

VIRGINIA: At a regular meeting of the Tazewell County Board of Supervisors held April 5, 2011 at 6:00 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; Charles Osborne, Tazewell County Free Press; Charles Owens, Bluefield Daily Telegraph.

The Chairman, Dave R. Anderson called the regular meeting to order and presided with all members in attendance. He welcomed all visitors.

Supervisor White gave the invocation, followed by the pledge of allegiance to the United States Flag lead by Supervisor Hymes.

AGENDA APPROVED

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 approves the April 5, 2011 agenda as amended.

MINUTES APPROVED

Upon motion of Supervisor Campbell, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the March 1, 2011 Board of Supervisors meeting minutes as written.

EXECUTIVE SESSION

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

- A-3 Property Acquisition- involving Tannersville Project, 5 Micro distribution sites
- A-7 Legal Matter – consultation with legal counsel regarding Mount Vista Court Appeal
- A-1 Personnel Matter – involving the County Administrator’s contract
- A-1 Personnel Matter – involving the County Engineer

RETURN/CERTIFICATION/REPORT OF ACTION

Upon motion of Supervisor Absher, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed Meeting and adopts the following certificate of resolution read by Supervisor Hymes:

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, Campbell, Hymes, Anderson and White

Nays: None

Absent: None

Absent during vote: None

REPORT OF ACTION AS A RESULT OF THE EXECUTIVE/CLOSED MEETING
MT. VISTA COURT –
PUBLIC HEARING AUTHORIZED

Upon motion of Supervisor Anderson, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to advertise for a public hearing to be held May 3, 2011 to vacate a portion of Mount Vista Court, contingent upon legal review and approval by the engineer and county attorney.

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 agree to re-enter an executive/closed session later in this meeting, to address matters relative to personnel and property acquisition.

BOARD CONCERNS

Supervisor Hymes questioned the status of the auction of old health department building on Ben Bolt Avenue. The County Administrator said the Industrial Development Authority is working with United Country (Realty) to sale the building. Supervisor Hymes wanted to know if United Country was the low bidder with regard to the IDA's recent solicitation of quotes for auctioneering services. The County Administrator said the IDA voted to award the auctioneer services based on criteria, e.g. advertising qualities, superior marketing plans, as well as listing requirements among other factors. Supervisor White questioned if the auctioneer services included other county properties, to be auctioned the same time. The County Attorney said the IDA hoped to negotiate with the auctioneer to possibly include other properties in the auction. Supervisor Hymes main concern was the bid award and questioned again if United Country was the low bidder. The County Attorney, Eric Young, stated United Country was not the lowest fee proposed. Supervisor Anderson said he had a concern as well about the bid process and

suggested that the IDA set parameters for bidding procedures. Supervisor Hymes stated it was his expectation to save the county money by combining other county property in the auction.

CONSENT CALENDAR APPROVED

Upon motion of Supervisor Hymes seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following items as Consent Calendar. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

WARRANTS APPROVED AS PAID

February 2011/March 2011

Payroll

Ordered that Warrant Nos. 133602 through 133682 /133684, and direct deposits totaling \$198,602.84 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending February 28, 2011, be approved.

Ordered that Warrant Nos. 133686 through 133767 and direct deposits totaling \$198,434.98 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending March 15, 2011 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 451529 through 451689, for \$462,832.51, 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, 2011, be approved.

Ordered that Warrant Nos. 451691 through 451709, for \$151,694.12 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending February 28, 2011, be approved.

Ordered that Warrant Nos. 451711 through 451852, for \$679,519.21 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 2011, be approved.

Ordered that Warrant Nos. 451854 through 451872 for \$151,029.42 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending March 15, 2011, be approved.

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Ordered that Warrant Nos. 801571 through 801582 for \$116,410.00 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of February 2011, be approved.

- Declared April 29, 2011- May 13, 2011 as Spring Clean-up in Tazewell County, Virginia & approve the use of County dumpsters, garbage bags and 4-wheelers for River Clean-up and declare the month of April 2011 as Spring River Clean-up in Tazewell County
- Designated May 7, 2011 as Kids in the Outdoors Day at Lake Jack Witten/Cavitts Creek Park
- Transferred County Funds – authorized and directed the County Administrator to transfer monies between County Funds and departments as may be necessary through June 30, 2011
- Ratified approval of \$2,500.00 from the Eastern District Fund to the Graham Historical Society
- Ratified approval of extending the County Audit contract with Robinson, Farmer & Cox

- SATIRA – Ratified a letter of support for a grant through the Department of Health & Human Services/2011 Drug Free Communities Support Program (DFC) grant. If awarded, the grant will be up to \$125,000.00

- Ratified approval of \$1,000.00 (\$250.00 Northern District; \$550.00 Southern District & \$200.00 Eastern District) paid to Skills USA Leadership – State Leadership Conference, April 1, 2 & 3 (various students from the Tazewell County Career and Technical Center will be attending)

- Ratified approval of the Kersey Bridge Release

- Library Budget
 - Approved \$1193.10 from the Contingent Expenditures and Grant Account to the Library Account No 7301-6012 (flow through money received from Web-sense)
 - Approved \$200.00 from the Contingent Expenditures and Grant Account to the Library Account No. 7301-6012 (donation from Jeffersonville Woman’s Club)
 - Approved \$100.00 from the Contingent Expenditures and Grant Account to the Library Account No. 7301-6012 (donation from the Fincastle Garden Club)
 - Approved \$73.32 from the Contingent Expenditures and Grant Account to the Library Account No. 7301-6012 (flow through Laura S. Roberts)
 - Approved \$25.00 from the Contingent Expenditures and Grant Account to the Library Account 7301-6012 (flow through Albert Kreiner)

- Animal Shelter - Approved \$2,860.03 from the Contingent Expenditures and Grant Account to the Tazewell County Animal

Shelter Budget, Account No. 035070-3310, line item Repairs & Maintenance (flow through -donations received)

- THS & GHS Project Graduation – Northern District Funds: Approved \$500.00 to Tazewell High School Project Graduation and \$500.00 to Graham High School Project Graduation

- THS Project Graduation – Approved \$500.00 from Southern District Fund, Pen & Ink drawing project for graduating students

- Transferred \$2,983.33 from the Contingent Grant Expenditures Acct (91050-7041) to the Coyote Bounty Acct. 35010-5803 (ck received from Farm Bureau for coyote bounty share)

- Approved Coyote Claims totaling \$4,900.00 (98 coyotes)
 - \$50.00 to Lonnie Honaker, 520 Grace Street, Pounding Mill, VA 24637 for 1 coyote killed with a rifle March 4, 2011.
 - \$50.00 to Greg Childress, 170 Sweet Briar Lane, Tazewell, VA 24651 for 1 coyote killed with a rifle on February 25, 2011
 - \$50.00 to Greg Childress, 170 Sweet Briar Lane, Tazewell, VA 24651 for 1 coyote killed with a rifle on January 4, 2011
 - \$300.00 to Dillard Putman, PO Box 932 Bluefield, VA 24605 for 6 coyotes killed with a trap on February 24, 2011
 - \$200.00 to Dillard Putman, PO Box 932 Bluefield, VA 24605 for 4 coyotes killed with a snare on February 19, 2011
 - \$150.00 to Dillard Putman, PO Box 932 Bluefield, VA 24605 for 3 coyotes killed with a snare on January 28, 2011

- ▶ \$550.00 to Roger Daugherty, 1169 Plywood Road, Grundy, VA 24614 for 11 coyotes killed with a rifle on February 26, 2011
- ▶ \$150.00 to Norm Mullins, PO Box 1703, Cedar Bluff, VA 24609 for 3 coyotes killed on February 9-23, 2011 with a trap
- ▶ \$50.00 to Johnny Horn, 904 Goss Road, Bluefield, VA 24605 for 1 coyote killed on February 26, 2011 with a trap
- ▶ \$150.00 to William Bandy, 231 Gillespie Road, Pounding Mill, VA 24637 for 3 coyotes killed on February 11, 2011 with a trap
- ▶ \$150.00 to William Bandy, 231 Gillespie Road, Pounding Mill, VA 24637 for 3 coyotes killed on February 18, 2011 with a trap
- ▶ \$150.00 to Ray Howell, 1477 Rosenbaum Rd. Bluefield, VA 24605 for 3 coyotes killed on March 8, 2011 with a snare
- ▶ \$150.00 to Ray Howell, 1477 Rosenbaum Rd. Bluefield, VA 24605 for 3 coyotes killed on February 28, 2011 with a snare
- ▶ \$100.00 to Ray Howell, 1477 Rosenbaum Rd. Bluefield, VA 24605 for 2 coyotes killed on March 4, 2011 with a snare
- ▶ \$100.00 to Phillip Linkous, 1093 Cochran Hollow Rd. Cedar Bluff, VA 24609 for 2 coyotes killed on March 12, 2011 with snare/rifle
- ▶ \$150.00 to Phillip Linkous, 1093 Cochran Hollow Rd. Cedar Bluff, VA 24609 for 3 coyotes killed on February 28, 2011 with a rifle

- ▶ \$150.00 to Phillip Linkous, 1093 Cochran Hollow Rd. Cedar Bluff, VA 24609 for 3 coyotes killed on March 5, 2011 with a snare
- ▶ \$100.00 to Phillip Linkous, 1093 Cochran Hollow Rd. Cedar Bluff, VA 24609 for 2 coyotes killed on February 19, 2011 with a snare/rifle
- ▶ \$50.00 to Joseph Rash, PO Box 592 Pocahontas, VA 24635 for 1 coyote killed on April 1, 2010 with a rifle
- ▶ \$100.00 to Joseph Rash, PO Box 592 Pocahontas, VA 24635 for 2 coyotes killed on March 10, 2010 with a rifle
- ▶ \$50.00 to Brenda Hayes, 176 Empire Dr. North Tazewell, VA 24630 for 1 coyote killed on March 16, 2011
- ▶ \$150.00 to Ms. Toni Roberts, PO Box 757 Pounding Mill, VA 24637 for 3 coyotes killed on February 27, 2011 with a snare
- ▶ \$50.00 to Ms. Toni Roberts, PO Box 757 Pounding Mill, VA 24637 for 1 coyote killed on March 5, 2011 with a snare
- ▶ \$200.00 to Stanley Roberts, PO Box 757 Pounding Mill, VA 24637 for 4 coyotes killed on February 11, 2011 with a snare
- ▶ \$200.00 to Stanley Roberts, PO Box 757 Pounding Mill, VA 24637 for 4 coyotes killed on Jan. 20, 2011 with a snare
- ▶ \$150.00 to Ralph Boothe, 495 Dryfork Road, Bandy, VA 24602 for 3 coyotes killed on January 31 & February 1, 2011 with a trap.
- ▶ \$50.00 to Ralph Boothe, 495 Dryfork Road, Bandy, VA 24602 for 1 coyote killed with a rifle on March 5, 2011
- ▶ \$100.00 to Jess Sparks, PO Box 1084, Cedar Bluff, VA 24609 for 2 coyotes killed with a trap on March 17, 2011

- ▶ \$50.00 to Jess Sparks, PO Box 1084, Cedar Bluff, VA 24609 for 1 coyotes killed with a trap on March 1, 2011
- ▶ \$150.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 3 coyotes killed with a snare on March 12, 2011
- ▶ \$500.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 10 coyotes killed with a snare on February 24, 2011 with a snare
- ▶ \$50.00 to Jessie Asbury, 4025 Hoback Road, Tazewell, VA 24651 for 1 coyote killed with a snare on February 25, 2011
- ▶ \$50.00 to Jessie Asbury, 4025 Hoback Road, Tazewell, VA 24651 for 1 coyote killed with a snare on February 14, 2011
- ▶ \$50.00 to Jessie Asbury, 4025 Hoback Road, Tazewell, VA 24651 for 1 coyote killed with a snare on Mach 18, 2011
- ▶ \$150.00 to Jessie Asbury, 4025 Hoback Road, Tazewell, VA 24651 for 3 coyotes killed with a snare on March 5, 2011
- ▶ \$50.00 to Michael Sparks, 4528 Osborne Mt. Road, Raven, VA 24639 for 1 coyote killed on March 28, 2011 with a rifle
- ▶ \$50.00 to Anthony Rasnick, 1498 Mundy Town Road, North Tazewell, VA 24609 for 1 coyote killed with a snare on December 19, 2010.
- ▶ \$200.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 4 coyotes killed with a snare on March 28, 2011
- ▶ \$100.00 to Jacquelynn Davis, 762 Freestone Valley Road, Broadford, VA 24316 for 2 coyotes killed on Feb. 1, 2011 with a rifle

- ▶ \$300.00 to Phillip Linkous, 1093 Cochran Hollow Rd. Cedar Bluff, VA 24609 for 6 coyotes killed on March 19-20, 2011 with a snare/rifle.
- Damage to Livestock by stray/wild dogs:
 - ▶ Approved payment in the amount of \$2,405.00 to Clinton Bell, 1987 Cove Rd. Tazewell, VA 24651 for damages to livestock by stray dogs – 4 bred ewes; 1 pure bred ewe lamb and 1 feeder lamb (request \$1,005) and 8 bred ewes (request \$1,400)
 - Approved “Extension Office Utility” AEP/Electric bill in the amount of \$12,078.51 (June 2008 to February 2011)
 - Ratified approval of the GeoLyx Contract for 911 Services and ratify execution of same by the County Administrator.
 - Approved \$1,000.00 from Southern District Funds payable to Tazewell High School DECA - funding for International Career Development Conference in Orlando Florida, April 28-May 5, 2011.

CITIZEN COMMENTS SCHEDULED

Perry Cook, with Perry Cook Signs, Richlands, VA and past president of the United States Sign Council/non-profit organization, presented two (2) Sign Code Booklets, the first of its kind to be published in the United States to Chairman Anderson. The booklet/manual focuses on safety for placement of on-premise signs inside jurisdictions. The book does not provide guidelines for off-premise outdoor advertising signs. The Chairman thanked Mr. Cook for providing the information to the county. He passed the books on to the County Administrator to be given to the appropriate county department that regulates on-premise signs.

SOUTHWEST VIRGINIA CULTURAL HERITAGE COMMISSION
TODD CHRISTENSEN, EXECUTIVE DIRECTOR

Todd Christensen, Executive Director of the Southwest VA Cultural Heritage Commission and an employee of the Virginia Housing and Community Development, presented a video on the foundation's mission. The Southwest VA Cultural Heritage Commission was established in 2008 by the Virginia General Assembly to provide guidance, vision and recourses to help sustain and enhance the economy through cultural heritage initiatives relative to tourism and other asset-based enterprises. The video focused on place-based economy, such as The Crooked Road (Virginia's Heritage Music Trail); Round The Mountain:SWVa's Artisan Network; Heartwood – as well as providing information on the many Artisan Trails in Southwest VA, e.g. artisan studios, craft shops, public artworks and farms in Russell and Tazewell Counties. Mr. Christensen requested that the Board of Supervisor budget \$10,000 in the Tourism Account for the Cultural Heritage Foundation. He reiterated the importance of on-going support that would result in the success and growth as well as create opportunities in Southwest Virginia for many generations.

BACK OF THE DRAGON

JUNE 4, 2011

Larry Davidson, Thompson Valley, Virginia and Vice President of Drag-A-Knee, Inc. presented a video promoting Route 16 from Tazewell, Virginia to Marion Virginia as “Back of the Dragon”. The video confirmed the winding mountain top roads that challenge motorcycle and sports car enthusiasts to ride the 32 miles of endless curves, with an elevation of 4000 ft. The opening event will take place on Saturday, June 4, 2011 with activities starting at the Historic Crab Orchard Museum and Pioneer Park. The upcoming event is also featured in the sports magazine, Thunder Road. There will be bike shows, organized rides, and demo rides, sponsored by Triumph and BRP Spider. Kawasaki and Harley Davidson as well as Suzuki will be present with products and information; there will also be sport car and dealers present for sport care lovers. Mr. Davidson said he said his main goal is to open up Route 16 for tourism and he hopes the Back of the Dragon will draw future hotels, bed & breakfasts and other attractions, as well as bring a “title-wave” of tourism in the spring. He thanked the Board for their support of this undertaking and he said that Drag-A-Knee, Inc. would do everything in their power to live up to the expectations and to honor Tazewell County.

Supervisor Hymes requested that Mr. Davidson hold a community meeting in Thompson Valley to address concerns about the increased traffic and other fears that residents have voiced with regard to the event. Mr. Davidson said that he would set up a meeting in the Thompson Valley community to discuss the concerns.

VIRGINIA DEPARTMENT OF TRANSPORTATION –
SIX YEAR PLAN FY2011/12-2016/17 –

RESOLUTION ADOPTED

Following a joint public hearing between the Tazewell County Board of Supervisors and the Virginia Department of Transportation; presentation by Matt Cox, VDOT Program Director, and upon motion of 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

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (20011/12 through 2016/17) as well as the Construction Priority List (20011/12) on April 5, 2011, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Matthew B. Cox, Programming & Investment Mgmt. Director, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2011 through 2016/17) and the Construction Priority List (2011/12) for Tazewell County, Virginia.

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Tazewell County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2011/12 through 2016/17) and Construction Priority List (2011/12) are hereby approved as presented at the public hearing.

TOWN OF CEDAR BLUFF –

REQUEST TO CORPORATE CLAYPOOL HILL AREA INTO TOWN OF CEDAR BLUFF

Jim McGlothlin, Cedar Bluff Town Manager, PO Box 807, Cedar Bluff, VA 24609, requested that the Board of Supervisors consider the process for a boundary adjustment agreement to add within the corporate limits of Cedar Bluff, “the Claypool Hill area, including area from the south east corner of the town following the Norfolk Southern Railway east and then proceeding south to the base of the mountain range just east of and including the Wal-Mart property on Route 19, proceeding west along the base of Paint Lick Mountain to a point south of the intersection with Claypool Hill Mall Road, (Rt. 719) thence continuing in a northerly direction, including both sides of the roadway, to a southern point of the current Cedar Bluff Corporate limits.”

Supervisor Hymes questioned whether the Cedar Bluff Council solicited input from residents with regard to the proposal. Mr. McGlothlin said he was hoping to get the Board of Supervisors support prior to soliciting input from residents with regard to the boundary adjustment proposal.

Supervisor Anderson mentioned a boundary adjustment check-list presented in 2009, and requested that the County Attorney re-send the list of questions and survey to the town asking their ability to serve the area, as well as a copy of an appraisal of the PSA Water & Sewer works in the area that was completed several years ago with regard to VRA Bonding issues.

Supervisor White mentioned the list of questions and survey and requested that the town respond to same. He reiterated the need for the town to talk to the people.

Supervisor Absher questioned the number of people in the audience from Claypool Hill who did not want to be annexed by either town. A number of approximately five (5) people raised their hands. He requested that members of the council talk to the people.

TAZEWELL COUNTY REDISTRICTING REPORT CENSUS 2010

Phillip Horton, Chairman of the Tazewell County Redistricting Committee, presented a final report and recommendation of the Committee with regard to the 2010 Census – voting/precincts changes. A total of twenty (20) recommendations were made. Mr. Horton stated that he personally visited every polling place in the County and said that he felt the recommendations for the changes to voting precincts were the best solution for the citizens of Tazewell County. He further stated that it was his opinion that no member of the redistricting committee met with any political group or tried to disenfranchise any voter in the County. The list of recommendations is as follows. Each member of the Board of Supervisors also received a copy of a power point presentation showing over 200 slides/pictures of the polling places in Tazewell County.

Redistricting Change Recommendations – the areas **highlighted in red** indicate the approval/disapproval of the Redistricting Committee:

1. Change area on East side of Mudlick Creek to Jewell Ridge and Richlands Precincts from Raven Precinct. There are only 15 residents located on Smith Ridge Road of this area that will be affected by this change. See Exhibit “A” and “A1”. **Approved Unanimously**
2. Change in boundary line between Richlands and Cedar Bluff – See Exhibit “B”. This area was annexed by Richlands 12/31/2009. **Approved Unanimously**
3. Change in boundary line between Raven and Richlands (2 parcels) – See Exhibit “C”. This area was annexed by Richlands 12/31/2009. **Approved Unanimously**
4. Add area of Country Farms Road and connecting streets to Richlands Precinct (voter’s request). See Exhibit “D”. **Approved Unanimously**
5. Correct area located in “Head of Thompson Valley” if a boundary can be determined. Population would have to be estimated (approximately 29) because a census block would have to be split. See Exhibit “E”. **Approved Unanimously**
6. Graham – Falls Mills area – no change. Census maps and GIS maps need to be corrected to show correct boundary line that was amended in 2002. This is for informational purposes only.

7. Change in boundary between Gap Store and Baptist Valley Precinct in Cochran Hollow area to increase Western District population – if a visible boundary can be determined without splitting a census block. See Exhibit “F”. **Approved Unanimously**
8. Jewell Ridge – move polling place to old Jewell Ridge Elementary School. See Exhibit “G”. **Approved Unanimously**
9. Change Deerfield Subdivision and Wright’s Valley Road joining the Deerfield Subdivision to the Springville Precinct from the Graham Precinct to reduce the number of voters at the Graham Precinct. This adjustment will have to be made based on clear identifying markers (streams, roads, etc.). See Exhibit “H” for approximate area that change is being requested. **Approved Unanimously**
10. Change Gulfport Drive (adjoins Deerfield Subdivision) and Wright’s Valley Road that adjoins Gulfport Drive to Springville Precinct from Falls Mills Precinct. This is also shown on Exhibit “H”. **Approved Unanimously**
11. Revised Recommendation for Pounding Mill Precinct – See Exhibit “I”. Residents located within “Area 1” will be moved to Wardell Precinct. Residents within “Area 2” will be moved to Baptist Valley Precinct. This will only affect precinct populations for Wardell and Baptist Valley. Both are in the same District (Western). **Passed – dissenting vote cast by Arthur Scott.**
12. Boundary adjustment between Cedar Bluff and Wardell. See Exhibit “J”. **Approved Unanimously**
13. Clear Fork – Delay any changes for ADA compliance until later. County may obtain title to “Camp 31” property as a possible future location. Improvements to be made by Fire Department and County to bring up to ADA standards. Another facility has not been located at this time. **No action was required.**
14. Combine Adria and Gap Store. Move location to empty office building adjacent to S & K Welding Office located at 8596 Baptist Valley Road, North Tazewell, VA 24630. Name for combined precinct: Baptist Valley East. **Approved Unanimously**
15. Change name of Baptist Valley Precinct to Baptist Valley West. **Approved Unanimously**

16. Revised recommendation for Amonate – split precinct in 3 sections. See Exhibit “K”. –Combine Area 1 with the Bandy Precinct. Combine Area 2 with the Bishop Precinct. Combine Area 3 with the Baptist Valley East Precinct. **Passed – dissenting votes cast by John Biggs and Arthur Scott.**
17. Combine Abbs Valley and Boissevain Precincts. Move to Boissevain polling place – 1289 Boissevain Road, Bluefield, VA 24605. New name of precinct will be Abbs Valley – Boissevain Precinct. **Passed – dissenting vote cast by John Biggs.**
18. Falls Mills – **Conditional vote approved unanimously to move the location to the Falls Mills Christian Church subject to and contingent upon a signed agreement from the church for use of the facility for a minimum of five (5) years and the inspection of this facility for ADA compliance by Phillip Horton and Debbie Barrett.**
19. Pocahontas – Move the location to the old Pocahontas High School **or** the Pocahontas Fuel Company building – location to be determined by the Board of Supervisors. **Approved Unanimously**
20. Change area between McGuire Valley Road and Bandy Road from the Northern District to the Western District due to a “deviation problem” in the Western District after the Town of Richlands annexation adjustment was made. See Exhibit “L”. The location shown on Exhibit “L” is an approximate location created by Phillip Horton and Brandon Moore (King – Moore) when the deviation of the Western District changed to -4 % +/- due to the change that had to be made in Items 1 and 2. **Approved Unanimously**

Now, following a lengthy discussion regarding the proposed changes and with Supervisor Hymes stating that the Board of Supervisors spent a year studying wind turbines and this was much a bigger issue than the wind turbines ever thought about being; the following motion(s) was presented and passed:

REDISTRICTING MOTION(S)

3 to 1 – Approved

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 3 to 1, with Supervisor Anderson abstaining and with Supervisor White voting nay,

the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to advertise for a public hearing to hear concerns regarding the proposed Tazewell County Redistricting Ordinance with reference to the district lines, leaving the current precincts in their current status dealing with only the items/recommendations of the Tazewell County Redistricting Committee which require no changes or separation or splitting or closure of precincts with regard to items, no. 1, 2, 3, 4, 5, 6, 8 & 12.

5 to 0 – Approved

Further, upon motion of Supervisor White, seconded by Supervisor Campbell and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to advertise for a separate public hearing to be held April 26, 2011 to hear concerns regarding the proposed changes/items not stated in motion No. 1 as hereby approved, and as stated above, to be effective for the 2012 election cycle, subject to legal review and approval.

REDISTRICTING COMMITTEE APPOINTMENTS

Then, upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoint the chairs or their designee of the Tazewell County Republican and Democratic parties to serve as members of the Tazewell County Redistricting Committee, with a term commencing immediately.

Supervisor Hymes suggested that Ms. Sandra Warden serve as an ad-hoc member representing the Democratic Party due to her knowledge and expertise of the redistricting process.

TOWN OF RICHLANDS, VA

SHEA COOK, TOWN COUNCIL –

BOUNDARY ADJUSTMENT CONCERNS

Shea Cook, Attorney for the Town of Richlands, Virginia, presented a written “Important Points of Consideration” with regard to a proposed boundary adjustment to include a portion of the Claypool Hill area. He stated that a “feasibility study has been on-going a long period of time in an effort to develop and implement a plan based on existing core community of interest

and to ensure the betterment of both communities.” Mr. Cook stated the Town of Richlands plans to meet with Art Meade of the Weldon Cooper Center on April 14 to move the feasibility study forward. He requested the Board of Supervisors support of moving forward with the feasibility study. Chairman Anderson stated that the needs of the citizens of the Claypool Hill area must be addressed and represented appropriately and stated that the Town of Cedar Bluff and the Town of Richlands would be provided a list of questions with regard to their capability of serving the Claypool Hill area.

Doug Ratliff, member of the Richlands Town Council, mentioned the money the Town of Richlands spends on fire & rescue service versus the amounts the County reimburses the Town of Richlands, i.e. only \$60,000.00 for fire and rescue services and said the amount was a “drop in the bucket” compared to over the \$1,000,000.00 the Town of Richlands budgets for these services.

CUMBERLAND PLATEAU REGIONAL HOUSING AUTHORITY-
COMMISSIONERS PAY OF \$150.00 PER MONTH –
AGREED TO REINSTATE

Upon request of Keith Viers, Executive Director, Cumberland Plateau Regional Housing Authority, and 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 agree to reestablish the Cumberland Plateau Regional Housing Authorities – Commissioners of the Authority – attendance pay of \$150.00 per meeting attended. This amount will not place any additional responsibility on the localities of the Housing Authority.

FIVE (5) MINUTE RECESS

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

SCHEDULED CITIZEN COMMENTS CONTINUED

Tom Childress, 207 Peel Chestnut Mountain Road, Pocahontas, Virginia 24635, presented the following prepared statement with regard to the Redistricting Census 2010 proposal.

“REMARKS FOR SCHEDULED COMMENTS AT THE TAZEWELL COUNTY BOARD OF SUPERVISORS ON APRIL 5, 2011 ON THE CLOSING, COMBINING, AND MOVING OF PRECINCTS AS RECOMMENDED BY THE ADVISORY COMMITTEE ON REDISTRICTING”

The proposal presented by the Chairman of the Electoral Board and the Voter Registrar is now somewhat revised and corrected when compared to when it was first presented to the Advisory Committee. But the proposal still amounts to an attack on the rural precincts and is heavily targeted at the precincts in the Northern District. In two minutes I cannot properly apply the linguistic shotgun to this outrageous proposal and blast it away, but I will introduce a basic outline of the argument against it. Other speakers Will follow with information to counter the proposal and I hope you will carefully listen to their presentations.

To start, the question I have is, how did this Advisory Committee on redistricting become a vehicle for the Registrar and Chairman to close, combine, and move six of the ten precincts in the Northern District, one in the Southern District, and one in the Western District?

The Registrar and Chairman have been stating their good intentions and that these changes are necessary and in these precincts best interest. I disagree and think of the old saying that the "road to hell" is paved with good intentions. And I can tell you now the voters of the Northern District will not accept being sent to hell.

I strongly feel you must move tonight to separate the drawing of district lines and precinct lines from this unwise proposal to close, combine, and move voting precincts. You should set a public hearing for the drawing of district and precinct lines and the matter of closing, combining; and moving precincts should be deferred until 2012. To do this

now will only cause mass confusion for the upcoming political party mass meetings and the general election in November. I fear that moving to make such major changes at this late date will confuse voters to the point that will give up and not go to the polls. **The goal should be higher voter turnout, not lower voter turnout.**”

Mr. Childress also presented a letter from David Woodard to the Board of Supervisors with regard to the redistricting subject, a copy of which is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia. Mr. Woodard could not attend the meeting.

IRMA MITCHELL, REDISTRICTING COMMENTS

Mrs. Irma Mitchell, 166 Scranton Avenue, North Tazewell, Virginia 24630 and Chairman of the Democratic Party - presented the following written statement regard the Redistricting – Census 2010 proposal:

“My Name is Irma Mitchell, 166 Scranton Ave North Tazewell VA 24630. If I understand correctly our numbers in Tazewell County grew by less than 500 people and that is counting the 1024 prisons at Poca. It was also my understanding that the redistricting committee job was to redraw lines when the census count came in. I also understood that there could be a 5% variance in the number and nothing would need to be done, and each of our districts fell within that count.

After, attending 3 of the redirecting meeting it seems to me that a lot of confusion was among the committee members and more work was done on closing, moving or combining polling places than redrawing lines because of the number change. It quickly came to my attention that the northern district –mostly democrat was hit the hardest. I was concern as to why? After doing some checking, when the report came to the electoral board about the deficiency, I asked for a copy but have not received, at the polling places most of the things had already been repaired or was being repaired. It seems that others polling places were evaluated that was not on the list which again seem to be in the northern. I would respectfully ask that you the board work with the 5% variance and if there be any closing, moving or combining polls that be done at another time and not at the 11th hour as this report presents. Thank you because I cannot help but think that you will do the right thing. Thank you for allowing me to speak.”

- Mrs. Sandra Warden, Florence Circle, Tazewell, Virginia 24651 and former member of the Tazewell County Electoral Board, and recently serving as secretary of the Redistricting Committee, presented the following prepared statement with regard to the Redistricting Committee's recommendations:

"Tazewell County Board of Supervisors

108 East Main Street

Tazewell, VA 24651

April 5, 2011

Dear Supervisor:

As a former member of the Tazewell County Electoral Board who served as Secretary through February, 2011, and as Secretary of the Redistricting Committee until the March 22, 2011 meeting, I wish to clarify some misconceptions that may have arisen during the power point presentation prepared and shared with the Redistricting Committee on that date and on which Chairman Phillip Horton and Registrar Debbie Barrett based their recommendations to the Redistricting Committee at the March 30 th meeting. Only ten of the twenty-four precincts were formally evaluated (or audited) for ADA compliance by an employee of the Clinch Independent Living Center prior to the 2010 General Election. The ten precincts included Baptist Valley, Gap Store, Adria, Jewell Ridge, Amonate, Pounding Mill, Springville, Jeffersonville, Thompson Valley, and Burkes Garden. Nine of these precincts (excluding Gap Store) were renovated prior to the 2010 General Election so that they would be compliant with the ADA. All deficiencies were eliminated with the exception of outdoor lighting (still needed) at Amonate and newer indoor/outdoor carpet still needed inside the entrance to the L & G Auction House at Adria. Despite the upgrades made at taxpayers' expense four of the above precincts are now being recommended for closure. No one from the Clinch Independent Living Center, representing the State Board of Elections, has evaluated (or audited) the remaining 14 precincts for ADA compliance. No additional renovations have to be made to current precincts prior to the 2011 General Election. No funds are in jeopardy of being lost this year. However, three of these remaining 14 precincts are now also slated for closure or for changes in polling sites:

Falls Mills, Abbs Valley, and Pocahontas.

Unlike most of the members of the Redistricting Committee, I have had the opportunity to visit all 24 of Tazewell County's voting precincts in person. I have reviewed them for ADA compliance and I have visited the majority (I think all) of the precincts on Election Day. Because of my own experience with a permanent spinal cord injury and my experiences working in the disability field, I have presented workshops on the ADA. Based on that knowledge, it is my opinion that any of the

remaining 14 precincts that are not fully handicapped-accessible at the present time could be renovated with minimal costs and effort. Modifications could be undertaken which would not necessitate the closing of any polling places. Since the Board of Supervisors must submit a final redistricting plan to the Department of Justice by April 29th, the Board is being rushed to make a final decision about proposed recommendations. Because the Redistricting Committee was equally under pressure to prepare a report for you, no effort was made to solicit or secure input from voters or election officials who work or vote at the precincts slated to be closed, eliminated, or moved to other voting locations. Therefore, I urge you to adopt only necessary district/precinct boundary line changes at this time. Allow the Electoral Board to address remaining concerns about individual Precincts next year when they would have more time to do so. The voters should have the opportunity to provide input before such far-reaching, permanent decisions are made! Making so many changes in precincts and polling locations so late and so near the date in July by which absentee voting must begin and before which all Tazewell County voters must be notified of voting changes in writing will only serve to confuse many voters, make them angry, cause them to lose confidence in the system, and perhaps, thus decide not to vote at all. Voter turn-out in our county-wide elections this fall is extremely important as more citizens get involved at the grass roots level when they are electing all Constitutional offices, Supervisor and School Board members, House of Delegates and State Senate representatives. Please do not approve a plan that discourages voter participation and turn-out! The voting precinct represents the last vestige of community identity that's left for many of our smallest rural communities to enjoy. Please do not take away from our rural voters their last symbol of community spirit and unity) especially when doing so would be an arbitrary and unnecessary decision at this time.

Respectfully,

Sandra Warden, Concerned Citizen

137 Florence Circle

Tazewell, VA 24651

276-988-5167”

- Mr. Charles Orrock, 1152 Triangle Road, Bluefield, VA 24605, stated that he attended two (2) Redistricting Committee meetings, and in 2009 he worked on a primary campaign in the Northern District and had the opportunity to visit all the precincts in the Northern District. Mr. Orrock said he disagreed with the Redistricting Committee's

suggestion to travel from the upper end of Abbs Valley to Boissevain significantly increasing travel time for voters. He said he felt this proposal would deter prospective voters, thus resulting in a decrease in voting in rural areas. He also said he called Mike Kennedy with the UMWA, Castlewood, VA and Mr. Kennedy stated that the UMWA was committed to and very proud to provide quality voting conditions and would assist as needed to make them compliant. Mr. Orrock further stated that with regard to this topic, his political agenda was to expand the voting franchise in Tazewell County.

- ▶ Connie Green, 215 Charlie Ave. Abbs Valley, VA – stated that a lot of handicap renovations have been made to the polling place at the Abbs Valley Precinct. She said over 100 people vote at the Abbs Valley precinct and if the polling place changes she believes there will be a decrease in voter participation.
- ▶ Ann Robinson, 486 Hunter Lane, Falls Mills, VA – stated that the County Registrar, Debbie Barrett, confirmed that it was just a rumor about the Falls Mills Precinct being moved to Pocahontas, however, the location might change. She also thanked the County for holding the zoning meetings and encouraged the approval of zoning for Tazewell County. With regard to the topic of windmills she urged the Board to adopt a wind-energy ordinance for Tazewell County.
- ▶ Debbie Barrett, County Registrar clarified several remarks made concerning the polling place/precinct recommendations. She stated that the Falls Mills Church annex was being considered as the polling place and with regard to the UMWA remarks by Mr. Orrock; Mr. Kennedy’s letter did not elaborate on funding to refurbish the Union Halls, or to make them ADA compliant. She also addressed Mrs. Irma Mitchell’s comments concerning the original recommendations to the Redistricting Report.
- ▶ The Board suggested that the Redistricting Committee meet at least one more time to discuss the proposed recommendations of the Board of Supervisors.

RECESS

The Chairman called for a recess of five (5) minutes, afterwhich the meeting was duly reconvened at 10:34 p.m.

APPOINTMENTS

Animal Shelter Board – no action was taken on a request by Supervisor Hymes to appoint Lori Sayers as a member. However, Supervisor Anderson suggested that a meeting of the Animal Shelter Board be called as soon as possible to address on-going concerns there. With regard to the septic system concerns at the Animal Shelter, the County Administrator stated that Ken Dunford, Assistant Co. Engineer is moving forward to order to get the system in compliance with local health department regulations.

Appalachian Agency for Senior Citizens (AASC) – Upon motion of Supervisor Anderson, seconded by Supervisor Campbell and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Donna Kelly, Bluefield, VA as a member of the Appalachian Agency for Senior Citizens, with a term effective immediately and expiring June 30, 2012. Now following the meeting, Supervisor Anderson learned that Ms. Kelly could not accept the appointment and therefore recommended Ms. Janet Gunn, 605 Robin Street, Bluefield, VA 24605 to serve in this capacity, with a term commencing immediately and expiring June 30, 2012. This appointment fills the unexpired term of Mr. Frazier Miller who resigned and replaces the previous appointment of Donna Kelly. The appointment of Ms. Gunn will be ratified at the next meeting of the Board of Supervisors.

Local Board of Building Code of Appeals – Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, and subject approval and acceptance of the appointee, the Tazewell County Board of Supervisors hereby appoints Travis Hackworth, PO Box 1129, Cedar Bluff, VA 24609 as a member of the Local Board of Building Code of Appeals, with a term commencing June 1, 2011 and expiring May 31, 2014 (three (3) year term). This appointment fills the expiring term of Mr. Roy J. Horne, effective May 31, 2011.

Further, upon motion of Supervisor Hymes, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Henry Nickels, 4936 Witten Valley Road, Tazewell, Virginia 24651 to the Local Board of Building Code of Appeals, with a term commencing June 1, 2011 and expiring May 31, 2014 (three (3) year term). The remaining four (4) appointments to the Local Board of Building Code of Appeals as well as two (2) alternates were deferred to the next regular meeting.

EMERGENCY SERVICES COMMITTEE RECOMMENDATIONS

APPROVED

Upon recommendation of the Tazewell County Emergency Services Committee (ESC) as presented this date by Supervisor Jim Campbell, the following actions are hereby recorded:

\$8,000.00 Authorized for Bishop Fire Department- back into Fire Funds Account:

- Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approves the placement of the \$8,000.00 approved by the Tazewell County Board of Supervisors on 01/07/ 2011 for purchase of a fire truck for Bishop Fire Department needs back into the fire funds account. The purchase fell through.

Kids Fish Day –Use of ATV’s approved

- Upon motion of Supervisor Campbell, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves Thompson Valley Fire-Rescue’s request to use Thompson Valley F-R’s, Rescue 7’s, and Tannersville FD’s ATVs, for the 2011 Kids in the Outdoors Day to be held on Saturday, May 7, 2011.

4-H Camp – Abingdon, Use of ATV’s approved

- Upon motion of Supervisor Campbell, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves Thompson Valley Fire-Rescue’s request to use/take out of the county, Thompson Valley Fire-Rescue’s ATV to be used at the Tazewell County 4-H Camp for Tazewell County youth, in Abingdon, Virginia from June 13th thru 17th, 2011.

ATV Repairs \$1,500.00 Approved

- Upon recommendation of David White as presented by Supervisor Campbell, and upon motion of Supervisor Campbell, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby

approves \$1,500.00 from the Fire Dept. Capital Account to have the two county ATVs/ six-wheelers checked/repared by an ATV dealer, similar to Swamp-Fox. These ATVs are used by various county agencies and do not have the funds in their budgets to cover this and the County garage does not have the expertise as an authorized dealer to make these repairs.

Lease/Purchases – Bids Authorized

- Request consideration for lease/purchase proposals for pumpers – rapid dump vehicles for county purchase for need fire vehicles in the county.

Legacy AS & Chores N Errands

- Deferred to April 26, 2011 recessed meeting (County Attorney to review):
Jerry Dunford, CEO of Legacy AS & Chores N Errands is requesting a Letter of Need from the BOS to establish non emergency transport ambulance services to the Bluefield area. IAW 15.2-955 of the Code of VA all he is requesting is a business license from the locality and if there is no such process a letter from the local Emergency Services Coordinator acknowledging the present of such an EMS agency will be adequate.

COUNTY PROJECTS/UPDATES:

ZONING UPDATE- THREE (3) ADDITIONAL MEETINGS

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 authorizes and directs the County Administrator to contact the Zoning Consultant, Terry Harrington, TMH & Associates and request a price quote for three (3) additional zoning meetings in Tazewell County, to be held in the locations of Abbs Valley, Burkes Garden and Jewell Ridge.

PROPOSED CONVENIENCE AREAS –

JEWELL RIDGE AND ADRIA

Supervisor White said a site has been located in the Jewell Ridge area for a potential convenience area and the County Attorney is working with the property owners. Supervisor Campbell reported that the County is looking to utilize County property located at Cavitts Creek to keep down costs. There is also electricity close by to help with expenses. The County Budget

Committee is working to estimate a budget for both projects.

SCRAP METAL AT LANDFILL

DECLARED SURPLUS

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 declares the old scrap metal at the Tazewell County Landfill as Surplus Property and authorizes the sale of same. Proceeds from the sale will be placed into the Landfill Enterprise Zone.

- ▶ Crushed Ambulance; Landfill truck (red 90 F150); Forklift from county garage; roll off boxes (3); Old Shop Framing; Old Scale Framing; Old Office from Lake

LANDFILL TARP SYSTEM

The Landfill Tarp System project is on-going and will be paid for from the Landfill Ground Water Monitoring monies.

JUMPS DUMP PROPERTY

-RESOLUTION ADOPTED

Upon motion of Supervisor White, seconded by Supervisor Campbell and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts the following resolution:

RESOLUTION TO DECLARE SURPLUS AND ORDER THE SALE OF CERTAIN REAL PROPERTY

WHEREAS the Board has become aware that one or more persons may be interested in purchasing certain real property located in the County of Tazewell, Virginia, titled in the name of the County of Tazewell, and identified on the tax rolls as parcel number 091 A 0147, hereinafter referred to as “the property”;

WHEREAS the Board believes the property to be of no use to the residents of the County as a publicly owned property;

WHEREAS the Board believes the residents of the County will be better served by selling the property to a private person who will pay real property taxes as are assessed against the property and to recover, for the County, the highest and best price for the property available;

NOW THEREFORE, BE IT RESOLVED,

That, effectively immediately, the Board hereby declares the property, being approximately 6.00 acres described in a deed recorded in the Tazewell County Circuit Court Clerk's Office on May 7, 1965 in Deed Book 318, page 578, and identified for taxation purposes as parcel number 091 A 0147, to be surplus and of no further use to the County; And

The Board further resolves and directs that said parcel be advertized for bids at auction for a price no less than FOUR THOUSAND, FIVE HUNDRED DOLLARS (\$4,500.00); that the advertisement offer the parcel "as is" to be conveyed by Quitclaim Deed; that any sale be subject to acceptance by the purchaser of any environmental liability appertaining to the property and subject to approval by the Board after a public hearing as required by law; and finally,

The Board authorizes and directs the County administrator procure a contract with a competent auctioneer to conduct such sale.

It is so RESOLVED by the Board on this the 5th day of April, 2011.

Further, the Tazewell County Board of Supervisors hereby requests the County Administrator to obtain three (3) quotes from local auctioneers to consider the disposal of same.

TOURISM SIGNS –

WELCOME TO TAZEWELL COUNTY, VA

Upon motion of Supervisor Campbell, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby directs the Tourism Committee to reach out to area high schools and give them an opportunity to design the "Welcome to Tazewell County" signs, and further that the Tazewell County Tourism Committee be charged with the task of selecting the final design and awarding a prize and trophy accordingly. The Board further discussed the possibility of allowing the vocational school or area college to graph the final design prior to the production of same.

SALES RECOUPMENT MONIES

TO BE DIVIDED BY FIVE (5) DISTRICTS

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 transfers \$27,516.18 from the Contingent Grant Expenditures Account (91050-7041) Sales Tax Recoupment Money received to date,

further dividing equally in the amount of \$5,504.00, and transferring same to the five (5) district funds.

POCAHONTAS WALKING TRAIL

Upon motion of Supervisor Campbell, seconded by Supervisor Anderson, with Supervisor Hymes abstaining from the vote, and adopted by a vote of 4 to 0, the Tazewell County Board of Supervisors hereby request that the route for the Pocahontas Walking Trail – Phase I, be changed to start at the Exhibition Mine to the Town of Pocahontas and Phase II from the Town of Pocahontas towards the Frog Pond, subject to the approval of the Town of Pocahontas and the Virginia Department of Transportation.

SWCC REAL WORLD ACADEMY - \$500.00 \$100 FROM EACH DISTRICT FUND

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 \$500.00 (\$100 from each district fund) payable to the SWCC Real World Academy, Box SVCC, Richlands, VA 24641– attn: Sharon Peery. 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.

REED HESS LAW ENFORCEMENT SCHOLARSHIP FUND \$5000.00 (\$2,500 to SWCC & \$2,500 to Bluefield College)

Upon motion of Supervisor Campbell, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$5,000.00, \$1,000 from each district fund, and the amount of \$2,500.00 paid to the Reed Hess Law Enforcement Scholarship Fund at SWCC and the amount of \$2,500.00 paid to the Reed Hess Law Enforcement Scholarship Fund at Bluefield College. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

**\$133,756.00 CORRECTED ASSESSMENT BY THE COMMISSIONER OF REVENUE –
EMATS**

Upon motion of Supervisor Absher, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$133,756.00, together with any interest owed in accordance with Section 58.1-3918, payable to EMATS, PO Box 40, Cedar Bluff, VA 24609, Memorandum of Corrected Assessment by the Commissioner of Revenue. Mrs. Hagy submitted a letter to the County Attorney, March 21, 2011 asking that the Board of Supervisors approve the adjustment.

**USDA – TAZEWELL SOIL AND WATER CONSERVATION
DISTRICT \$2,000.00 APPROVED DONNIE LOWE KID’S FISH DAY**

Upon motion of Supervisor Campbell, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,000.00 (\$500 Northern District; \$500 Southern District; \$500 Western District; \$250 Eastern District; \$250 Northwestern District) payable to the Tazewell Soil and Water Conservation District, USDA Service Center, 117 Dial Rock Road, North Tazewell, VA 24630 – additional funding for the annual Donnie Lowe Kid’s Fish Day event at Cavitts Creek Park/Lake Jack Witten. 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 24651.

**RICHLANDS HIGH SCHOOL GIRLS SOCCER BOOSTERS
\$1,000.00 (\$500 NORTHWESTERN, \$500 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 \$1,000.00 (\$500 Northwestern District & \$500 Western District) payable to the Richlands High School Girls Soccer Boosters, PO Box 1749, Richlands, VA 24641 Attn: Rebecca Dye, LaRhonda Lindsey. 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.

RICHLANDS HIGH SCHOOL –
PROJECT GRADUATION 2011
\$1,500.00 APPROVED

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 \$1,500.00 (\$750 Northwestern District; \$500 Western District & \$250 Northern District) payable to the Richlands High School Project Graduation, 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.

ROAD MATTERS – SUPERVISOR HYMES

Supervisors Hymes requested that the County Road Department determine the possibility of paving the unpaved portion of Vanhoozier Road, located in Goose Creek. He suggested that this matter be addressed at the April recessed meeting.

APPALACHIAN AGENCY FOR SENIOR CITIZENS (AASC)
OLDER AMERICANS MONTH, MAY 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 a Proclamation declaring *May 2011 as Older Americans Month in Tazewell County*. A copy of the Proclamation in a form as adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

EXECUTIVE/CLOSED MEETING

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 enters into an executive/closed meeting, pursuant to VA Code Section, Section 2.2-3711, A-1 Personnel Matter involving the County Administrator's contract.

RETURN/CERTIFICATION/REPORT OF ACTION

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 returns and certifies the Executive/Closed Session with Supervisor Hymes reading the following resolution which was unanimously adopted:

RESOLUTION

WHEREAS, the Tazewell County Board of Supervisors has convened an executive/closed meeting on this date pursuant to an affirmative vote and in accordance with The Virginia Freedom of Information Act; and

WHEREAS, 2.2-3712 of the Code of Virginia requires a certification by the Tazewell County Board of Supervisors that such executive/closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Tazewell County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) that only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive/closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Tazewell County Board of Supervisors. The Chairman called for a roll call vote with the following vote hereby recorded.

Ayes: Supervisor Absher, Campbell, Hymes, White and Anderson

Nays: None

Absent: None

Absent during vote: None

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

**RICHLANDS HIGH SCHOOL -
DECA \$1,500 APPROVED**

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 \$1,500.00 (\$750 Northwestern District; \$750 Western District) payable to the Richlands High School DECA, 138 Tornado Alley, Richlands, VA 24641. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

**\$500.00 (\$100 FROM EACH DISTRICT FUND)
TO THE NATIONAL WILD TURKEY FEDERATION
CLINCH MOUNTAIN LONG BEARDS CHAPTER**

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 approves the amount of \$500.00 (\$100 from each district fund), payable to the National Wild Turkey Federation, Clinch Mountain Long Beards Chapter, Attn. Mitch Smith, PO Box 1924, Cedar Bluff, VA 24609. 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.

**CLINCH RIVER KIWANIS FIELD DAY \$1,000.00
(\$200 FROM EACH DISTRICT)**

Upon motion of Supervisor Absher, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,000.00 (\$200 from each District Fund) payable to the Clinch River Kiwanis, Attn: Allison Sparks, Treasurer, PO Box 303, Richlands, VA 24641. 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.

\$500.00 NORTHERN DISTRICT FUNDS

TAZEWELL HIGH SCHOOL DECA (see consent calendar for \$1,000 Southern District funding)

Upon motion of Supervisor Campbell, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves \$500.00 from the Northern District Fund, payable to Tazewell High School DECA - funding for International Career Development Conference in Orlando Florida, April 28-May 5, 2011. 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 ELEMENTARY SCHOOL – CLOCK REPAIR

\$500.00 SOUTHERN 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 \$500.00 from the Southern District Fund, payable to the Tazewell Elementary School, re: Clock Repairs, 110 Maplewood Lane, Tazewell, VA 24651. 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.

NORTH TAZEWELL ELEMENTARY MARQUEE

\$500.00 NORTHERN DISTRICT FUND

Upon motion of Supervisor Campbell, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 from the Northern District Fund payable to the North Tazewell Elementary School, 300 Riverside Drive, North Tazewell, Virginia 24630 to assist with the purchase of a marquee for the school. 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 24651.

\$2,000.00 GRAHAM HIGH SCHOOL NEW COPIER -
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 \$2,000.00 from the Eastern District Fund, payable to Graham High School, 210 Valley Dale, Bluefield, Virginia 24605, to assist in the purchase of a new copier for the school. 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.

\$1,995.00 TO BLUEFIELD CHAMBER OF COMMERCE
FOR TAZEWell COUNTY AD – EASTERN DISTRICT FUNDS

Upon motion of Supervisor Anderson, seconded by Supervisor Campbell and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,995.00 from the Eastern District Fund, payable to the Bluefield Chamber of Commerce (WV), to pay for an ad for Tazewell County, Virginia. 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.

AEP RESOLUTION –
OPPOSING RATE INCREASE

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 authorizes and directs a resolution be drafted and forwarded to the State Corporation Commission opposing the proposed rate increase by Appalachian Power Company.

PROCUREMENT RESOLUTION ADOPTED

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 adopts a resolution to increase competition in the bidding of public contracts as set forth below:

RESOLUTION TO INCREASE COMPETITION IN BIDDING ON PUBLIC CONTRACTS

WHEREAS the Board desires to purchase goods and services for the County at the best possible price and of the highest available quality;

WHEREAS the Board believes the competitive, free market system;

WHEREAS the Board believes that the quality of bids and proposals received by the Board is in direct proportion to the number of potential bidders and proposers who have opportunity to submit bids and proposals;

WHEREAS the Commonwealth of Virginia Public Procurement Act provides that localities may publish public notice of solicitations for bids on the Department of General Services Central Electronic Procurement Website and that notice may be delivered directly to potential bidders or proposers, pursuant to Section 2.2-4301 thereof;

NOW THEREFORE, BE IT RESOLVED,

That, effectively immediately, the Board hereby directs that for any purchase of goods or services for which public advertisement is required, pursuant to the Virginia Public Procurement Act, the advertisement shall include, in addition to the statutory minimums, advertisement on the Department of General Services Central Electronic Procurement Website (EVA) or other such appropriate website available to local governments, the County's Official Website, and mailed or faxed directly to at least four firms known to be qualified or capable of supplying the goods and services solicited by the advertisement.; that the advertisement on the County's web page shall be linked to and clearly identified on the "Home Page"; and that the County Administrator, or his designee, shall certify in writing that the terms of this resolution have been complied with prior to executing any contract for goods or services for which public advertisement is required by the Public Procurement Act;

That a written response from a qualified vender from whom a proposal or bid was solicited stating that such vender did not desire to submit a proposal or bid may be counted as one of the four require direct solicitations;

That whenever possible such direct solicitations as required herein shall be directed to businesses located within the County;

It is further resolved that the requirements of this resolution shall be deemed an addendum to the County's Procurement Procedures.

It is further resolved that the County Administrator shall advise all personnel with authority to make such purchases of the requirements of this resolution and provide to them a copy of this resolution as soon as practicable.

It is so RESOLVED by the Board on this the 5th day of April, 2011.

CONTRACT FOR DONATIONS –
RESOLUTION ADOPTED

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 adopts the following resolution/agreement form - involving donations from Tazewell County for Indigent Assistance:

**TAZEWELL COUNTY BOARD OF SUPERVISORS
INDIGENT ASSISTANCE GRANT AGREEMENT**

This Grant Agreement is entered into, on the ____ day of _____, 20__ , between the Tazewell County Board of Supervisors, the governing body of a political subdivision of the Commonwealth of Virginia, (Hereinafter "County") and _____, a nonprofit, charitable organization incorporated under the laws of the Commonwealth/ State of _____, (Hereinafter "GRANTEE") pursuant to Section 15.2-953 of the Code of Virginia.

WHEREAS the Board of Supervisors desires to improve the quality of life for the County's less fortunate residents by providing certain services or goods to them at a free or reduced rate;

WHEREAS, the Board does not desire to expend resources dedicated to helping indigent residents to establish a governmental distribution system for such goods and services or to employ persons to perform the same, when private, charitable organizations can distribute such goods and services on behalf of the Board;

WHEREAS, GRANTEE is a charitable entity that provides goods and/or services to less fortunate residents of Tazewell County as part of its charitable mission;

WHEREAS, Section 15.2-953 of the Code of Virginia permits the Board of Supervisors to contract with chartable entities to assist the County's less affluent residents in the provision of certain services;

WHEREAS, the Board by resolution approved at a meeting held on the ____ day of _____, 20__ an agreement with GRANTEE for this GRANT;

NOW THEREFORE, In consideration of the covenants hereinafter set forth, the sufficiency of which the parties hereby acknowledge, the County and GRANTEE do agree as follows:

7. That the Board shall provide to GRANTEE the total sum of \$_____ to be distributed either in a single payment or, at the County's option, in four equal payments at the beginning of each fiscal quarter beginning as of _____, 20__ . (Hereinafter referred to as "grant funds")

2. That GRANTEE agrees to use said funds to provide the following goods or services to indigent persons in Tazewell County, consistent with the GRANTEE'S charitable mission: _____

_____.

3. That GRANTEE agrees said funds shall not inure to the benefit of any person other than the recipients of the GRANTEE'S services through the distribution of the goods and services as described in above paragraph 2, or to reasonably compensate GRANTEE'S employees for their work to distribute such goods or services.

4. GRANTEE in the provision of these services or in the distribution of these goods shall not:

- a. Discriminate against any person based on their race, religion, sex, or nation of origin; or
- b. Require the recipient to participate in any religious service or activity; or
- c. Require the recipient to make any professions of any religious faith; or
- d. Use the funds provided to advocate for any political party or candidate for political office; or
- e. Use the funds provided to support any religious group, church, or sectarian society.

5. GRANTEE shall advise County immediately if GRANTEE'S Internal Revenue Service designation as a charitable organization pursuant to section 501I of the Internal Revenue Code is revoked by the Internal Revenue Service or other Federal Agency.

6. GRANTEE shall, upon request, provide County with a detailed list of the expenditures of the grant funds.

7. GRANTEE agrees that violation of any of the conditions set forth in paragraph 4 shall allow but not require County to cease future payment of Grant proceeds and require GRANTEE to return any unspent Grant proceeds.

Wherefore, in acknowledgement hereof and in agreement herewith,
I affix my signature on the ____ day of _____, 20__.

OTHER MATTERS OF CONCERN

The PSA is being asked to investigate a sewer issue as the Falls Mills Dam.

Gary Tucker road matter – Supervisor Campbell has already addressed the matter with Mr. Tucker.

The County is waiting of the Falls Mills Fish Club to send their 501© 3 status in order to give them a donation previously approved by the County.

Supervisor Hymes addressed the \$250K vs. \$350K funding for the THS field house. He suggested that the School Board consider equal funding.

Now, there being no further business to be transacted and upon motion of Supervisor Hymes, seconded by Supervisor White, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby recesses this meeting to April 26, 2011 at 6:30 p.m.

The Board did not confirm a date to meet with the School Board in joint session. The Board suggested the County Administrator contact Dr. Lawson to solicit a potential date and time to meet.

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

Dave R. Anderson, Chairman

By: rg

Recess time: 12:55 a.m.