

VIRGINIA: At a recessed meeting of the Tazewell County Board of Supervisors held April 26, 2011 at 6:30 p.m. in the Tazewell County Administration Building, 108 East Main Street, Tazewell, VA 24651

PRESENT: Dave R. Anderson, Chairman
D. Michael Hymes, Vice Chairman
Seth R. White, Member
John M. Absher, Member
James T. Campbell, Jr. 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; Kate Coil, Bluefield Daily Telegraph and WVVA –TV Videographer, Rebecca Fate

ABSENT: None

The Chairman, Dave R. Anderson called the recessed meeting to order and presided with all members in attendance. Supervisor White gave the invocation with Supervisor Hymes leading those present in the Pledge of Allegiance to the United States Flag.

The Chairman then welcomed all those in attendance.

AGENDA FORMAT APPROVED AS AMENDED

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 agenda as amended. Amendments included adding an A-1 Matter/Personnel involving the County Administrator's contract to the executive/closed meeting.

PYOTT BOONE ELECTRONICS

40th ANNIVERSARY – RESOLUTION PRESENTED AND ADOPTED

The Chairman welcomed Mike Thompson, General Manager of Pyott Boone Electronics, 1459 Wittens Mill Road, Tazewell, Virginia, with Supervisor Hymes greeting Mr. Thompson on the floor with a resolution in recognition of Pyott-Boone's 40th anniversary.

Supervisor Hymes stated that Pyott-Boone Electronics has been in business for 40 years and provided good full-time jobs to the Tazewell area. He congratulated and thanked Pyott-Boone and its representatives for all their hard work and accomplishments.

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, the Tazewell County Board of Supervisors hereby adopts and presents the following resolution, read by Supervisor Hymes:

CONGRATULATING PYOTT-BOONE ELECTRONICS



WHEREAS, Pyott- Boone Electronics, 1459 Wittens Mill Road, North Tazewell, Virginia was established in 1971; and

WHEREAS, their main goal was to supply the coal mining industry with advanced communication and monitoring systems and in 1978 a contract manufacturing division was established to offer manufacturing services to businesses wishing to outsource production of their supplies; and

WHEREAS, today Pyott-Boone continues to develop state of the art electronic devices to assist a variety of industries, such as coal and mineral mining, aggregate operations as well as feed and grain, processing plants, power generation, parking and transportation agencies, sewage treatment, public works and much more; and

WHEREAS, Pyott –Boone Electronics, has a comprehensive network of distributors in the U.S. Coal market and internationally in all markets, with exports currently made to Europe, South and Central America, Australia, Canada and several other locations around the world; and

WHEREAS, since its inception, Pyott – Boone Electronics has received hundreds of awards – some of them include, Fairchild Space & Electronics Company, Small Business Subcontractor of the Year, Outstanding Performance, 1979; Litton Guidance and Control – 1983 Subcontractor of the Year, Outstanding Performance; IBM Federal Sector Division Owego, Performance Award ASP Program – 1982 and 1983; IBM Federal Systems Division Manassas, Subcontractor of the Year – Outstanding Performance; Small Business Administration, Subcontractor of the Year Region III, 1984 and 1990; Small Business Administration, Award of Excellence, 1983, 1984; 1988 and 1990; Lockheed Martin STAR Supplier Best in Class Product Award, 2003 and 2007, Lockheed Martin Information Systems, Nominated for Recognition as Subcontractor of the Year, Certified Supplier Program and the SWVTC – Excellence in Innovation Award in 2010; and

NOW, THEREFORE, BE IT RESOLVED, that the Tazewell County Board of Supervisors are proud of Pyott-Boone Electronics and its achievements and hereby present this resolution congratulating Pyott Boone on their 40th Anniversary, further expressing the Board of Supervisors appreciation for their leadership and driving determination to enhance the liveliness and social well-being in our region and further extending best wishes for continued success. Job well done!

Mike Thompson thanked the Board of Supervisors for their support and introduced Stuart Champion de Crespigny, the Founder of Vierville Capital. He has joined the Company as Chief Executive Officer (CEO). Pyott- Boone Electronic was recently bought by Prairie Capital V, LP and Vierville Capital, LLC. Mr. Thompson said Pyott –Boone is honored to be recognized by the Board of Supervisors and thanked them again for their appreciation. The audience joined the board in applauding Pyott Boone Electronics for their accomplishments.

VIRGINIA DEPARTMENT OF TRANSPORTATION
REVENUE SHARING,
UP TO \$1.5 M, FY2011-12

Upon recommendation of the Tazewell County Coal & Gas Improvement Committee as a result of a meeting held April 18, 2011, 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 adopts the following resolution:

RESOLUTION

At a regularly scheduled meeting of the Tazewell County Board of Supervisors held on April 26, 2011 on a motion made, seconded and duly adopted, the following resolution was adopted by a vote of 5 to 0 with members present and voting in favor thereof and none against:

WHEREAS, the Tazewell County Board of Supervisors desires to submit an application for an allocation of funds of up to \$1,500,000.00 through the Virginia Department of Transportation Fiscal Year 2011, Revenue Sharing Program, to be matched on a dollar-for-dollar basis, \$750,000 local funding and \$750,000 from funds of the State of Virginia; and

NOW, THEREFORE, BE IT RESOLVED THAT: The Tazewell County Board of Supervisors hereby supports this application for an allocation of \$1,500,000.00 through the Virginia Department of Transportation Revenue Sharing Program.

ADOPTED this the 26th day of April 2011.

APPALACHIAN AGENCY FOR SENIOR CITIZENS (AASC)
APPOINTMENT RATIFIED, JANET GUNN

Upon motion of Supervisor Anderson, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby ratifies and approves the appointment of Janet Gunn, 605 Robin Street, Bluefield, VA 24605 as a member of the Appalachian Agency for Senior Citizens (AASC), with a term commencing immediately and expiring June 30, 2012. This appointment fills the unexpired term of Mr. Frazier Miller who resigned, as well as filling

the resignation of Mrs. Donna Kelly who resigned. Mrs. Kelly was the original replacement of Mr. Frazier Miller.

FARMERS MARKET – TAZEVELL YMCA

\$700.00 FOR SIGNS (SOUTHERN DISTRICT FUNDS)

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 \$700.00 from the Southern District Fund, payable to the Four Seasons YMCA, 106 Gratton Road, Tazewell, VA 24651 – for the placement of Tazewell Farmers Market signage. The Farmers Market is locating to an area on the YMCA parking lot and the \$700.00 will assist in the necessary market signage. The County Administrator is hereby authorized, empowered 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.

COYOTE BOUNTY REPORT-

AS A RESULT OF THE APRIL 21, 2011 COMMITTEE MEETING

Supervisor Hymes gave a brief Coyote Bounty report as a result of the April 21, 2011 coyote committee meeting. Several members of the Tazewell County Farm Bureau and area farmers attended. He said Farm Bureau feels strongly that the coyote bounty should remain at the current amount of \$50.00 per coyote, as well as the need for a system to tag the coyotes to make certain the coyotes are being killed on lands in Tazewell County and not on lands from neighboring counties. On an economic issue, the farmers in Tazewell County feel there would be more sheep in Tazewell County if there were less coyotes, but agreed that better control of the bounty should be implemented. The committee plans to talk to Virginia Tech with regard to females during gestational season as well as discussing the possibility of finding a part-time coyote hunter; Farm Bureau is willing to put up part of the money to assist the County. Supervisor Hymes told the Committee the Board of Supervisors would need to consider this matter. The Committee will meet again in May to address the proposals. Supervisor Hymes said that the County Attorney is working on amendments to the ordinance, with the Board of Supervisors hopefully making a decision on the proposed changes by the June 2011 meeting as well as considering an amount to budget for the upcoming year.

The Chairman called for a seven (7) minute recess, prior to the start of the 1st public hearing on the proposed Redistricting Ordinance, after which the meeting was duly reconvened.

PUBLIC HEARING NO. 1

REDISTRICTING ORDINANCE

The Chairman of the Board of Supervisors, Dave Anderson, called to order a public hearing that was duly advertised in local newspapers having general circulation in Tazewell County, entitled “AN ORDINANCE TO PROVIDE FOR THE REDISTRICTING OF THE BOARD OF SUPERVISORS ELECTION DISTRICTS AND PRECINCTS WITHIN TAZEWELL COUNTY, VIRGINIA AND RELOCATE THE JEWELL RIDGE POLLING PLACE PURSUANT TO VIRGINIA CODE SECTIONS 15.2-1211, 15.2-1425 AND 24.2-304.1 ET SEQ (1950), AS AMENDED.” A signup sheet was available prior to the meeting to order to give citizens the opportunity to speak on the subject public hearing. A copy of the complete ordinance as proposed for adoption was posted at the Tazewell County Courthouse including the maps outlining the proposed boundary lines and election districts and precincts, as well as a copy of the ordinance on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651 for public view and inspection:

- “1. The Ordinance will establish all polling place locations, precinct boundaries and election district boundaries for Tazewell County.
2. The proposed ordinance includes but is not limited to relocating the Jewell Ridge polling place to the former Jewell Ridge Elementary School.
3. The proposed ordinance includes but is not limited to changes to the boundaries of the Thompson Valley precinct to include a portion of the current Burkes Garden precinct near Route 602; to the Richlands precinct to include portions of the current Cedar Bluff and Raven precincts; to Jewell Ridge precinct to include portions of the current Raven precinct near Mud Lick Creek; and to the Wardell precinct to include a portion of the current Cedar Bluff precinct near Southwest Virginia Community College.”

The County Attorney, Eric Young explained and reviewed with the Board of Supervisors the proposed changes to the ordinance. He said in 2010, a Decennial Census was conducted in the United States and in order for the Board of Supervisors to comply with the Constitutional

mandate to redraw Board of Supervisors election district boundaries and other legal requirements, to approximate as equal as possible, to wit: one person one vote, as equal of residents per district. With regard to this task, the Board of Supervisors appointed a County Redistricting Committee and the Committee returned to the Board of Supervisors twenty (20) recommendations that the Board of Supervisors considered at their April 5, 2011 meeting. At that time, the Board of Supervisors authorized a public hearing the Committee's recommendation, 1-6 and 8 & 12, to be effective 2011 for this fall's election. The Board further voted and authorized a public hearing to hear concerns regarding the remaining recommendations from the committee to be effective in 2012. He said most of the recommendations to be effective in 2011 involve the districts and precincts of the County. The remaining recommendations involve primarily polling places in realignment of the precinct boundaries; those would be effective in 2012. The first hearing is on the changes to be effective in 2011, again 1-6, 8 & 12 on the list of recommendations from the Redistricting Committee presented to the Board of Supervisors April 5, 2011. The County Attorney then presented Maps showing the changes as proposed and also a computer image indicating the changes. He further stated that the Board of Supervisors would be required to adopt an ordinance this date establishing precincts and district boundaries for the county; of those changes, some are elective and some are necessary. After the adoption of the ordinance, the ordinance as well as supporting maps and other documents must be sent to the Department of Justice and to the State Board of Elections for approval by the federal government. This process could take up to 90 days and must be approved for the November 2011 election.

There were no citizens signed up to speak at the public hearing.

Now, the Chairman called for public comments from the floor three times with regard to the subject public hearing, and there being none, the Chairman of the Board of Supervisors declared the public hearing closed.

Then, 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 the ordinance as advertised, "AN ORDINANCE TO AMEND AN ORDINANCE TO PROVIDE FOR THE REDISTRICTING OF THE BOUNDARY LINES OF THE BOARD OF SUPERVISORS ELECTION DISTRICTS AND PRECINCTS AND TO RELOCATE CERTAIN POLLING

PLACES WITHIN TAZEWELL COUNTY, VIRGINIA , TO BE EFFECTIVE PURSUANT TO VIRGINIA CODE SECTIONS, 15.2-1211, 15.2-1245 AND SECTION 24.2-304.1 ET SEQ (1950) AS AMENDED”, INCLUDING CHANGES 1-6, 8 & 12 and with the Jewell Ridge polling place moved from the Jewell Ridge Community Library to the former Jewell Ridge Elementary School, further including the change to the Richlands Precinct:

**AN ORDINANCE TO AMEND AN ORDINANCE TO PROVIDE FOR
THE REDISTRICTING OF THE BOUNDARY LINES OF THE
BOARD OF SUPERVISORS ELECTION DISTRICTS AND PRECINCTS AND
TO RELOCATE CERTAIN POLLING PLACES WITHIN
TAZEWELL COUNTY, VIRGINIA, TO BE EFFECTIVE IMMEDIATELY
PURSUANT TO VIRGINIA CODE SECTIONS 15.2-1211, 15.2-1425 AND
SECTION 24.2-304.1, *ET SEQ.*, (1950), AS AMENDED**

WHEREAS, a Decennial Census was conducted in the United States in calendar year 2010 providing for population as of December 31, 2010; and,

WHEREAS, the laws and statutes of the United States and the Commonwealth of Virginia require that voting districts be redrawn in accordance with the population statistics provided by the Decennial Census; and,

WHEREAS, the Board of Supervisors of Tazewell County, Virginia, in order to comply with the mandate to redraw Board of Supervisors election district boundaries and to have precincts comply with such election district boundaries; and

WHEREAS, it was apparent from the 2010 Census results that the total population of the County is 45,078 and that all districts remain within the +/- 5% allowance for deviation from target population and that no minority or ethnic group has been adversely affected by these districts. Nevertheless, the Board desires to make an effort to achieve the most equal distribution among the electoral districts as practicable by redefining those districts as hereinafter set forth;

WHEREAS, it appears that the districts as redefined herein remain within the +/- 5% allowance for deviation from target population and that no minority or ethnic group has been adversely affected by these districts;

NOW THEREFORE, be it ordained by the Board of Supervisors of Tazewell County, Virginia, that:

SECTION 1: THE TITLE OF THIS ORDINANCE IS: “AN ORDINANCE TO AMEND AN ORDINANCE TO PROVIDE FOR THE REDISTRICTING OF THE BOUNDARY LINES OF THE BOARD OF SUPERVISORS ELECTION DISTRICTS AND PRECINCTS AND TO RELOCATE CERTAIN POLLING PLACES WITHIN TAZEWELL COUNTY, VIRGINIA, TO BE EFFECTIVE IMMEDIATELY, PURSUANT TO VIRGINIA CODE SECTIONS 15.2-1211, 15.2-1425 AND SECTION 24.2-304.1, *ET SEQ.*, (1950), AS AMENDED”;

SECTION 2: Pursuant to authority contained in the Code of Virginia, (1950), as amended, the redistricting of Tazewell County is hereby created and established as set forth in this Ordinance, with populations set forth as follows:

Eastern District	8972
Northern District	9363
Southern District	9123
Western District	8518
Northwestern District	9102
Total Population	45,078

SECTION 3: The boundary descriptions of the respective election districts are set forth as attached to this Ordinance, labeled “Exhibit A” and incorporated herein by reference thereto.

SECTION 4: Pursuant to authority contained in the Code of Virginia, (1950), as amended, Section 24.2-307 through 24.2-310.1, the precincts and their respective polling places for Tazewell County, Virginia, are hereby created and established as set forth herein this Ordinance; with the precinct descriptions attached to this Ordinance, labeled “Exhibit B” and incorporated herein by reference thereto.

SECTION 5: The precinct name for each election district and the polling place for each precinct shall be as set forth on “Exhibit C,” incorporated herein by reference, with the population of same voting precincts being as follows:

Precinct Name	Population
Abbs Valley	881
Adria	1334
Amonate	372
Bandy	669
Baptist Valley	1068
Bishop	583
Boissevain	634
Burkes Garden	290
Cedar Bluff	4417
Clear Fork	1182
Falls Mills	1257
Freestone	398
Gap Store	1036
Graham	6207
Jeffersonville	6091
Jewell Ridge	537
Pocahontas	1650
Pounding Mill	1214

Raven	2384
Richlands	6144
Springville	2765
Thompson Valley	1162
Tip Top	947
Wardell	1856
TOTAL	45078

SECTION 6: The map outlining the redistricting of the District boundary lines along with the precincts therein of Tazewell County, Virginia, are attached to this Ordinance, labeled “Exhibit D” and incorporated herein by reference thereto.

SECTION 7: The sections and provisions of this Ordinance are severable such that if any section or provision of any section hereof shall be deemed unconstitutional, violative of any law, invalid or of no force and effect by any court of competent jurisdiction, the remainder of this Ordinance and any section hereof, shall remain valid striking there from the unconstitutional, unlawful or invalid provision thereof.

SECTION 8: This Ordinance shall be in full force and effect immediately upon its passage.

SECTION 9: This Ordinance is adopted pursuant to and in accordance with the authority granted to the Board of Supervisors in Virginia by federal and state laws including, but not limited to, Sections 15.2-1211, 15.2-1425 and 24.2-304.1 *et seq.*, of the Code of Virginia, (1950), as amended.

SECTION 10: This Ordinance shall repeal any other Ordinance now in effect in Tazewell County, Virginia, which is in conflict with this Ordinance, only to the extent that the provisions of said Ordinance are in conflict herewith and the remaining provisions of said Ordinance shall remain in full force and effect as if adopted herewith, absent those parts of such Ordinance as are in conflict with this Ordinance.

SECTION 11: Adopted this the 26th day of April, 2011.

A copy of **Exhibit C** - outlining Precinct Name, Election District, Polling Place and Addresses of same is attached hereto and incorporated herein by reference.

Member White complimented the Tazewell County Redistricting Committee for a job well done. Chairman Anderson echoed his comments and commended Phillip Horton and Debbie Barrett for their hard work and leadership during the Redistricting process.

RECESS

The Chairman then called for a recess to 7:30 p.m. to hear concerns regarding a scheduled Public Hearing relative to a proposed ordinance to consider the consolidation of several precincts and relocation of several polling places and election district boundaries to be effective for elections after December 31, 2011, after which the meeting was duly reconvened.

PUBLIC HEARING NO. 2

REDISTRICTING ORDINANCE

The Chairman, Dave R. Anderson then called to order a public hearing that was advertised according to law, entitled “AN ORDINANCE TO AMEND AN ORDINANCE TO PROVIDE FOR THE REDISTRICTING OF THE BOUNDARY LINES OF THE BOARD OF SUPERVISORS ELECTION DISTRICTS AND PRECINCTS AND TO RELOCATE CERTAIN POLLING PLACES WITHIN TAZEWELL COUNTY, VIRGINIA, TO BE EFFECTIVE DECEMBER 31, 2011, PURSUANT TO VIRGINIA CODE SECTIONS 15.2-1211, 15.2-1425 AND SECTION 24.2-304.1, *ET SEQ.*, (1950), AS AMENDED.”

WHEREAS, the Board desires to make the County’s polling places accessible to residents with disabilities for voting, serving as election officials, serving as election observers, and otherwise participating in the election process, to make voting more convenient for all voters; and to adjust certain precinct and election district boundaries to more closely approximate one person one vote constitutional requirements.

The Proposed Ordinance will consolidate several precincts, will relocate several polling places and relocate election District Boundaries all to be effective for elections held after December 31, 2011. A copy of the complete ordinance as hereby proposed for adoption including the maps outlining the proposed boundary lines and elections districts, and precincts

within Tazewell County is on file in the office of the County Administrator at the above address, and a copy of the ordinance is posted beside the Circuit Court Clerk's Office on the second floor of the Tazewell County Courthouse on Main Street in Tazewell, Virginia.

The County Attorney, Eric Young, explained the proposed ordinance and presented maps outlining the proposed changes, No. 7, 9, 10, 11, 13 -20.

Now, the Chairman called for public comments from the floor with regard to the subject public hearing. The following people spoke on this subject:

1. John Biggs, Tazewell, Virginia 24651 – as a member of the Tazewell County Redistricting Committee, stated he was uncomfortable with some of the proposals because some of the residents from various precincts were not invited to participate in the committee meetings. He encouraged the Board of Supervisors to take it slow and not rush into anything at this time.
2. Connie Green, 215 Charlie Ave. Bluefield, VA (Abbs Valley) 24605 – stated she felt if the Board of Supervisors changed the Abbs Valley Polling Place, the County would lose a lot of voters, especially the elderly voters and those who have to take time off from work to vote. However, Ms. Green was informed that the proposed plan included changing the polling place to the Abbs Valley Boissevain Elementary School, instead of the Boissevain location.
3. Greg Cruey, 1732 Mundy Town Road, North Tazewell, VA 24630 – requested that the County Attorney ascertain that the Code of Virginia requires 1 person 1 vote and wanted to know if there was a margin for error or some other parameter allowed when redistricting takes place. The County Attorney said that under federal law the county could deviate as much as 10% overall, but state law has to be a 5% deviation or less. Mr. Cruey requested that his precinct, the Adria Precinct not be consolidated with the Gap Store Precinct. He said he felt the proposed ordinance was rushed into and not given enough thought by the Redistricting Committee; alleging that the Redistricting Committee was manipulated into voting for the proposal.
4. Ellis Crisp, 1156 Johnston Branch, Rt. 1 Bandy, VA - he said he did not feel that enough complaints were received by the Amonate precinct to have it closed and to disenfranchise the elderly people. He said it would be a hardship for everyone if the Amonate polling place is closed.

5. Charles Orrock, 1152 Triangle Road, Bluefield, VA 24605 – spoke on recommendations 14, 16 & 18 in the Northern District (not his voting district), but working closely with the primary campaign in 2009 and he was at every precinct in the Northern District. He said the proposed changes would create additional hardships and would lower voter turnout in rural areas already having low voter totals. Mr. Orrock recited a letter from UWMA, Joe Carter representing District 17, states that the UMWA continues to offer the convenient sites for polling places for Bishop and Amonate and the international and locals would continue to make accommodations' for those who wish to vote in these locations.
6. Sherry Keller, 3942 Abbs Valley Road, Bluefield, VA 24605 – stated she felt the closure of the polling place at the Abbs Valley Fire Dept would do something the county could not afford. She said she thought the building was sufficient and adequate said she thought the fire department would take care of any insufficiencies to comply if necessary. She said the integrity of the voting process is being compromised by closure of the polling places in proposed rural areas. She said the shut-down of the community has been remembered by what the school board did to the Abbs Valley Boissevain Pocahontas area. She said this was just another attack on rural America.
7. Sandra Warden, 137 Florence Circle, Tazewell, VA 24651 – voiced disappointment in the advertisement of the redistricting public hearings in local newspapers. She felt the advertisement on the second public hearing should been more explanatory and specific. She also reiterated that any of the precincts being eliminated due to ADA requirements have been clarified and modifications could be made rather easy. She also clarified the use (wear and tear) of election equipment in rural precincts.
8. Linda Calhoun, Amonate, Virginia – a resident of Amonate her entire life as well as a poll-worker for many years, stated the only problem with the Amonate Precinct was the lighting. She said the light bulbs needed to be replaced and that was the only thing needed at the Amonate Union Hall. She said the Amonate precinct just started to get young voters to come out and she didn't want to jeopardize any vote.

9. Mr. Calhoun, Amonate, Virginia – he requested that the Board of Supervisors keep the Amonate precinct open for the voters. He said he sees to getting the older voters to the poll and if necessary and he would buy the lights and put them up.
10. Mr. Thomas Burns Childress, 207 Peeled Chestnut Road, Pocahontas, Virginia – reiterated his outline of the reasons not to close any of the precincts presented at the April 5, 2011 meeting. He said he is opposed to the closure of the precincts not only for this election but for future elections. He reiterated that problems can eventually be corrected. He stated he has assurance from various emails that corrections to the Pocahontas polling place as well as corrections to the Pounding Mill polling place will take place. He said if the County votes to close the precincts now or at the end of this year, a compliant would be filed with the US Justice Dept. and legal ramifications do not occur, a compliant would be filed with the US District Court under the Constitution and the 1965 Voting Rights Act as Amended.
11. Dallas Sparks, 163 Burkes Garden Road, Tazewell, VA 24651 – he commended the Board of Supervisors and the Redistricting Committee as well as both Parties who worked on the Redistricting Plan. He said there are state and federal government guidelines that the County has to adhere to and if the County does not comply with the federal and state mandates the polling places would be shut down.
12. Janice Keen, 685 Limestone Road, Pounding Mill, VA - spoke on the proposed closure of the Pounding Mill Precinct. She said she told Mr. Horton that she would move the five (5) gallon buckets where the voting machines are. She also said the step-up bathrooms could be fixed or either a portable bathroom could be used and said the Board of Supervisors should have enough money to pay for the portable bathrooms. Mrs. Keen said to close the Pounding Mill precinct was wrong because 300 people vote there.

Now, the Chairman called for further comments from the floor three (3) with regard to the public hearing and there being no further comments, the public hearing was closed.

Mrs. Debbie Barrett, County Registrar spoke on the significance of having handicapped accessibility for voters and election officials. She contested some of the comments made by several citizens that the Redistricting Committee was politically motivated. She said since 2008

seven republicans have been elected to County posts, including Supervisor Jim Campbell. She said that this was not a political issue.

Mr. Phillip Horton, Chairman of the Redistricting Committee also spoke and thanked the Board and the Redistricting Committee for their assistance and hard work during the Redistricting Ordinance process. He said all but four (4) of the twenty (20) proposals were voted on by the Redistricting Committee by a unanimous vote. Mr. Horton serves as a full-time member of the Electoral Board and only has the best interests of Tazewell County. Mr. Horton mentioned the need for dire renovations to Adria & Gap Store polling places. He said some people were afraid to go vote in the Amonate precinct as a result of the recent arrests in the area. Mr. Horton said the Electoral Board is a non-partisan board and had to do what was right for the best interests of Tazewell County. Mr. Horton commended Debbie Barrett for her excellent and hard-work as County Registrar.

The County Attorney, Eric Young suggested that the County consider the approval of the proposed, second public hearing ordinance until a later date. He said he did not want to confuse the Department of Justice or delay the approval of the first ordinance.

Now, upon motion of Supervisor White, seconded by Supervisor and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, and subject to legal approval, the Tazewell County Board of Supervisors hereby tables the 2012 Redistricting Ordinance until the August 2, 2011 regular meeting to give the Board of Supervisors time to review the comments heard tonight and to receive approval of the 2011 Ordinance from the US Department of Justice and State Board of Elections.

Supervisor Hymes requested that the letter from UMWA, Joe Carter be clarified with regard to the UMWA's intentions relative to the use of union halls for polling places.

EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Hymes, seconded by Supervisor Campbell and adopted by a vote of 5 to 0, with all members present 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-1 Personnel Matter involving the County Engineer
- A-1 Personnel Matter involving the County Administrator's contract

Now, upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed Meeting, with Supervisor Hymes reading 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 Absher, Hymes, Campbell, White and Anderson

Nays: None

Absent: None

Absent during vote: None

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

RESCUE 945

\$1,000.00 NORTHERN DISTRICT FUNDS

Upon motion of Supervisor Campbell, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,000.00 from the Northern District Funds, payable to Rescue 945 – Boissevain. The county Administrator is

hereby authorized, empowered 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 RICHLANDS – CRITTERVILLE PLAYGROUND REPAIRS
\$5,000.00 FROM NORTHWESTERN DISTRICT FUNDS

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 approves the amount of \$5,000.00 from the Northwestern District Fund, payable to the Town of Richlands, for repairs to the Critterville Playground. Supervisor White said no repairs have been made to the playground since its construction in 1998. The County Administrator is hereby authorized, empowered 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 BLUEFIELD VIRGINIA LITTLE LEAGUE
EASTERN DISTRICT FUNDS

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 \$5,000.00 from the Eastern District Funds, payable to the Bluefield Virginia Little League Baseball, Attn: Angela Meade, 326-2683 or 304-320-2585. The County Administrator is hereby authorized, empowered and directed to issue said warrant in accordance herewith and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

\$500.00 TO CUB SCOUT PACK 94 – EASTERN DISTRICT FUNDS

Upon motion of Supervisor Anderson, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 from Eastern District Funds, payable to Cub Scout Pack 94, Attn. Dale Vance, Cub master, 1901 Virginia Avenue, Bluefield, VA 24605. This money will assist the Cub Scout Pack with their trip to

camp on the aircraft carrier USS Yorktown near Charleston, SC as well as touring other sites from June 24 to June 26, 2011. The County Administrator is hereby authorized, empowered 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.

The Board of Supervisors tentatively agreed to meet with the Tazewell County School Board on May 9, 2011 at 7:00 p.m.

ADJOURN

There being no further business to be transacted, and 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 meeting was adjourned.

The next regular meeting is scheduled for May 3, 2011 at 6:00 p.m.

Dave R. Anderson, Chairman

By: rg

Adjourn time 9:42 p.m.