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.

DISTRICT FUNDS

Western & Northwestern District Funds – Richlands Midget League Football \$5,000

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 \$2,500.00 from the Western District Fund and \$2,500.00 from the Northwestern District Fund, total \$5,000.00 payable to the Richlands Midget League Football. 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.

Western District Fund – Cedar Bluff Elementary School \$2,500

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 from the Western District Fund payable to the Cedar Bluff Elementary School to assist in the purchase of a sign. 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.

Northern District Fund – Town of Pocahontas, Virginia \$5,000 (Truck)

Upon motion of Supervisor Campbell, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$5,000.00 from the Northern District Fund payable to the Town of Pocahontas, Virginia to assist in costs associated a truck the town recently purchased (trash & snow removal). 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 check by the Treasurer of Tazewell County, Virginia.

BLUEFIELD COAL SYMPOSIUM

Supervisor Hymes announced the Bluefield Coal Symposium, sponsored by the Greater Bluefield Chamber of Commerce, scheduled for September 20-22, 2010 in Bluefield, WV. This year's forum will be held at the Quality Inn and Suites Hotel & Conference Center. Over 500 people are expected. Keynote speakers include Joe Main (MSHA) and Don Blankenship (Chairman and CEO – Massey Energy). Supervisor Hymes reiterated the importance of the coal convention and encouraged members of the press to get the word out.

SALES TAX RECOUPMENT PROPOSAL – FIRE DEPARTMENT

SUPERVISOR CAMPBELL

Supervisor Campbell reiterated the numerous problems the County Fire Departments are having because of the deplorable condition of their equipment. He mentioned the fire department equipment presentation given by Sam Wolford during this year's budget process and stated that equipment issues continue to be an on-going challenge. The average truck is 20 years old. With this in mind, Supervisor Campbell moved to allocate at least 50% of the sales tax recoupment monies to be used for matching grant funds to purchase equipment for volunteer fire departments. Supervisor Absher seconded the motion. Supervisor White mentioned previous

discussions by the Board relating to the use of sales tax funding by various towns for this reason. Supervisor Anderson felt that Supervisor Campbell's motion was somewhat premature and echoed Supervisor White's concerns, with Supervisor White suggesting that a special fund be established for the particular towns, and to determine later how to use the money once collected.

The Board agreed to table the matter for 30 days and suggested that the matter be placed on the October 5, 2010 agenda for discussion.

SHERIFF – 911 RELOCATION

COMMENTS BY SUPERVISOR CAMPBELL

“ I want to take this opportunity to thank the Sheriff for his service to Tazewell County. I hold his position in honor and high regard having served our state as a state trooper several years. I was especially pleased to grant the \$175,000 to help the sheriff's department and our 911 employees since the sheriff voiced concerns that no other board had helped the sheriff's department with this issue. According to him, there was obvious lack of cooperation from previous boards over the past ten years. I respect the law enforcement officers in Tazewell County and I am proud of their service.

I would also like to take this opportunity to express my extreme disappointment in the manner in which the sheriff has reacted over the funding granted to him by the board. Instead of approaching the county supervisors as a professional, open individual about concerns with a follow-up letter he was sent following our July 12 meeting; he chose to meet behind closed doors with the Democratic and Republican Party chairs thus turning an unbiased decision political. I am told at this meeting he voiced his intent to make this issue political and one of public humiliation for members of this board. I can only conclude that this approach has something to do with next year being an election year. As a public servant, I am deeply troubled at this attempt to spend the hard working citizen's money to further political ambitions and use the position of sheriff to attempt to persuade the members of this board with media and political party leaders. Instead of solving crimes and dealing with the tremendous drug issues we have in this county, the sheriff finds it a better use of his time to meet with political party leaders in private meetings so he can attempt to in some way

embarrass the members of the county governing body. In addition to his attempt to humiliate, the members of this board he issued a deadline date and time that we needed to respond by or the repercussion of public embarrassment he would follow through with.

We have said numerous times that we will not raise taxes on our citizens. I am committed to standing by that promise. The Tazewell County citizens are sacrificing to pay outrageous utility bills and our teachers are not getting the raises they deserve. This board has had to make budget cuts to try and be as fiscally responsible as we can.

The fact of the matter and the point of the follow-up letter was simply one of accountability. We are not going to give a blank check to the sheriff to build a building that is more extravagant than is needed. When we passed the motion to go forward with the relocation of 911 I personally felt that we needed to put something in writing that bound this board and the sheriff to a standard of accountability. Particularly since the board had nothing in writing on facts and figures of the project other than the verbal assurance from the sheriff that he could complete the project and stay within the \$175,000.00 budget. The last thing that this board or the citizens we represent need is a project two-thirds complete, and a budget shortfall. In this scenario, we all know who would pick up the tab and that is the taxpayer. I do not feel that a position in law enforcement or the badge of authority associated with it should ever be used to attempt to obstruct or influence public policy. The boards' position all along is that the focus of this project should be an improved work environment for our 911 employees. However, when you review the plans prepared by Wiley-Wilson the 911 center is only a fraction of the space and the bulk will be the sheriff's office. I feel that 911 has been intentionally made a political lever and personal issue with the sheriff at the expense of the taxpayers.

Once again having worked in Fire, EMS, and law enforcement in the past I feel that there is probably no other service provided by this county that is of more importance or liability than 911. As an example, at the last ESC meeting I found that the call rotation for Jeffersonville and Tazewell County Fire and Rescue does not allow any consideration for geographic location. This translated means that if there is an acute medical emergency and it is next door to the Baptist Valley Fire Station, which now has an ambulance and a crew there several hours a

day, then there is a 50% chance the closest unit won't even be called. The patient must wait on a crew to respond from a much longer distance. This not only does not make sense, but it potentially opens the county up for gross negligence liability. Given the current structure of 911, we have no say in dispatch policy, but essentially all of the liability.

Now, therefore, it is for these reasons that I feel it is in the best interests of the citizens of the county that the county resume responsibility for 911 and remove the temptation to use 911 as a political and personal tool again. I believe in transparency in government and that we all should act as servants of the people not builders of a bureaucracy. We are here to serve, protect and do what is best for those we represent regardless of political party lines. The primary focus of this board has been and I feel should continue to be the relocation of 911.

Therefore, Mr. Chairman, let the minutes show that I move that the County assume responsibility for 911 and the relocation related to it, further that it be funded by the \$175,000.00 previously awarded to the Sheriff for this project. I am as committed now as much as ever to providing 911 staff a more suitable work environment and would ask that the transitions begin as soon as possible.”

Chairman White stated that he felt before the Board considered the motion as proposed, the Board needed to discuss the proposal with the Sheriff and review the Sheriff's policies and procedures relating to 911. Supervisor Anderson reiterated Chairman White's comments and stated that the County should have a solid plan in place before taking on something like this. He encouraged Supervisor Campbell to meet with the Sheriff on these issues. He agreed that there are many questions, but there has to be a plan in place as well as giving the Sheriff an opportunity to speak on this matter. Supervisor Anderson discouraged any pre-mature action by the Board of Supervisors.

Supervisor Hymes stated that he was happy with the way things were going. He said the project, to his knowledge, was underway and on schedule.

Supervisor Absher stated that considering everything mentioned, the public would label the proposed action as spiteful. However, he agreed with Supervisor Campbell's comments concerning the previous newspaper articles.

Now, Supervisor Campbell called for the question, and there being no second on the motion, the Chairman ruled, pursuant to Roberts Rules of Order, 10th Edition, Chapter 1, Section 4, “Motions need not be seconded in a Small Board or Committee.” The Chairman then called for a vote on the motion and which motion failed by a vote of 1 to 4 with Supervisors Absher, Hymes, White and Anderson voting nay and with Supervisor Campbell voting aye.

Supervisor Campbell requested that the matter be discussed again at the October 5, 2010 regular meeting. The Chairman concurred.

PRE-SUSPENSION OR TERMINATION PROCEDURE

ETHICS HOTLINE

Supervisor Campbell mentioned the county’s establishment of the Ethic’s hotline and stated that during its 13 months of operation, not one single call had been received. Supervisor Campbell said he was concerned that employees might be subjected to retaliation if reporting incidences or circumstances that might be illegal, unethical or against Board policy. Supervisor Campbell made clear that he did not intend to permit retaliation against employees as a result of a good faith report of their concerns to the Board of Supervisors regarding the operation of County government. Now, with this in mind, Supervisor Campbell moved, in addition to the Ethics Hotline phone number, that each County employee be given a list of Board of Supervisors names and telephone numbers so that they might contact the Board of Supervisors directly should the employee feel uncomfortable calling the Ethics Hotline. Further, the County’s Personnel Policy be amended to state that no personnel may be terminated without approval of the Board of Supervisors and the County Administrator shall continue to have the right to recommend employee termination and to suspend any employee without pay until such time as a recommendation shall be considered by the Board of Supervisors. Further, that the following resolution be considered as part of this motion, as drafted by the County Attorney:

RESOLUTION

The Board of Supervisors of Tazewell County does hereby RESOLVE that Section 15.6 of the County's personnel policy be amended to read as follows:

Prior to any suspension, demotion, or termination, the employee will be provided with a summary of the charge and the basis for it. Except in compelling circumstances, the employee will be given an opportunity to respond prior to the action becoming effective. In the case of termination, the employee may not be terminated until the Board of Supervisors approves such termination. The employee may be suspended with or without pay by the Administrator pending a decision by the Board of Supervisors. Nothing in this section shall be deemed to imply that employment with the County is anything other than "At Will." Supervisor Absher seconded the foregoing.

Supervisor Hymes questioned the county's grievance procedure and asked whether the resolution placed on the floor would cancel the County's grievance procedure. The County Attorney stated that employee termination was not grievable, that the grievance procedure was merely a due process hearing for employees. Supervisor White reiterated that the hot line was anonymous and there would be no way an employee calling the hotline could be identified. Supervisor Anderson said he would not vote on something that he had not studied or been considered by the personnel committee and county staff. He said he was blindsided by the proposal.

It was a consensus of the Board to place this item on the October 5, 2010 meeting in order to give the County's Personnel Committee a chance to address the proposal.

TAZEWELL COMMUNITY HOSPITAL

Randy Swatzyna, Interim CEO, Carilion Tazewell Community Hospital and Melina Perdue, Sr. Vice President of Regional Operations, gave an update, at the request of Supervisor Hymes, with regard to rumors circulating about the hospital, more particularly, its closure. They indicated that the circumstances are not the best at the facility but they are evaluating the best way to serve the community. Mr. Swatzyna said the area is over-bedded and typical census at

the Tazewell Community Hospital is four with a \$5,000,000 loss anticipated this year. THC is a 56-bed acute care facility and has been in operation since the 1970's. Sr. Vice President Perdue told the Board that Carilion has a group studying the hospital as well as the entire area in hopes to establish the best use of the facility. A report/contract should be available before the end of this year. It was suggested that the study group keep Supervisor Hymes and Supervisor Campbell apprised of all the evidence, facts and finances of the facility and that both be allowed to review the contract once prepared.

DAVE LARIMER, LEGISLATIVE AIDE TO SENATOR PUCKETT

REDISTRICTING IN VIRGINIA

Dave Larimer, Legislative Director to Senator Puckett gave a brief update with the regard to the upcoming 2011 Redistricting as a result of the 2010 Census. Electoral Board Members Sandra Warden and Phillip Horton were present as well as Debbie Barrett, Tazewell County Registrar. Mr. Larimer stated that he would assist the County as much as possible in the Redistricting process, as well as offering Senator Puckett's assistance when available.

Districts must be drawn in 2011 following the Census. Counties will redraw their districts and their precincts between February and June 2011. The Redistricting Plan cannot be put into effect or used to conduct an election until it has been submitted to and cleared by the Department of Justice. In the fall of 2010, the Census Bureau will release the geographic data, census geography, including districts, localities, precincts and census blocks. A possible timeline for the 2011 Redistricting is as follows:

Preparations now for the 2011 redistricting:

- ▶ Identify Redistricting Committee for the following:
 - GIS personnel (local planning commission might assist as well as neighboring counties (GIS personnel)
 - Budget considerations

- Notice of hearings, precinct and district changes
- Review submission requirements

Preparations in 2011:

- Mid February receive 2010 Census data; March and April development plans and hold hearings; May, prepare submissions; August or September primaries; November election.

Mrs. Sandra Warden, Member of the Tazewell County Electoral Board

presented each member of the Board with information from the Virginia Division of Legislative Services explaining Virginia's Redistricting Process. Mr. Phillip Horton reiterated that the Board of Supervisors are the ultimate responsible party for redistricting. He expressed the importance of moving forward with a plan now and to make sure that the GIS mapping is up to date. The electoral board will also be responsible for submitting a ten (10) year voting record for Tazewell County to the Department of Justice. The County Registrar has already prepared this information. In closing, he suggested that the Redistricting Committee be finalized and meet as early as December 2010.

VDOT REPORT/UPDATE

Mr. Marty Halloway, Virginia Department of Transportation, introduced Matthew Cox. Mr. Cox as the new contact person for Tazewell County. Mr. Halloway then highlighted events that have occurred since the August 2010 Board of Supervisors meeting:

Construction

- Rte. 460 Bridges – Cedar Bluff (Cuts) – Deck pour is scheduled for Thursday September 9. Completion is scheduled for December 2010. However, due to additional patchwork on the decks that was unexpected, VDOT anticipates that the bridge will be completed in early 2011.

- Tazewell County Plant Mix - Two Routes Remain – US 19 (Location near Cuz’s Restaurant) and Along Route 1254 (Cedar Land Farms Subdivision Road) across from Wal-Mart
Pavement Markings have been installed along US 19 and US 460 near Claypool Hill and near Southwest Virginia Community College.

Project Development

- Guardrail Schedule and 2009 Revenue Sharing Paving Schedule are advertised.
- Two Highway Safety Improvement Program (HSIP) projects will be advertised October 2010. 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.
- Route 91 Bridge - Bids Submitted August 25. Elk Knob was low bid at approximately \$884,000. Completion Date is November 1, 2011.
- Route 747, Prison Road - The Ad Date will be in December, due to Federal Project Priorities.
- Route 643 - The Ad Date will be in December, due to Federal Project Priorities.

Supervisor Absher questioned whether the guardrail could be placed back 5 to 7 ft. near Consolidated Metals, Kent’s Ridge. The left hand lane is too sharp causing trucks to tear down the guardrail on a continued basis.

Supervisor White reiterated the deplorable condition of the last railroad crossing in Jewell Ridge, Route 67. Cars continue to bottom out at the crossing near Murray Hollow.

Now, upon motion of Supervisor White, seconded by Supervisor Anderson and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby adopts a resolution seeking corrective action to the last railroad crossing (Murray Hollow Crossing [adjacent to Wood Road]) in Jewell Ridge on Rt. 67. A copy of the resolution will be forwarded to the Department of Rail/Norfolk Southern and to the Department of Transportation.

Supervisor Campbell questioned the guardrail schedule at Bandy. Mr. Halloway reported the guardrail project would be completed as funding becomes available.

Supervisor Campbell questioned the placement of directional signs for Historic Pocahontas to be placed on Route 102 at the intersection of Route 696/Big Branch Road as well as the

placement of a sign indicating the location of the Exhibition Mine in Pocahontas. Mr. Halloway stated that this matter would need to be directed to Virginia Logo's. The Virginia Department of Transportation no longer handles the directional signing program.

TOM CHILDRESS- REDISTRICTING /PRECINCT ISSUES

Tom Childress, 208 Peel Chestnut Road, Pocahontas, Virginia 24635 spoke on the subject of the upcoming redistricting and about the rumors circulating concerning the proposed move of the Pocahontas Precinct. He also mentioned the handicapped concerns at the Pocahontas Precinct. Mr. Childress said the handicapped access and heating issues have been resolved, as well as sufficient parking. Mr. Childress said he hopes the upcoming redistricting process could be handled without political jury maundering. He said he continues to hear rumors about closing five Northern District precincts. He said the precincts in the Northern District are the last semblance of community in that area and he said that it is the paramount duty of all government officials in regard to voting, is not to save money, but to protect the right to vote and to see that this right is not abridged. He said he expects the electoral board and the board of supervisors to protect that right. Mr. Childress, in closing, stated that if the rights of citizens were not protected, he as well as a few others would take the massive closure of precincts issue to the United States Justice Department and to Federal Court.

Chairman White, for the record, stated that he has never heard any rumors or had any conversations with anyone with regard to the closure of precincts. Supervisor Campbell said that he had never made comment publicly, privately or participated in any conservation other than with Mr. Childress on this matter. Supervisor Hymes said that he had heard several rumors about the closure of the Burkes Garden precinct, but said he assured his constituents that the Board of Supervisors established the Redistricting Committee and public comments and hearings would be held regarding any proposed changes to voting precincts.

JOHN MONK – TANNERSVILLE BROADBAND

John Monk, Tannersville, Virginia spoke regarding the on-going broadband project in Tannersville and read a list of sequence of events from various Board of Supervisors meeting

minutes relating to the project as well as reciting the number of days since the project's inception in September 2008. Mr. Monk questioned the County Administrator with regard to the status of the project. Mr. Monk stated the citizens in the community were desperate for the project to be completed. He requested that the project not be allowed to expire.

1. Mr. Monk: Has the concrete foundation for the tower been poured?

Answer: Jim Spencer - No, a tower will not be erected; a single pole will be placed.

2. Mr. Monk: How long will it take the concrete to cure prior to setting the pole/tower?

Answer: Sam Wolford - A minimum of seven (7) days.

The Chairman, Seth R. White noted the delay of the project was not the County's fault. He said that various people in the Tannersville Community held the project up by not giving the appropriate right of ways and easements. He reiterated the project was delayed because of long drawn-out negotiations with third parties concerning the site of the project, etc. He assured Mr. Monk that the Tannersville Broadband project would be completed.

FIVE (5) MINUTE RECESS

The Chairman called for a recess of five (5) minutes after which the meeting was reconvened.

CONSENT CALENDAR

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 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:

- Approved the warrants for the month of July/August 2010

WARRANTS

July/August 2010

Payroll

Ordered that Warrant Nos. 132408 through 132500, and direct deposits totaling \$206,779.08 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending July 31, 2010, be approved.

Ordered that Warrant Nos. 132502 through 132588 and direct deposits totaling \$203,659.05 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending August 15, 2010 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 448891 through 449062, for \$622,792.69 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of July 2010, be approved.

Ordered that Warrant Nos. 449064 through 449083, for \$152,744.84 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending July 31, 2010, be approved

Ordered that Warrant Nos. 449085 through 449243, for \$1,183,029.46 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of August 2010, be approved.

Ordered that Warrant Nos. 449245 through 449265 for \$152,829.70 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending August 15, 2010, be approved.

Handwritten

Ordered that Warrant Nos. 801484 through 801490 for \$31,172.64 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of July 2010, be approved.

- Coyote Claims Approved
 - \$50.00 to Johnny Coleman, PO Box 1301, North Tazewell, Virginia 24651 for one 1 coyote killed on August 13, 2010 with a vehicle
 - \$100.00 to Glen Ray Nease, 2123 Baptist Valley Road, Cedar Bluff, VA 24609 for 2 coyotes killed on March 21 & March 22, 2010 with a trap
 - \$50.00 to William Hudson, 1683 Laurel Bed Rd. Tazewell, Virginia 24651 for 1 coyote killed on August 16, 2010 with a snare
 - \$50.00 to Bill Osborne, 328 Little Tumbling Creek Rd. Tannersville, VA 24377 for 1 coyote killed by a rifle on August 25, 2010
 - \$50.00 to James Compton, 8289 Clearfork Rd. Bastian VA 24314 for 1 coyote killed on January 11, 2010 with a snare
- Library Account
 - Approved \$50.00 from the Contingent Expenditures & Grant Account 91050-7041 to the Library Account No. 7301-6001 (donation from N.A.Qazi, M.D.)
 - Approved \$25.00 from the Contingent Expenditures & Grant Account 91050-7041 to the Library Account No 7301-6001 (donation from Diana Brookshire)
- Sheriff's Account (DARE)
 - Approved \$500.00 from the Contingent Expenditures &

Grant Account 91050-7041 to the DARE Supply Account, 31060-6021 (donation received from Jewell Smokeless)

- Sheriff's Account
 - Approved \$1,200.00 from the Contingent Expenditures & Grant Account 91050-7041 to the Travel Expense/ Training Account 31020-5510 (K-9 Training reimbursement from Robert Taylor)
- Annual Fire-Rescue Appreciation Dinner Oct. 9, 2010
 - Approved \$500.00 from each district fund (\$2,500)
- Approved to pay \$400.00 to James Altizer for damages to road by Baptist Valley Fire Department (from Contingency Fund, Account No. 91050-7023)

EMERGENCY SERVICES

Bluefield Rescue Squad 80/20 OEMS Grant \$10,007.40 Approved

Tazewell County Fire Rescue OEMS Grant \$20,000.00 Approved

Upon recommendation of the Tazewell County Emergency Services Committee and upon motion of Supervisor Campbell seconded by Supervisor Anderson and adopted by a vote of 4 to 0, with Supervisor Hymes absent from the vote, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following emergency services matters as a result of a recommendation from the Tazewell County Emergency Services Committee at a meeting held August 25, 2010. The County Administrator is hereby authorized and directed to issue said warrants and transfer said funds in accordance with this action. Monies are hereby further approved from the Rescue Squads Capital Outlay, No. 32020-8109. Said warrants will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

- \$10,007.40 to the Bluefield Virginia Rescue Squad, PO Box 170714 VA Ave. Bluefield, VA 24605, as matching funds for a three (3) part OEMS Grant to purchase 1 Phillips Defibrillator Monitor; 1 Stryker Stretcher Power Pro; 1 Stryker Stair Chair

- ▶ \$20,000.00 to the Tazewell County Fire & Rescue, Inc. PO Box 14, Tazewell, Virginia 24651, as matching funds for a Virginia Dept. of Health 80/20 Grant to purchase a Type III Ambulance and a Phillips MRX Combination Heart Monitor and AED.

Supervisor Campbell mentioned concerns of the Emergency Services Committee relative to the Jeffersonville Rescue Squad. He said the Town of Tazewell has made Jeffersonville a town Rescue Squad and the ESC feels that before any equipment, ambulances, etc. are given to the Town, the ESC be given the opportunity to review the requests.

FIRE DEPARTMENT INSURANCE-

OTHER INSURED ACTIVITIES

Upon motion of Supervisor White, 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 cover the following activities as other regularly approved insured activities of the Tazewell County Fire Department(s):

- A. Fire Department helping with the Tazewell County Fair
- B. Education events, i.e. Visit to area schools, community centers during Fire Prevention Week
- C. 4th of July Firework Displays

APPOINTMENTS

REDISTRICTING COMMITTEE

Appointments to the Redistricting Committee – Census 2010 were deferred to the October 5, 2010 regular meeting. Supervisor Campbell stated the Town of Pocahontas planned to submit a name to him to represent the Town of Pocahontas as a member of the Redistricting Committee.

JEFFERSONVILLE RESCUE SQUAD – BOARD OF DIRECTORS

One appointment to the Jeffersonville Rescue Squad Board of Directors was deferred to the October 5, 2010 regular meeting.

LOCAL EMERGENCY PLANNING COMMISSION (LEPC)

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 the following individuals to serve as members of the Tazewell County Local Emergency Planning Commission at the will and pleasure of the Tazewell County Board of Supervisors:

- George Pilkins, PO Box 608, Tazewell, Virginia 24651
- John Watson, VDOT, PO Box 127, Lebanon, Virginia 24266
- Jim T. Campbell, 205 Blake Lane, North Tazewell, Virginia (BOS representative)

One E911 representative to serve on the LEPC was deferred to the next regular meeting.

ZONING APPOINTMENTS – REPRESENTATIVES

Chairman White mentioned the urgency to finalize appointments to the Zoning Committee. He requested that each member of the Board submit names to the County Engineer by the October 5, 2010 regular meeting. The Zoning Consultant has recommended that a variety of individuals serve in this capacity. Stakeholders should include representatives of Farm Bureau, Realtor Associations, building industry, community groups, etc.

WIRELESS AUTHORITY

Upon motion of Supervisor White, 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 appoints the following to serve as members of the Wireless Services Authority:

- Larry Johnson, 205 Kents Ridge Road, Richlands, VA 24641

Further, upon motion of Supervisor White, 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 appoints:

- John Absher, 501 Star Street, Pounding Mill, VA 24637 to serve as a member of the Wireless Authority for a term of 30 days, subject to legal review and approval.

RECYCLING COMMITTEE

Upon motions made, seconded and duly passed, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints the following individuals to serve as members of the Tazewell County Recycling Committee, at the will and pleasure of the Tazewell County Board of Supervisors:

- Mrs. Warren Hinkle, 4432 Baptist Valley Road, Cedar Bluff, VA 24609
- Carla Scherer, 560 Westview Street, Pounding Mill, VA 24637

HUNTER PAVING – 2010 BITUMINOUS ASPHALT (PLANT MIX)

Upon motion of Supervisor Hymes, 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 awards the 2010 Bituminous Asphalt (Plant Mix) paving bid to Hunter Paving, Inc. P.O. Box 349 Pounding Mill, VA 24637 for Tazewell County , Virginia for Coal Severance Road Paving Improvements for 2011 as follows:

	<i>Hunter Paving</i>
<u>Lot 1</u>	\$9,100.00
<u>Add</u>	
<u>Alternate</u>	\$3,990.00
<u>Lot 2</u>	\$2,280.00
<u>Add</u>	
<u>Alternate</u>	\$12,376.00
<u>Lot 3</u>	\$19,474.00
<u>Add</u>	
<u>Alternate</u>	\$0.00
<u>Lot 4</u>	\$3,610.00
<u>Add</u>	
<u>Alternate</u>	\$0.00
<u>Lot 5</u>	\$0.00

Add

Alternate

\$25,753.00

**ENTERPRISE ZONE –
PUBLIC HEARING TO BE ADVERTISED**

Upon motion of Supervisor Anderson, 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 authorizes and directs the County Administrator to advertise for a public hearing to receive comments regarding a proposed ordinance to adjust the boundaries of the Enterprise Zone for Tazewell County, Virginia. The public hearing is scheduled for October 5, 2010.

The County Administrator reported that the County Engineer told the Assistant County Administrator that the public hearing advertisement could go forward without the maps. The maps have been submitted to the State for review.

CONCEALED WEAPONS IN COUNTY PARKS

Upon motion of Supervisor White seconded by Supervisor Anderson with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to advertise for a public hearing to receive comments regarding a proposed ordinance to allow persons with a concealed weapons permit to carry a fire arm in county parks and recreation areas. The public hearing is slated for October 5, 2010.

WILDERNESS ROAD RESOLUTION

Upon motion of Supervisor Hymes, 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 supporting the efforts of the Wilderness Road organization to develop and promote the Wilderness Road: Virginia's Heritage Migration Route (including the Daniel Boone Wilderness Trail), and the spur Fincastle Turnpike and Carolina Road routes, as Virginia Byway(s) and National Scenic Byway(s). A copy of the

resolution in a form as adopted is on file in the office of the County Administrator and in the office of Economic Development and Tourism.

BUSINESS TO BUSINESS SHOWCASE

The County Administrator, Jim Spencer reported that the Annual Business to Business Showcase would be held October 14-15, 2010 at Southwest Virginia Community College. The Chairman said that he personally delivered a letter to Governor McDonnell inviting to speak during the event. The County Administrator reiterated the importance of the occasion. He said the Showcase provides excellent networking opportunities for county and surrounding businesses.

S.A.F.E.R. GRANT (FEMA)

APPLICATION TO BE SUBMITTED

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 authorizes the submittal of an S.A.F.E.R. (Staffing for Adequate Fire & Emergency Response) to provide funding to local fire departments and rescue squads to help them increase the number of trained “front-line” fire fighters and to enhance the local fire departments abilities to comply with staffing response & operational standards established by the NFPA & OSHA. The deadline is September 17, 2010. The County Administrator stated that the Tazewell County Emergency Services Committee would have to call a special meeting in order to meet the grant deadline requirements.

The County Administrator stated that efforts are being made to schedule a trip with representatives from Pocahontas to visit the ATV trails project in Gilbert, West Virginia.

SOUTHERN DISTRICT FUNDS

\$3,250 TRANSFERRED TO SOUTHERN DISTRICT RECREATION FUND

- **\$2,000 to Tazewell Youth Football, Inc.**
- **\$1,000 to Tazewell Baseball Boosters, Inc.**

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 transfers the amount of \$3,250.00 from the Southern District Fund to the Southern District Recreation Fund and further hereby approves the following amounts from the Southern District Recreation Fund as follows. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, Virginia:

- \$2,000.00 Tazewell Youth Football, Inc. PO Box 778 North Tazewell, VA 24630
- \$1,000.00 Tazewell Baseball Boosters, Inc. (contact: Jeff Williams 326-2273 or 988-4226).

SUPERVISOR HYMES – DAW ROAD DRAINAGE

Supervisor Hymes requested that the County PSA investigate a DAW Road drainpipe concern. Mr. Ralph Childress approached Supervisor Hymes about the drain-line matter and requested that the PSA look into the complaint.

SUPERVISOR ANDERSON - CONCERNS

Supervisor Anderson requested that the County Administrator contact the School Board/Superintendent to establish potential meeting date(s) for a joint meeting in late October 2010 with the Board of Supervisors. He also requested that a list of topics for the agenda be compiled.

Supervisor Anderson said that Dr. Tom Brewster recently informed him of available grant funding for EMS training for high school students. He requested that the County Administrator look into the grant funding opportunity.

Supervisor Anderson then brought to the table additional matters of concern:

- ▶ Questioned the status of the county attorney's letter to the town attorney regarding the Jeffersonville Volunteer Rescue Squad. The County Attorney said the town has not taken a position with regard to the letter at this time.
- ▶ Brought to discussion the Deaton Street and Mt. Vista Court road matters. He encouraged the Deaton Street folks to come before the Board of Supervisors if necessary. The County Attorney stated that has not heard back from the Dr. with regard to Mt. Vista Court.
- ▶ Questioned the proposed zoning status and encouraged the Zoning Committee to meet as soon as possible. He requested that the County Engineer provide a Zoning update to the Board of Supervisors as well as a time-line of zoning events.
- ▶ Rabies Clinics – questioned the status of the scheduling of the clinics and requested that the Board of Supervisors be notified accordingly.
- ▶ Questioned the status of the sinkhole issues at the Bluestone, with Supervisor White requesting that the County Administrator alert all BOS members of any modifications/ change orders etc. with regard to the Bluestone.
- ▶ VACo Conference – stated the importance of new BOS members attendance
- ▶ Sable Lane Fire Hydrant – for the record noted Charles Stacey's concerns with the fire hydrant drainage issues and requested the PSA to investigate the matter.
- ▶ Mentioned Art Meade's idea for two (2) electric car charging stations at the Bluestone
- ▶ Requested that a resolution be prepared and presented honoring Andrew Chafin's for his many years of service. Mr. Chafin, CPPD Ex. Director is retiring.
- ▶ Brought up the civil consequences/penalties as a result of pet owners not obtaining rabies shots for their dogs. The County Attorney said that this is a State/Legislative issue that needs to be addressed.
- ▶ 911/Sheriff Concerns – he met with the Sheriff and Derrick Ruble and voiced their need for maintenance type issues in the renovation process. He said the Sheriff has committed to utilizing the entire \$175,000 for 911 renovations, but additional money for maintenance type issues was needed, such as bulbs, ceiling

tiles, etc. The Sheriff submitted a budget for the project and is working diligently to stay within his budget.

\$2,500.00 APPROVED FOR MAINTENANCE /911 SHERIFF

Now, upon motion of Supervisor Anderson, seconded by Supervisor Absher and adopted by a vote of 4 to 1, with Supervisor Campbell voting nay, the Tazewell County Board of Supervisors hereby approves the amount of \$2,500.00 from the Repairs & Maintenance Account No. 43020-3310 to the Sheriff's Dept. to assist with the maintenance at the old County Administration/Jr. High School facility. This money is in addition to the \$175,000.00 previously approved for 911 building renovations. Supervisor Anderson stated that this money would be used to pay for maintenance materials such as lights, light bulbs, ceiling tiles, etc. The County Administrator, Jim Spencer will remain the point of contact for the Board of Supervisors relative to this project.

BARKING DOGS – GRATTON AREA

Supervisor Hymes mentioned the need for David White, Director of Animal/ Litter Control to contact Ms. Pruett in the Gratton community concerning barking dogs. Dave White will need to contact Supervisor Hymes for the complete name and contact information.

EASTERN DISTRICT RECREATION FUND

\$1,000 TO GRAHAM YOUTH LEAGUE FOOTBALL

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 the amount of \$1,000.00 from the Eastern District Recreation Fund, payable to the Graham Youth League Football, PO Box 1236, Bluefield, Virginia 24605, subject to legal review of the organization's status - non-profit, 501©3. The County Administrator is hereby authorized and directed to issue said warrant in accordance herewith this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

PERSONNEL COMMITTEE TO MEET

Chairman White suggested that the County Personnel committee meet and address personnel matters as well as placing the evaluation for the County Administrator on the October 5, 2010 agenda/executive session.

**WESTERN \$1,000 & NORTHWESTERN \$1,000 RECREATION FUNDS (UP TO \$2,000)
PAYABLE TO RICHLANDS HIGH SCHOOL VARSITY FOOTBALL
CLEAT (S) PURCHASE**

Upon motion of Supervisor White, 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 monies from the following accounts (up to \$1,000 each) from the Northwestern District Recreation Fund and the Western District Recreation Fund to assist with the purchase of cleats for the Richlands High School Varsity Football team. Supervisor White stated he would send Ms. Green an invoice with the exact amount to be paid. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

**NORTHWESTERN DISTRICT RECREATION FUND \$500.00 & \$500.00 WESTERN
DISTRICT RECREATION FUND TO RICHLANDS HIGH SCHOOL SOFTBALL
TEAM**

Upon motion of Supervisor White, 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 amount of \$500.00 from the Northwestern District Recreation Fund, and \$500.00 from the Western District Recreation Fund, \$1,000.00 payable to the Richlands High School Softball Team. 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.

TOWN OF POCAHONTAS, VA
SALES TAX RECOUPMENT FUNDING

\$1,880.39

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 \$1,880.39 payable to the Town of Pocahontas, Virginia 24635 for Sales Tax underpayments to the town made between August 2008 to March 2009.

The County Treasurer is hereby directed to take the necessary action as deemed appropriate in accordance herewith.

SCHOOL BOARD/BOS JOINT MEETING SUGGESTED
OCTOBER 25TH OR 26TH

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 authorizes and directs the County Administrator to forward a letter to the Tazewell County School Board/Division Superintendant requesting a joint meeting be held with the Board of Supervisors on October 25 or October 26, 2010.

RAGAMUFFIN ROAD – PUBLIC HEARING TO VACATE AUTHORIZED

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 authorizes and directs the County Administrator to advertise for a public hearing to consideration the vacation of Ragamuffin Road.

RESOLUTION – 911 EQUIPMENT

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 adopts the following resolution permitting the County's 911 Director to negotiate with a single source for a contract to move the 911 equipment as follows:

RESOLUTION

Pursuant to Section 2.2-4303E of the Code of Virginia, the Board hereby resolves that the County's 911 Director is permitted to negotiate with a single source for a contract to move 911 equipment. Because moving and installing the equipment by any companies other than Carolina Recording Systems and Professional Communications (ProComm) would void the warranties on said equipment.

The Board finds as follows Carolina Recording Systems and Telex companies warrantee the equipment and its installation at the current location. The attached notice advises that the warranties will be void if any companies other than ProComm and Carolina Recording Systems move the equipment. The County paid approximately \$38,000.00 for the warranties. These companies have agreed to relocate the equipment and install it for the sum of \$18,000.00.

The Board also finds that, preserving the warranties previously purchased is in the County's best interest. Further, the Board finds that in order to maintain the warranties there are only two sources practically available to relocate the equipment: ProComm, for relocation of 911 electronic equipment, for \$16,000.00 and Carolina Recording Systems, for relocation of the audio log recording system, for \$2,000.00.

Therefore, the Board resolves that the 911 Director may award the contract for moving the equipment to those companies for the respective amounts indicated; and

The Clerk of the Board is directed to post this notice at the Tazewell County courthouse as required by the Code of Virginia.

IT IS SO RESOLVED this the 7th day of September 2010.

NOVEMBER 2 MEETING DATE TO BE CHANGED

The Board addressed the need to change the regular November 2 meeting date/Election Day. Supervisor Hymes suggested that the November business be conducted in late October during their session with the Tazewell County School Board. This matter will be decided at the October 5, 2010 regular meeting.

ADJOURN

Now, there being no further business to be transacted and upon motion of Supervisor White, 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 meeting is scheduled for October 5, 2010 at 6:00 p.m.

Seth R. White, Chairman

By: Rg