

VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS, HELD APRIL 1, 2014 AT 6:00 P.M. IN THE TAZEWELL COUNTY ADMINISTRATION BUILDING, 108 EAST MAIN STREET, TAZEWELL VIRGINIA

**PRESENT: CHARLES A. STACY, CHAIR
SETH R. WHITE, VICE CHAIR
JOHN ABSHER, MEMBER
D. MICHAEL HYMES, MEMBER
J. GARLAND ROBERTS, 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: JIM TALBERT, CLINCH VALLEY NEWS/RICHLANDS NEWS PRESS; WARREN HINKLE, TAZEWELL COUNTY FREE PRESS; WVVA TV 6 - VIDEO-AUDIOGRAPHER**

ABSENT: NONE

The Chairman, Charles A. Stacy called the regular meeting to order and presided with all members in attendance. Supervisor Roberts gave the invocation with Supervisor Hymes leading those present in the Pledge of Allegiance to the US Flag.

The Chairman then welcomed all those in attendance.

AGENDA APPROVED AS AMENDED

Upon motion of Supervisor Roberts seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the April 1, 2014 agenda format as amended. The County Attorney, Eric Young deleted the A-7 Legal Matter regarding Property Maintenance and added an A-7 Legal Matter regarding Gas Severance Tax.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 March 4, 2014 meeting minutes as written.

COUNTY ENGINEER UPDATE

The County Engineer, Matt Anderson, updated the Board on various on-going projects in the County Engineer's office.

- Submitted the monthly building inspections department report
- Orphan roads update - the Board of Supervisors need to notify the County's engineering department of roads in their district to be added to the paving schedule for 2014
- Inspections are scheduled for county bridges with proposal signed
- Orphan Road projects ongoing - Devin Lane; Southview Street; Oakleaf Street, Mapleview Street; Buckhorn
- Clinic Drive - VDOT project; easements sent out; engineering procurement to proceed upon receipt of all easements
- Stormwater Program: A memo was presented by the County Engineer outlining the pros & cons of the opt-in, opt-out options of the Stormwater Program.

Now, at the request of the County Attorney, Eric Young and upon motion of White, 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 suspends Roberts Rules of Order for the purposes of discussing the Stormwater Program. This will eliminate the discussion of Stormwater later in the meeting as slated on the Agenda at 8:23 p.m.

Now, upon recommendation of the County Attorney, and upon motion of Supervisor Roberts, 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 advertise for a public hearing to hear concerns regarding the Stormwater Program at its May 6, 2014 regular meeting.

The Governor signed HB1173 and SB 423 into law. The bill give localities not operating an MS4 (Municipal Separate Storm Sewer System) the opportunity to opt-in or opt out of implementing a VA Storm Water Program. The County Attorney said holding a public hearing on May 6 would give the Board of Supervisors ample time to review the pros and cons of opting in or opting out of the Program.

PLANNING COMMISSION PROJECTS

- Comprehensive Plan revisions and a proposed ordinance for Zoning is ongoing.

COMMONWEALTH ATTORNEY'S ANNEX

- The contract agreement is being negotiated

TAZEWELL COUNTY AIRPORT SINKHOLES

Matt Anderson, County Engineer, presented photographs of the sinkholes that have developed at the Tazewell County Airport. He recommended that a Geo-tech Engineer come in to determine if the sink-holes could increase. More permanent fencing was recommended as well as posting danger signs and no trespassing signs. Mr. Anderson suspects a lime-stone/cave formation existed prior to the Airport being constructed that no-one foresaw.

ECONOMIC DEVELOPMENT UPDATE

Mike Thompson, Tazewell County Economic Development Director, updated the Board on various Economic Development activities taking place. Mr. Thompson reported that the past month has been very busy with regard to potential businesses and industry coming to Tazewell County, which are in confidential stage at this time.

Mr. Thompson continues to work on the Enterprise Zone which must be reapplied for in 2015. He continues to attend workshops to keep him abroad of the requirements to reapply. The plan is to have workshops within the next three (3) months with companies that plan to expand. This is a huge incentive for Tazewell County. Mr. Thompson will keep the Board abreast of what is going on with regard to the Enterprise Zone. He said Tazewell County has the most

manufacturing companies of the four (4) counties in the PD2 area. A round-table submit will be held at SWCC on May 29, 2014 to address issues that will hopefully lead to big and better things for Tazewell County. Mr. Thompson will attend a huge ATX conference in Charlotte, NC on April 15-16. He will work to recruit new businesses for Tazewell County. He will also attend a EDP conference at the Richmond Convention Center, April 24. In closing he said the unemployment rate for Tazewell County was at 6.8%, which was good compared to previous months.

PSA - \$27,500.00 APPROVED FOR PER LANDFILL LEACHATE SEWER LINE

Consideration of approving \$27,500.00 for a PER for the Landfill Tazewell to Divides - Leachate Sewer Line - was presented by Dahmon Ball, PSA Administrator. This study will update 1997 PER. Now, upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 \$27,500.00 from the Capital Projects Fund, Contingency Account No. 91050-7008. 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.

Also, at their March 4, 2014 regular meeting, the Board of Supervisors delayed the approval of funds to the PSA for the purchase of a Rotating Biological Contactor (RBC) in the amount of \$142,000.00 for the Falls Mills Sewer Plant to hear an explanation from Mr. Ball concerning same. The shaft broke and caused the Plant to be down and is currently working on parameters. Mr. Ball stated it would be a capital purchase and that the PSA was simply asking for the County's assistance to help fund the RBC if funds were available in this year's budget as well as requesting the County's Budget Committee to consider monies in the upcoming budget process to help fund the equipment. Mr. Ball stated the purchase of the RBC would be a PSA partial upgrade that should last another 20 years.

Mr. Ball in closing informed the Board that the PSA submitted a VDH grant application for the Greater Tazewell Regional Water Treatment Plant for the Pocahontas water supply. Mr. Ball is hopeful that the grant will result in suitable funding.

EXECUTIVE/CLOSED SESSION

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

- A(3) Discussion regarding Property Acquisition involving the Tazewell County Fire and Rescue

- A(3) Discussion regarding Property Acquisition involving Project COE

- A(7) Legal Consultation regarding the MOU with Bluefield College involving the Dental School

- A(1) One (1) Personnel Matter involving Workforce Development

- A(7) One (1) Legal matter regarding Coal & Gas Severance Tax

RETURN/CERTIFICATION/REPORT OF ACTION

CERTIFICATION

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 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. The Chairman called for a roll call vote with the following vote hereby recorded.

Ayes: Supervisor Roberts, Absher, Stacy, Hymes, White

Nays: None

Absent: None

Absent during vote: None

**REPORT OF ACTION AS A RESULT OF THE EXECUTIVE/CLOSED SESSION:
CNX GAS & TAZEWELL COUNTY COMMISSIONER OF REVENUE
AGREEMENT APPROVED**

Upon motion of Supervisor Roberts, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves an Agreement Concerning the Valuation of Gas and Oil for Calculation of Gas and Oil Severance License Taxes by and between David R. Anderson, Commissioner of Revenue of Tazewell County, Virginia and CNX Gas Company, regarding deductions the company may take from the County's gross receipts tax on gas severed n Tazewell County, VA. A copy of the Agreement in a form as hereby adopted is attached hereto and incorporated herein by reference thereto.

**TAZEWELL COUNTY FIRE RESCUE - LEASE AGREEMENT SIX (6) MONTH
EXTENSION AUTHORIZED**

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Attorney to

negotiate a six (6) month lease agreement with terms as discussed in the Executive/Closed meeting this date with regard to the Tazewell County Fire & Rescue facility.

RETURN TO ORDER OF THE DAY

Now, upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 return to Roberts Rules of Order as the official Order of the Day.

SPECIAL PRESENTATION BY TECHIE TORNADO'S

The Chairman welcomed the SWCC Upward Bound Robotics Team, Techie Tornados. Approximately 10 team members were present. Supervisor White introduced the group and announced their most recent award by winning the Virginia State championship at the March 1 competition. The group will travel to the FIRST Tech Challenge East Super Regional Competition in York, PA on April 3-5. Team members demonstrated to the Board the Robot they designed. The Robot picked up blocks and placed them in a basket, as well as doing pull-ups. The Robotics team is lead by coach, Brandon Honaker. The group received a round of applause and were wished good luck in their upcoming competition in PA.

TECHIE TORNADO'S

**SOUTHWEST VIRGINIA COMMUNITY COLLEGE - EDUCATION FOUNDATION
FOR RHS ROBOTICS TEAM - TECHIE TORNADOES \$1000.00 (\$500 NW & \$500 W)**

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 following amounts from the Northwestern and Western District Funds, RHS Account(s) 91700- 91900-5699-40, \$500.00 from each NW & W respectively, totaling \$1,000.00 payable to the SWCC Educational Foundation - RHS Robotics Team "Techie Tornados". 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.

COUNTY AUDIT REPORT - ROBINSON, FARMER, COX ASSOCIATES

Deanna Cox with Robinson, Farmer, Cox Associates presented the Annual Financial Report for Tazewell County, Virginia for the year ending June 30, 2013. Ms. Cox reported that the County had good revenue growth in the county's overall finances for fiscal year 12-13. She contributed the growth to the last county reassessment. A narrative overview and analysis of the financial activities of the County were presented. The assets of the County exceeded its liabilities by \$27,224,466.00. At the end of June 30, 2013, funds at the close of June 30 totaled \$21,516,798.00 (net). Of this amount \$12,622,825 was considered unrestricted. She said the total debt for a County this size was low and the County finished the year with positive balances and categories. Other comments concerned a statement in the Audit the auditors were "unable to obtain certain audit representations from the management of the discretely presented component unit school board". When asked about information regarding the alleged embezzled funds from the School System, Ms. Cox said she did not have any information concerning this. Chairman Stacy requested that the County Administrator contact the Chairman of the School Board and Dr. Meyer and invite them to the May 6, 2014 Executive/Closed Meeting to give a financial update on the alleged embezzlement and the potential effects the incident has had on the school system's finances. This matter will be placed on the May 6, 2014 Board of Supervisor's Agenda.

A copy of the Audit Report and Audit Presentation in a form as hereby presented is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

PUBLIC HEARING(S) TWO (2) WERE HELD

ORDINANCE TO AMEND SECTIONS 14-32 (31) OF THE CODE OF TAZEWELL COUNTY, TO PERMIT USAGE OF PADDLE BOATS ONLY DURING SUCH DATES AS SET BY THE BOARD OF SUPERVISORS BY RESOLUTION

Chairman Stacy called to order a public hearing that was duly advertised according to law, entitled, **AN ORDINANCE TO AMEND SECTIONS 14-32 (31) OF THE CODE OF TAZEWELL COUNTY, TO PERMIT USAGE OF PADDLE BOATS ONLY DURING SUCH DATES AS SET BY THE BOARD OF SUPERVISORS BY RESOLUTION.**

The Chairman then called for public comments from the floor with regard to the public hearing. The County Attorney, Eric Young, explained that the Board of Supervisors requested that the ordinance be amended to change the opening date for paddle boat rental at Cavitts

Creek/Lake Jack Witten. The County Administrator suggested the date be changed to coincide with the opening of Lake activities, such as camping. Supervisor Hymes wanted to make sure that the paddle boat rentals are open during Kids Fish Day, which is scheduled for early May. The Chairman called for further comments from the floor three (3) times and there being none, he declared the Public Hearing closed.

Supervisor Roberts moved that the ordinance be amended to coincide with the opening date Lake activities with Supervisor Hymes seconding the foregoing.

Now, the County Attorney suggested that the Ordinance be amended to allow paddle boats be permitted only during such dates as set by the County Administrator.

Then, upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby amends the previous motion to allow paddle boats to be permitted with opening dates as set by the County Administrator, to wit: Section 31, of the aforementioned ordinance, with the following ordinance adopted as amended, set forth below:

Ordinance No.04012014

Date: April 1, 2014

AN ORDINANCE TO AMEND SECTIONS 14-32 (31) OF THE CODE OF TAZEWELL COUNTY, TO PERMIT USAGE OF PADDLE BOATS ONLY DURING SUCH DATES AS SET BY THE BOARD OF SUPERVISORS BY RESOLUTION:

Sec. 14-32. Prohibited acts.

It is hereby declared to be unlawful for any person to do any of the acts set forth in this section within the limits of the facilities and lands located within any public park or parkway or lands used by the county for related purposes within the limits of the county;

(1)

To carry or discharge any firearms, firecrackers, rockets, torpedoes or fireworks of any kind without written consent of the administrator, with the exception of duly authorized law enforcement officials on official duty and with the exception of persons legally permitted to carry a firearm as a concealed weapon, pursuant to Code of Virginia, § 18.2-308 et seq. as amended, while in compliance with any laws or regulations appertaining to such permit.

(2)

To catch, injure, destroy or interfere in any way with rabbits, birds, squirrels or any other animal, reptile or amphibian located in the park without special consent of the administrator, who may give such special consent under the advisement of the district biologist of the Commonwealth Department of Game and Inland Fisheries.

(3)

To cut or remove any wood, turf, grass, soil, rock, sand, gravel or any other material.

(4)

To make or kindle a fire for any purpose except in places provided therefore.

(5)

To destroy or carry away any flag, sandbox, tool, implement, equipment, bridge or other property located in the park and related facilities.

(6)

To indulge in riotous, boisterous, threatening or indecent conduct; or abusive, threatening profane or indecent language.

(7)

To camp or lodge therein.

(8)

To sell or offer for sale any merchandise, article or thing whatsoever.

(9)

To drive any vehicle on any area except the park roads or parking areas.

(10)

To drive or operate any motor vehicle in excess of twenty (20) miles per hour, unless otherwise posted.

(11)

To park in other than any established or designated parking area.

(12)

To fail to comply with state motor vehicle laws in all park areas.

(13)

To fail to comply with state fishing license requirements and game and inland fisheries rules and regulations pertaining to size and reel limits deemed necessary by the district biologist and duly posted.

(14)

To use fishing methods other than rod and reel, which is the only allowable fishing method.

(15)

To repair or wash vehicles.

- (16) To ride a horse except on designated bridle trails.
- (17) To cut, break into, injure, deface or disturb any tree, shrub, plant, rock, building, wall, fence, bench, sign or other structure, apparatus or property; to pluck, pull up, cut, take or remove any shrub, bush, plant, flower, signs or artifact; to mark or write upon any building, fence, bench, sign or any other structure; to climb any tree or stand or sit upon monuments, fountains, railings, fences or any property not designated for such purposes; or to tie or hitch a horse or other animal to any tree or plant.
- (18) To distribute any handbills or circulars, or to post, place or erect any bill, notice, paper or advertising device or matter of any kind.
- (19) To poison animals or feed animals spoiled food, or allow any substance to pollute the land or streams within the park.
- (20) To practice, carry on, conduct or solicit for any trade, occupation, business or profession.
- (21) To construct or erect any building or structure or run or string any public service utility.
- (22) To throw or leave paper or other rubbish anywhere except in the receptacles provided for the purpose or to place any refuse brought from private property in such receptacles.
- (23) To use restrooms and washrooms designated for the opposite sex. No person over the age of six (6) years shall be permitted in restrooms other than the designated restrooms.
- (24) To picnic or lunch in a place other than designated for that purpose, or leave a picnic area before the fire is completely extinguished and before all trash in the nature of boxes, papers, cans, bottles, garbage and other refuse is placed in the disposal receptacles where provided.
- (25) To play games involving thrown or otherwise propelled objects, except in areas set apart for such forms of recreation.
- (26)

- (27) To permit dogs to roam loose. Dogs shall be restrained at all times on adequate leashes not greater than five (5) feet in length.
- (28) To throw stones, sticks, cans or rubbish of any kind into the lakes, streams or ponds.
- (29) To park, loiter or assemble for any purpose whatsoever between the hours of 10:00 p.m. and 6:00 a.m.
- (30) To solicit alms or contributions.
- To use any facility or building for the following purposes without first obtaining a permit:
- a. Use of campsites.
 - b. Use of recreational buildings.
 - c. Use of pavilions.
 - d. Special events when held on park property.
 - e. Lectures, concerts, political rallies, speeches or plays.
- (31) To use any petroleum-powered boat or conveyance on the lake. Paddle boats will be permitted only during such dates as set by the County Administrator. Department of game and inland fisheries personnel or law enforcement personnel on official duty are exempt from this regulation.
- (32) To enter or participate in or on those recreation facilities or programs which have a fee schedule established by the board of supervisors or fees established by a lessee, without payment of the required fee. All persons shall pay the designated fee.
- (32a) To supply false or misleading information on the fairgrounds rental/user application agreement or such other form as may be required for use and payment of a required fee for entrance on or participation in or on the county properties generally known as the Tazewell County Fairgrounds.
- (33)

To drive vehicles in prohibited areas where signs are erected giving notice thereof. It shall be unlawful for any person to drive or cause to be driven any truck larger than one ton, whether loaded or unloaded.

(34)

To swim, bath or wade in any lake, pond or stream in the park unless a county-employed lifeguard is on duty. However, wading is permitted if done so in conjunction with permitted bona fide fishing activities as provided in this article.

(35)

To feed animals where signs have been posted forbidding such practice.

(36)

Stocking of fish by any group or individual except the department of game and inland fisheries, or releasing of wildlife such as geese, ducks and the like on the park premises.

(37)

To fail to observe carefully all traffic signs indicating speed, direction, caution, stopping or parking, and all others posted for proper control and to safeguard life and property.

(38)

To bring or consume alcoholic beverages of any kind on park property.

(39)

To enter into or trespass upon any enclosed areas of the park, whenever such facilities are closed to the public by locked gates, doors or barricades or where any enclosed area of the park is posted with a sign restricting use of the facility.

RECORDED VOTE: 5 to 0

PUBLIC HEARING

SANDERS HOUSE CHARITABLE TRUST

The Chairman called to order a public hearing that was duly advertised according to law entitled: "Consideration of adopting an Ordinance granting real estate property tax exemption and personal property tax exemption status to the Sanders House Charitable Trust's property located in the Town of Bluefield, Virginia, on College Avenue near Wal-Mart, Tax Parcel Nos. 025 A 0055, 025A 03E 0009-0010, and 025A 03E 0011-0015. The Board of Supervisors will consider the Organization's responses to the questions set out in Subsection B of Section 58.1-3651 of the Code of Virginia. The estimated annual cost to Tazewell County will be Eight

Thousand, Eight Hundred Eight Dollars and Eighty-six Cents (\$8,808.86)". A copy of the ordinance in a form as hereby proposed and advertised for consideration of adoption is on file in the office of the County Administrator and as set forth below:

AN ORDINANCE TO EXEMPT REAL PROPERTY BY LOCAL DESIGNATION:

WHEREAS, The Sanders House Charitable Trust (hereinafter referred to as the Organization), whose address is P.O. Box 647, Tazewell, VA 24651, has applied to the Board of Supervisors of Tazewell County, Virginia, for an ordinance providing it with tax exempt status from Tazewell County real and personal property taxes; and,

WHEREAS, the Tazewell County Board of Supervisors did on this date, hold a public hearing in accordance with notice duly and lawfully published pursuant to §58.1-3651 (B) of the Code of Virginia (1950), as amended; and,

WHEREAS, after due consideration of the Organization's responses to the questions specified in said §58.1-3651 (B) of the Code, the Tazewell County Board of Supervisors determines it appropriate to adopt an Ordinance designating real and personal property belonging to the Organization as having tax exemption status, contingent upon a review to determine if said Organization has obtained 501 (c) tax exempt status designation from the Internal Revenue Service of the United States of America;

NOW THEREFORE, THE BOARD OF SUPERVISORS OF TAZEWELL COUNTY, VIRGINIA, FINDS AND ORDAINS THAT:

1. The real property of The Sanders House Charitable Trust (herein referred to as the Organization), which is the subject of this ordinance, are located in Tazewell County, Virginia, being Tax Parcel No. 025 A 0055, whose address is 200 Sanders Lane, Bluefield, VA, described as 1.574 acres located in or near the Town of Bluefield, Virginia; Tax Parcel No. 025A 03E 0009-0010, whose address and description is Oakland Heights, Bluestone, Lots 9 & 10 Sec. E, Lot 10 Sec. C, being located in or near the Town of Bluefield, Virginia; and Tax Parcel No. 025A 03E 0011-0015, whose address and description is Oakland Heights, Bluestone, 3.00 acres, Lots 11-15 Sec. E & Lot 1 Sec. D, being located in or near the Town of Bluefield, Virginia . Further the personal property which is the subject of this ordinance, is the personal property of the Organization.
2. At a public hearing duly and lawfully held on April 1, 2014, pursuant to public notice, all in accordance with Subsection B of §58.1-3651 of the Code of Virginia, the Board of Supervisors of Tazewell County, Virginia, examined and considered the Organization's responses to the questions set out in said Code section. A written copy of which was presented to the Board and incorporated into the hearing minutes.
3. The board of Supervisors hereby finds that:
 - A. The Organization's real property as above referenced, together with

improvements, thereon assessed by the Commissioner of Revenue's Office as having a total value of One Million, Two Hundred Sixty-six Thousand, Eight Hundred Dollars and Zero Cents (\$1,266,800.00) for Tax Parcel No. 025 A 0055; as having a total value of Fifteen Thousand Dollars and Zero Cents (\$15,000.00) for Tax Parcel No. 025A 03E 0009-0010; and as having a total value of Eighteen Thousand Dollars and Zero Cents (\$18,000.00) for Tax Parcel No. 025A 03E 0011-0015;

- B. The annual real property taxes that would be paid by said Organization at the current tax rate fixed by this Board, equals Seven Thousand, Four Hundred Eight Dollars and Eighty-six Cents (\$7,408.86).
 - C. The replacement cost of the personal property to be exempted is approximately Seventy Thousand Dollars (\$70,000.00).
 - D. The annual personal property tax which would be paid by said Organization at the current tax rate fixed by this Board, equals One Thousand, Four Hundred Dollars and Zero Cents (\$1,400.00).
4. The Tazewell County Board of Supervisors finds that The Sanders House Charitable Trust is a charitable organization as evinced in its responses to the Board's written questions and representations of its representatives made at the public hearing; and further that said organization serves a charitable purpose that benefits residents of the County, namely the preservation of the Sanders House as an historical site and the operation of a museum thereof for cultural purposes.
 5. The Tazewell County Board of Supervisors hereby finds that The Sanders House Charitable Trust's, above referenced, real property is used for a charitable purpose such that it may be exempt. The Board further finds that such personal property that the Organization owns or may own and may be subject to local tax assessment which is used for the Organization's purposes likewise is used for a Charitable purpose.
 6. The Board hereby ordains that such property shall be exempt by designation so long as it is owned by The Sanders House Charitable Trust and used by it for its charitable purposes, pursuant to Chapter 36 of Title 58.1-3651, of the Virginia Code, 1950, as amended. The Board further ordains that, with respect to personal property, the aggregate assessed value of personal property which may be exempted from taxation pursuant to this ordinance shall not exceed Seventy Thousand Dollars (\$70,000.00).
 7. The exemption granted hereby shall be contingent upon the continued use of the subject real property in accordance with the Organization's charitable use, and upon the Organization having no rule, regulation, policy or practice that unlawfully discriminates on the basis of religious conviction, race, color, sex or national origin.
 8. Further, the exemption hereby granted shall be contingent upon the Organization providing the Commissioner of Revenue for Tazewell County a certificate, letter or

other documentation satisfactory to the Commissioner, demonstrating that the Organization has been designated as exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of the United States of America. Upon providing such proof, the Organization's tax exemption shall be deemed effective as of the adoption of this ordinance and shall continue for so long as such property is owned by the Organization and used for its' charitable purposes as determined by the Commissioner.

9. Failure of the Organization to provide proof of their tax exempt status before March 31, 2016, shall disqualify the Organization for this exemption.

Now, the Chairman called for public comments from the floor with regard to the Public Hearing.

The County Attorney, Eric Young explained the County was required to have public hearings on a request for exemption granting real estate property tax exemption and personal property tax exemption status to the Sanders House Charitable Trust's property located in the Town of Bluefield, Virginia, on College Avenue near Wal-Mart, Tax Parcel Nos. 025 A 0055, 025A 03E 0009-0010, and 025A 03E 0011-0015. The Sanders House is currently tax exempt status under the definition and operation of a Museum. Now, the Trustees of the Sanders House Charitable Trust respectfully requested by letter of its Attorney, Roger Mullins, that the Board of Supervisors, by ordinance, designate the real and personal property of the Sanders House Trust from taxation in Tazewell County. The Sanders House Trust has an application for tax exemption under 501(3) pending before the IRS. Several Board of Supervisors felt the request was redundant because the Sanders House is already tax exempt. The County Attorney explained that the adoption of the ordinance would protect the Sanders House Trust should the organization change from a Museum to a new classification under a Historical group, but should the property change hands the exemption would be lost.

Mr. Dave Bowers was present on behalf of Roger Mullins and explained the reason for request for exemption was to provide services for the common good of the public.

Then, the Chairman, called for public comments from the floor three (3) times and there being none he declared the public hearing closed. Now, the Tazewell County Board of Supervisors hereby defers the consideration of adopting the Ordinance to the May 6, 2014 Board of Supervisors meeting. The County Attorney suggested that Roger Mullins be present at the May 6, 2014 meeting in order to answer questions with regard to several Board of Supervisor concerns, i.e. "why is the exemption necessary?"

BUCKHORN STREET - HARVEY PERKINS

W. Harvey Perkins, 784 Buckhorn Street, North Tazewell, Virginia 24630, stated he met with the County Administrator, Supervisor Hymes and the County Attorney, as well as the County Engineer, Matt Anderson. The County Engineer's office has worked with Mr. Perkins and other residents with regard to ways to lessen the drainage problems on Buckhorn Street. The Engineer presented maps and quotes to the residents showing ways to alleviate the drainage issues that exist. The County Attorney said that once the County starts maintaining the road the County will be responsible for future maintenance of the road. Drainage easements need to be obtained as well as additional plans outlined by the County Engineer prior to the Board of Supervisors consideration of acceptance of the road into the County's Orphan Road Program. This matter will be placed on the May 6, 2014 Board of Supervisors agenda for further discussion.

JAMES PRUITT, MOORE ST. - POCAHONTAS, VIRGINIA

4-WHEELER CONCERNS

James Pruitt, 144 Moore Street, Pocahontas, Virginia 24635, voiced concern with the new four(4) wheeler the County purchased and placed at the Pocahontas Fire Dept. to be used particularly for the new ATV trail response. He voiced concern that \$16,000.00 of County funds were used, but the equipment could not be ridden until fire department personnel take the appropriate training (Manufactures & EVOC training). Scheduling for training will be looked into by the County Administrator.

Kenneth Buchanan, Chief of the Pocahontas Fire Dept., 5588 Abbs Valley Road, Bluefield, VA 24605, voiced concern with regard to the County's emergency services vehicle policy not allowing fire department logo's and lights on new fire trucks. The County Administrator said he felt the lettering policy was for ATV's only.

Chairman Stacy and Supervisor Hymes requested that the emergency vehicle policy be submitted to the ESC for review and support of the ESC Committee be considered. In addition, the County Administrator said the Town of Pocahontas should be sent a copy of the vehicle policy and the County should work with the Town because they would be providing services for the operation of the Pocahontas ATV trail.

Bill Osborne, Tannersville, VA, questioned whether the Board of Supervisors failed to follow Roberts Rules of Order during their amendment process of adopting the Paddle Boat Ordinance. He felt the Board did not properly vote when voting to approve the amended ordinance. The County Attorney reviewed the way the motion was amended and concluded a new motion was in order. Now, in consideration of which, upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 "Ordinance to Amend the Existing Ordinance to change the beginning of the paddle boat usage at a time and date to be determined by the County Administrator."

DRAG A KNEE-BACK OF THE DRAGON

\$7,000.00 - ADVERTISEMENT

Following presentation by Larry Davidson, Back of the Dragon, and upon motion of Supervisor Hymes, seconded by Supervisor Absher 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 \$7,000.00 from the FY2013-14 Contingency Fund, 91050-7023, as advertisement/sponsorship for the Drag-A-Knee, Inc. 2014 Back of the Dragon event scheduled for June 14, 2014. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action to Drag-A-Knee, Inc. 497 Myrtle Road, Tazewell, VA 24651. Said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Mr. Davidson thanked the Board of Supervisors for their monetary support to make "The Dragon Roars" a premier community event.

The event will begin at Tazewell High School. Evening entertainment is scheduled for Friday June 13, Back of the Dragon Day, June 14 and a Poker Run on June 15. A special ride will be held in memory of the late Jimmy Ramey Jr., conducted by the Tazewell ABATE Chapter. The Good Samaritan Food Pantry will receive \$1.00 for every ticket sold for the event. He said the 2013 event had as many as 10,000 participants.

CONSENT CALENDAR APPROVED

Upon motion of Supervisor Hymes seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present, 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 items presented as “Consent Calendar”. The matters requiring the issuance of warrants shall be issued by the County Administrator in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

Approved the following warrants as paid:

WARRANTS

March 2014

Payroll

Ordered that Warrant Nos. 138646 through 138695 and direct deposits totaling \$346,961.82 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending February 28, 2014, be approved.

Ordered that Warrant Nos. 138697 through 138746 and direct deposits totaling \$342,599.08 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending March 15, 2014 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 464854 through 464988, for \$428,243.69 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of February 2014, be approved.

Ordered that Warrant Nos. 464990 through 465002, for \$141,111.45 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending February 28, 2014 be approved.

Ordered that Warrant Nos. 465004 through 465129, for \$242,668.16 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of March 2014, be approved.

Ordered that Warrant Nos. 465131 through 465144, for \$124,533.29 from the General Funds, covering payroll deductions for the various County agencies for the period ending March 15, 2014, be approved.

- Transferred the amount of \$250.00 from the Contingent Expenditures and Grant Account, No. 91050-7041 to the Sheriff's Account Vehicle Supplies and Repairs 31020-6009, (restitution money received).
- Southern District – approved \$500.00 to Tazewell Youth Wrestling Club
- Southern District Fund – approved \$1,000.00 to Southern District Fund for THS Project Graduation and \$500.00 to THS Pen & Ink Project
- Southern District Fund – approved \$100.00 Nuckolls Hall rental fee for North Tazewell Elementary fund raiser event on May 10, 2014
- Southern District Fund – approved \$60.00 Fairgrounds/Picnic Shelter rental for Drag-a-Knee, Inc. /Back of the Dragon (use as staging area).
- Library – Approved \$200.00 from the Contingent Expenditures and Grant Account, No. 91050-7041 to the Library Account No. 7301-6012 – donation from Tazewell Lions Club
- Northern District Fund – approved \$2,290.00 payable RJ Gas Works, PO Box 1335, Cedar Bluff, VA for Bandy Community Center – repairs to heating system
- Western District Fund – ratified \$2,500.00 to Cedar Bluff Festival
- Coyote Claims Approved:
 - Approved \$550.00 to Russell Daugherty, 5834 Slate Creek Road, Grundy, VA 24614 for \$550.00 for 11 coyotes killed with a rifle from Feb. to March 2014 (killed on land owned by Mr. Daugherty in Willow Springs)

- ▶ Approved \$150.00 to Johnny Horn, 904 Goss Road, Bluefield, VA 24605 for 3 coyote killed with a trap on March 17, 2014
- ▶ Approved \$50.00 to Scotty Lambert, II. 3884 Baptist Valley Road, Cedar Bluff, VA 24609 for 1 coyote killed on March 8, 2014 (tangled in fence)
- ▶ Approved \$50.00 to Lillie Lowe, 5253 Clearfork Road, Bastian, VA 24314 for 1 coyote killed with a gun on March 12, 2014.

BOARD OF SUPERVISORS LIAISON REPORT

Planning Commission

Supervisor Stacy, the BOS representative on the Planning Commission reported nothing new with regard to projects. A special meeting was held to approve the Erosion and Sediment Control Plan for the ATV Trails.

Industrial Development Authority (IDA)

Supervisor White reported that all IDA projects are moving forward.

Cumberland Plateau Planning District Commission (CPPD)

Supervisor White stated that he signed the agreements with VECDA for the \$1.5 M grant - construction will begin on the Tacoma Tower and leases have been signed on the other cell towers. Cell service all the way to Grundy should be available by midsummer.

County Budget Committee

Supervisor Roberts reported that the Budget Committee is at a standstill until figures are handed down by the State. Once the County has budget figures from the State the School Board budget will be submitted to the Board of Supervisors for review.

School Board Budget Committee

Supervisor Absher said the School Board requested a two (2) week extension on submittal of their budget to the Board of Supervisors. The Board should receive their budget by mid April.

Recreation Development Authority (RDA)

Supervisor Roberts and the County Administrator reported that the RDA recently met and the MOU with SRRA was approved. The last land agreement is the hold-up for the ATV Trail. However, brush detail and other clearing is taking place on the trail.

RECESS

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

APPOINTMENTS

Tazewell County Airport

One appointment to the Tazewell County Airport was deferred.

The Crooked Road

The Board deferred one appointment to The Crooked Road until a Tourism Director is hired. The Board suggested that Joan Yates, Tourism Committee Chairperson attend the meetings until a County Tourism Director is hired.

Cumberland Plateau Planning District Commission (CPPD)

One Town of Tazewell - citizen representative to the CPPD was deferred to the May 6 meeting.

Supervisor Hymes requested that Supervisor Stacy inquire as to whether Barbara French wishes to be reappointed to the Planning Commission as the Agriculture/Farm Bureau represented when her term expires June 30, 2014.

COUNTY PROJECTS/ADMINISTRATOR REPORTS

COUNTY EMPLOYEE - HOSPITALIZATION RATES FOR FY15 APPROVED

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 FY15 Employee Hospitalization Rates for FY15 as set forth below:

TYPE OF COVERAGE	TOTAL MONTHLY PREIMUM	EMPLOYEE'S MONTHLY SHARE	EMPLOYER'S MONTHLY SHARE
Single	\$700.00	\$70.00	\$630.00
Subscriber/Dependent	\$1,295.00	\$248.50	\$1,046.50
Family	\$1,890.00	\$427.00	\$1,463.00

Note: Based on 90% employer share for single, and 70% employer share for the difference in dual and family, per formula from insurance committee.

The Advantage 65 Medicare supplement rate remains the same at \$160.00. The cost of this coverage is the responsibility of the participant and as a standalone plan is not used in the experience rating when determining the rates of the active group.

VDOT - REQUEST FOR SAFETY STUDY

Route 659 - Shop Hollow Road

Upon motion of Supervisor Roberts, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a resolution requesting VDOT to conduct and complete a Safety Study to consider reducing the speed limit on Route 659-Shop Hollow Road located in the Northern District of Tazewell County near the Pocahontas Exhibition Mine. The Board of Supervisors feel this is an urgent situation that needs immediate attention because there is no posted speed sign, and as a safety measure to the future Pocahontas Walking Trail. A copy of the resolution in a form as hereby adopted is attached hereto and incorporated herein by reference thereto.

VDOT - REQUEST FOR SAFETY STUDY

Route 747 Old River Road

Upon motion of Supervisor Roberts, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a resolution requesting VDOT to conduct and complete a Safety Study to consider reducing the speed limit on Route 747 Old River Road from its intersection with Route 734 Old Mountain Road to its intersection with Route 644, Abbs Valley Road. The Board of Supervisors feel this is an urgent situation that needs immediate attention.

VDOT - REQUEST FOR SAFETY STUDY

Sinking Waters Road Route 626

Upon motion of Supervisor Roberts, seconded by Supervisor Hymes with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby requests the Virginia Department of Transportation to conduct and complete a safety study to consider reducing the speed limit on Route 626 located in the Sinking Waters

Road area in the Northern District. The Board of Supervisors feel this is an urgent situation that needs immediate attention.

TOURISM POSITION UPDATE

The County Administrator, Jim Spencer, updated the Board with the status of the candidates for the new Tourism Position for Tazewell County. He said the County received ten (10) applications and interviewed six (6) with the top two (2) finalist being considered for the position. One (1) of the two (2) finalists withdrew leaving one applicant, which was Mr. Dave Woodard as the top candidate for the position.

Supervisor White and Supervisor Hymes discussed the top two (2) applicants, with Supervisor White questioning whether the best candidate was offered the job and mentioned Mr. Woodard's position as Chairman of the Tazewell County School Board. Supervisor White said Mr. Woodward should be offered the job only with the understanding that he resign from the School Board. Supervisor Hymes stated that it was not part of the job offer to Mr. Woodard and it should be up to Mr. Woodard whether he resigns from the School Board. The County Attorney, Eric Young stated that there was not a legal conflict for Mr. Woodward to hold both positions. Supervisor Hymes said the County Administrator should be the decision maker with regard to personnel matters. Supervisor Hymes noted that the county's personnel probationary time of one-year would allow for plenty of time to make a change to the Tourism position if a conflict or issue arises. The Chair called for comments from the floor with regard to the tourism position being considered for offer to Mr. Woodard.

Mr. Jerry Gravely, 343 Paradise Lane, Pocahontas, Virginia 24635 stated that has known Mr. Woodard for a long time and he felt he would do a good job and is qualified and he thought the Tourism position should be offered to him. He said his only problem with offering the position to Mr. Woodward would be losing him as a staff member at the Emma Yates Library in Pocahontas.

Supervisor Roberts said he has known Mr. Woodard for a long time as well and had nothing against him, but said he would like to hire someone that would be a full-time tourism director that is totally dedicated to tourism in Tazewell County, Virginia. And, with Mr. Woodard being Chairman of the School Board he wasn't sure that he could do that.

Supervisor White stated that he felt that the best experienced applicant wasn't given the best consideration for the position.

Now, upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 3 to 2, with Supervisor Roberts and Supervisor White voting nay, the Tazewell County Board of Supervisors hereby leave the employee hiring and employee decision making to the County Administrator - the following roll call vote is recorded:

Supervisor Roberts - Nay	Supervisor White - Nay
Supervisor Absher - Aye	Supervisor Stacy - Aye
Supervisor Hymes - Aye	

TOURISM SIGNS - WELCOME TO TAZEWELL COUNTY, VIRGINIA

The County Administrator presented drafts of proposed Tazewell County Welcome signs. Samples were presented and laid out for review by the Board. The Board was requested to decide the appropriate sign(s) for selection as the official sign "Welcome to Tazewell County" that will be placed at major entrances into Tazewell County.

KIDS FISH DAY \$2,000.00 \$400.00 FROM EACH DISTRICT FUND

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 amount of \$400.00 from each district fund, Southern, Western, Northwestern, Eastern, Northern, for a total of \$2,000.00 payable to Kids Fish Day, FY2014. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant by the Treasurer of Tazewell County, Virginia.

TAZEWELL CHAMBER OF COMMERCE - MAIN STREET HERITAGE FESTIVAL \$3,500.00 SOUTHERN DISTRICT FUNDS

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$3,500.00 from the

Southern District Fund, payable to the Tazewell Chamber of Commerce for the 2014 Tazewell Main Street Heritage Festival, Tazewell Mall, Box 6, Tazewell, Virginia 24651 from Account No. 91800-5699___, Attn: Sara White. 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, VA.

BRINDLEE MOUNTAIN FIRE APPARATUS, LLC

\$79,000.00 BURKES GARDEN FIRE DEPARTMENT - FIRE TRUCK

Following review of the bid from Brindlee Mountain Fire Apparatus, LLC, for a used 1000 gallon pumper fire truck, 1997 E-One Commercial Pumper, for the Burkes Garden Volunteer Fire Department, 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 awards the lowest responsive bid of \$79,000.00 to Brindlee Mountain Fire Apparatus, LLC, 15410 US Highway 231, Union Grove, AL 35175, for the purchase of a 1000 gallon pumper fire truck, 1997 E-One Commercial Pumper for the Burkes Garden Fire Department. Funds for this purchase will be included in the FY2014-15 County Budget. This price includes Annual Pump Service Test; Complete Apparatus Inspection, Complete Service of fluids and filters, delivery to Tazewell County, Virginia and one (1) Major Component Warranty. The Burkes Garden Fire Department will be responsible for the down payment of \$7,900.00 and further said action of March 4, 2014 related to the down payment is hereby rescinded with all those voting in favor of the March 4, 2014 voting unanimous to rescind. The March 4 portion of the motion voting to place the amount of \$79,000.00 in the FY2014-15 County Budget for the purchase the same.

RICHLANDS HIGH SCHOOL - PROJECT GRADUATION

\$1,000.00 NORTHWESTERN - \$1,000.00 WESTERN

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 \$2,000.00 (\$1,000.00 Northwestern 91700-5699-40 and \$1,000.00 Western 91900-5699-40) payable to the Richlands Project Graduation 2014 attn: Melinda Elswick, PO Box 444, Pounding Mill, VA 24637. 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.

**\$5,000.00 TO THE TOWN OF RICHLANDS - FESTIVAL COMMITTEE
FREEDOM FESTIVAL 2014**

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 \$5,000.00 Town of Richlands Account No. 91700-5699-65, payable to the Town of Richlands, Attn: Jannis White, Richlands, Virginia 24641 for the 2014 Freedom Festival Event. 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.

**\$2,000.00 JEWELL RIDGE FIRE DEPARTMENT
NORTHWESTERN DISTRICT**

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 \$2,000.00 from the Northwestern District Fund, Account No. 91700-5699-30, to the Jewell Ridge Fire Department. 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.

**SCHOOL BOARD
SUPERINTENDANT CONTRACT
BY-OUT RUMOR**

Supervisor White for the record stated that he did not support any type of funding to buy out the School Superintendants contract that is being discussed. In addition, he said the 75 teachers that were cheated out of their step increases/contracts should be made whole and funded

before any contract buy-out. Supervisor Hymes agreed that what happened wasn't fair and the two (2) career and technical center positions should be funded as well before any contract is considered for buy-out.

SECOND CHANCE TICKETS

Supervisor Hymes and Supervisor Absher donated their Second Chance Rocks the Two Virginia tickets (20) each to TASK/Patti Cettine. Other Board members will decide by the May 6 BOS meeting with regard to donating theirs. The Chair requested that Erik Robinson be notified with regard to same.

WELLNESS EXPO - MAY 17, 2014

Supervisor Hymes requested that the County Administrator contact the appropriate persons with regard to Clayton Homes wanting to sit a temporary mobile home at the County Fairgrounds - Wellness Expo Event, May 17, 2014. The contact person is Dr. Chris Brown. The County Building Dept. will also be involved to make sure all rules and regulations are adhered to with regard to sitting the temporary mobile home.

THOMPSON VALLEY FIRE DEPARTMENT - GRANT APPLICATION

Supervisor Hymes requested that the Assistant County Administrator contact Elizabeth Bennett at the Thompson Valley Fire Department regarding a grant application for a tanker , i.e. determine match amount and other stipulations.

MERCHANTS CAPITAL

GRADED TAX INVENTORY

Supervisor Hymes requested that the Assistant County Administrator or the County Attorney discuss with the Commissioner of Revenue the possibility of Tazewell County doing a graded tax for inventory for small business.

VA TECH - SEEK ASSISTANCE TO ANALYZE SOIL AT COUNTY AIRPORT

Supervisor Hymes requested the County Administrator to contact John Blankenship, VPI Extension, to determine if Virginia Tech could have someone to analyze the soil at the Airport with regard to the sink-hole issues.

TAZEWELL HIGH SCHOOL DECA CONFERENCE

\$500.00 FROM SOUTHERN DISTRICT

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy 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 Southern District Fund, Account No. 91800-5699-55, payable to Tazewell High School DECA, 167 Cosby Lane, Tazewell, VA 24651, to help defray costs for students attending the International Career Development Conference in Atlanta, Georgia, May 3-7, 2014. 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, VA 24651.

TAZEWELL HIGH SCHOOL DECA CONFERENCE

\$750.00 FROM NORTHERN DISTRICT

Upon motion of Supervisor Roberts, 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 \$750.00 from the Northern District Fund, Account No. 91600-5699-55, payable to Tazewell High School DECA, 167 Cosby Lane, Tazewell, VA 24651, to help defray costs for students attending the International Career Development Conference in Atlanta, Georgia, May 3-7, 2014. 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, VA 24651.

NATIONAL WILD TURKEY FEDERATION \$400.00

Upon motion of Supervisor White, seconded by Supervisor Roberts 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 \$400.00 from Account No. 91700-5699-32, payable to the National Wild Turkey Federation, PO Box 1924 Cedar Bluff, VA 24609 for the Super Fund Banquet April 25, 2014. 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.

FALLS MILLS FISH CLUB

\$2,500.00 (\$500 FROM EACH DISTRICT FUND) - KIDS FISH DAY

Upon motion of Supervisor Roberts, 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 \$2,500.00 (\$500.00 from each district fund), payable to the Falls Mills Fishing Club, Falls Mills, VA attn: Wade Lovell. 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.

BLUEFIELD VIRGINIA LITTLE LEAGUE

\$500.00 NORTHERN \$2,500.00 EASTERN

Upon motion of Supervisor Roberts, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$3,000.00 (\$500.00 from the Northern District Fund, Account No. 91600-5699-24 and the amount of \$2,500.00 from the Eastern District Fund, Account No. 91500-5699-8) payable to the Bluefield Virginia Little League, PO Box 661, Bluefield, VA 24605, attn: Tom Wimmer, President, to assist with providing uniforms and equipment and for other baseball expenses. 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.

TAZEWELL LITTLE LEAGUE - \$500.00 NORTHERN DISTRICT FUND

Upon motion of Supervisor Roberts, 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 \$500.00 from the Northern District Fund, Account No. 91600-5699-56, payable to the Tazewell Little League Program. 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.

**GRAHAM HIGH SCHOOL - PROJECT GRADUATION
\$250.00 NORTHERN DISTRICT FUND**

Upon motion of Supervisor Roberts, seconded by Supervisor Stacy 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 \$250.00 from the Northern District Fund, Account No. 91600-5699-24, payable to Graham High School Project Graduation to help defray costs of the event. 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.

**TAZEWELL HIGH SCHOOL - PROJECT GRADUATION
\$250.00 NORTHERN DISTRICT FUND**

Upon motion of Supervisor Roberts, 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 \$250.00 from the Northern District Fund, Account No. 91600-5699-55, payable to Tazewell High School Project Graduation to help defray costs of the event. 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, VIRGINIA

\$1,500.00 NORTHERN DISTRICT FUND

LITTLE LEAGUE PARK - MOWING EXPENSE

Upon motion of Supervisor Roberts, 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 \$1,500.00 from the Northern District Fund, Account No. 91600-5699-64, payable to the Town of Pocahontas, Pocahontas, Virginia Attn: Ben Gibson, to help defray the costs of mowing at the newly established Pocahontas Little League Park. 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.

RECREATION DEVELOPMENT AUTHORITY - RDA

ADDITIONAL GRANT FUNDS FOR ATV TRAIL

Upon motion of Supervisor White, 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 execute a DCR grant application on behalf of the RDA/Tazewell County for additional grant monies for the Pocahontas ATV Trail in an approximate amount of \$83,219.32 with a required 20% local match of approximately \$16,400.00. This authorization is subject to the approval of the grant application by the County Attorney and subject to the County finding the additional monies for the 20% local match. A copy of the grant application in its final form will be on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enters into an Executive/Closed Meeting pursuant to Virginia Code, Section, 2.2-3711 A-3 Property Acquisition involving Project COE and 2.2-3711 A-1 Personnel Matter involving the County Administrator.

Now, upon motion of Supervisor Absher, seconded by 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 resolution read by Supervisor Absher:

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. The Chairman called for a roll call vote with the following vote hereby recorded.

Ayes: Supervisor Roberts, Absher, Hymes, Stacy and White

Nays: None

Absent: None

Absent during vote: None

Report of Action:

SATELLITE CENTER OF EXCELLENCE

IN TAZEWELL COUNTY

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 apply to the Tobacco Commission for a regional grant for equipment for a Satellite Center of Excellence in Tazewell County.

ADJOURN

Now, there being no further business to be transacted, and upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adjourns this meeting. The next regular meeting is scheduled for May 6, 2014 at 6:00 p.m.

Charles A. Stacy, its Chairman

By: RG

10:35 p.m. Adjourn Time