

**VIRGINIA: AT A MEETING OF THE TAZEWELL COUNTY BOARD OF  
SUPERVISORS AT A RECESSED MEETING HELD JUNE 27, 2013 AT  
6:00 P.M. IN THE TAZEWELL COUNTY ADMINISTRATION  
BUILDING, 108 EAST MAIN STREET, TAZEWELL, VIRGINIA 24651.**

**PRESENT: JOHN ABSHER, CHAIRMAN  
CHARLES A. STACY, VICE-CHAIR  
D. MICHAEL HYMES, MEMBER  
SETH R. WHITE, MEMBER  
THOMAS B. CHILDRESS, MEMBER (INTERIM)  
JAMES H. SPENCER, III – COUNTY ADMINISTRATOR  
C. ERIC YOUNG, COUNTY ATTORNEY  
SHELIA WEIMER, ASSISTANT COUNTY ATTORNEY --  
(Present only at a portion of the meeting)  
PATRICIA GREEN, ASSISTANT COUNTY ADMINISTRATOR  
RUTH GROSECLOSE, ADMINISTRATIVE ASSISTANT  
ARLENE MATNEY, ACCOUNTING AND BUDGET DIRECTOR-  
(Present only at a portion of the meeting)  
MEMBERS OF THE PRESS: WARREN HINKLE, TAZEWELL COUNTY  
FREE PRESS; JIM TALBERT, CLINCH VALLEY NEWS/RICHLANDS  
NEWS PRESS; KATIE COLE, BLUEFIELD DAILY TELEGRAPH**

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The Chairman, John M. Absher, called the regular meeting to order and presided with all members in attendance. He welcomed those present.

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

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**AGENDA APPROVED**

Upon motion of Supervisor Hymes, seconded by Supervisor Childress 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 revised agenda format as presented.

### **MINUTES APPROVED**

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 approves the June 4, 2013 meeting minutes as written.

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### **EXECUTIVE/CLOSED MEETING**

Upon motion of Supervisor Stacy, 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 Virginia Code, Section 2.2-3711:

- A-3 Property Acquisition regarding Internet Tower Site in Tannersville
- A-5 Prospective Industry – Discussion concerning a prospective business or industry or the expansion of an existing business or industry involving Project PC

### **RETURN/CERTIFICATION/REPORT OF ACTION**

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 returns from the Executive/Closed Meeting, with Supervisor Hymes reading the following certification/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 Childress, Stacy, Absher, Hymes, White  
Nays: None  
Absent: None  
Absent during vote: None

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**REPORT OF ACTION AS A RESULT OF THE EXECUTIVE/CLOSED MEETING  
TANNERSVILLE INTERNET TOWER LEASE**

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the Tannersville, Virginia – Internet Tower Lease as presented by the County Attorney in the Executive/Closed meeting this date. A copy of same, as hereby approved, is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

**COMPANY P.C. – INTER-AGENCY AGREEMENT**

Upon motion of Supervisor Stacy, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, withal members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the Interagency Agreement between the State of Washington Department of Labor and Industries and Tazewell County for reciprocal building inspections for industrial manufactured buildings to be manufactured by Company PC in Tazewell County, Virginia, subject to legal review regarding statutory authority to enter into said agreement. Once the agreement is approved by legal counsel, the County Administrator and or Chairman of the Board of Supervisors is hereby authorized and directed to enter into and execute same on behalf of the Tazewell County Board of Supervisors.

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## **ROBERTS RULES OF ORDER SUSPENDED**

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 temporarily suspended Roberts Rules of Order for the purposes of rearranging items on the agenda because the meeting was ahead of schedule. The Board of Supervisors held a shorter than usual Executive/Closed Meeting.

## **CONSENT CALENDAR APPROVED**

Upon motion of Supervisor Childress seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following items presented as “Consent Calendar”. Matters requiring the issuance of warrants shall be issued by the County Administrator in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

## **WARRANTS APPROVED AS PAID**

### **June 2013**

#### **Payroll**

Ordered that Warrant Nos. 137590 through 137648, 137650 through 137656 and direct deposits totaling \$339,316.10 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending May 31, 2013, be approved.

Ordered that Warrant Nos. 137660 through 137718 and direct deposits totaling \$331,697.19 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending June 15, 2013 be approved.

#### **Accounts Payable/Payroll Deductions**

Ordered that Warrant Nos. 461483 through 461644, for \$737,158.34 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of May 2013, be approved.

Ordered that Warrant Nos. 461646 through 461657, for \$128,452.36 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending May 31, 2013 be approved.

Ordered that Warrant Nos. 461659 through 461827, for \$583,913.58 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of June 2013, be approved.

Ordered that Warrant Nos. 461829 through 461842 for \$124,465.71 from the General Funds, covering payroll deductions for the various County agencies for the period ending June 15, 2013, be approved.

### **Handwritten**

Ordered that Warrant No. 801787 through 801796 for \$174,413.03 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of May 2013, be approved.

- ◆ Library: Transferred the amounts as set forth below from the Contingent Expenditures & Grant Acct. 91050-7041 to Library Accounts: (donations received):
  - ▶ \$100.00 to Account 7301-3099 (United Country Riverside Realty & Auction, Inc.)
  - ▶ \$250.00 to Account 7301-3099 (American Mine Research, Inc.)
  - ▶ \$50.00 to Account 7301-3099 (Altizer, Walk and White, PLLC)
  - ▶ \$25.00 to Account 7301-3099 (Peery & St. Clair, Inc.)
  - ▶ \$25.00 to Account 7301-3099 (Richlands Funeral Co., Inc)
  - ▶ \$225.00 to Account 7301-3099 (First Sentinel Bank)
  - ▶ \$50.00 to Account 7301-3099 (Hurst – Scott Funeral Home of Tazewell, VA)
  - ▶ \$940.71 to Account 7301-3120 (ProQuest)
- ◆ Southern District – Ratified \$3,500.00 paid to Tannersville Community Center to assist with purchase of lawn mower
- ◆ Southern District – Ratified \$750.00 for Tazewell Veterans Day Parade scheduled for November 10, 2013.
- ◆ Southern District – approved \$2,500.00 from FY13-14 to Tazewell Youth Football, Inc. PO Box 778 North Tazewell, Virginia 24630

- ◆ Northern District – ratified \$500.00 paid to Town of Pocahontas for cemetery maintenance
- ◆ Sheriff: Transferred the amount of \$5,793.20 from the Contingent Expenditures & Grant Acct. 91050-7041 to Acct. No 31020-1150 – CMCS - reimbursement from the Grant for the Drug Court Officer Salary.
- ◆ Approved: Re-appropriation of accounts maintained by the Treasurer’s Office Sheriff; Federal Forfeiture/Sheriff Federal Forfeiture/Commonwealth Atty.; Perdue Pharma/Commonwealth Atty.; Commonwealth Atty. Investment CD-National Bank
- ◆ Transferred additional appropriation to 911 fund
- ◆ Ratified adjustments to the Orphan Road – Paving Schedule: Sandhurst Drive, Southern District and Toronto Street, Northwestern District

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## **LIAISONS REPORT – BOARD OF SUPERVISORS**

### **Industrial Development Authority (IDA)**

Supervisor White reported that the Dental School Project is moving forward as well as the Western District Natural Gas project.

### **Recreation Development Authority (RDA)**

Supervisor Childress reported that the Recreation Development Authority (RDA) met this date and addressed the Pocahontas Walking and ATV Trail. Member Childress stated the County continues to discuss the urgent need for the Land Use Agreement with Pocahontas Land Company. The County held a conference call with VDOT recently with the County Administrator informing them that the Board of Supervisors approved to pay the costs of surveying the walking trail as required by VDOT.

Supervisor White said he was very excited about the opening of the Spearhead trail and has heard positive comments from people outside of Tazewell County, including enthusiasm from a resident in North Carolina about the opening of the trail.

PPEA Guidelines: Cabins/Lodging Facilities and Restrooms – the County Administrator reported that the RDA will procure camping amenities through PPEA Guidelines at the Boissevain Park. The next RDA meeting is scheduled for July 25.

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**TAZEWELL COUNTY PUBLIC SERVICE AUTHORITY (PSA)  
SEWER LINE EASEMENT – BAPTIST VALLEY FIRE DEPT.**

Upon motion of Supervisor Stacy, seconded by Supervisor Childress, 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 and authorizes the execution of a RIGHT OF WAY EASEMENT AGREEMENT – BETWEEN THE TAZEWELL COUNTY BOARD OF SUPERVISORS AND THE TAZEWELL COUNTY PUBLIC SERVICE AUTHORITY – FOR A SEWER LINE EASEMENT LOCATED IN BAPTIST VALLEY VIRGINIA – FOR THE BAPTIST VALLEY FIRE DEPARTMENT PROPERTY/BAPTIST VALLEY PRECINCT. A copy of the Right of Way Easement Agreement, as hereby approved is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

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**APPOINTMENTS --**

**CLINCH VALLEY COMMUNITY ACTION, INC. (CVCA)**

Upon motion of Supervisor Hymes, seconded by Supervisor Childress 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 reappoints David Larimer, 600 Six Road, Tazewell, Virginia 24651 to the Clinch Valley Community Action, Inc. (CVCA) Board of Directors, for a term of one (1) year commencing July 1, 2013 and expiring June 30, 2014.

One NW district appointment to the CVCA, Inc. was deferred to the next regular meeting.

**CUMBERLAND PLATEAU PLANNING DISTRICT (CPPD)**

Three (3) appointments to the Cumberland Plateau Planning District (CPPD) Commission were deferred to the next regular meeting.

**SOUTHWEST REGIONAL RECREATION AUTHORITY**

One (1) appointment to the Southwest Regional Recreation Authority was deferred to the next regular meeting. The RDA formed a committee at their June 27, 2013 meeting to make a recommendation to the Board of Supervisors with regard to this appointment. Margie Douglas will continue to serve in this capacity until the appointment is made.

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**FY 2013-2014 VEHICLE – DIESEL FUEL BID**  
**AWARDED TO JONES PETROLEUM SERVICES, LLC**  
**POUNDING MILL, VIRGINIA**

Following proper advertising/procurement procedures, and upon motion of Supervisor White, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby awards Jones Petroleum Services, LLC. PO Box 409, Pounding Mill, VA 24637 as the lowest responsive bidder for the 2013-2014 Vehicle – Regular Unleaded Fuel and Gasoline, On Road and Off Road Diesel effective, 12:01 a.m. July 1, 2013 to June 30, 2014. These prices reflect rack prices as of June 18, 2013:

Regular Unleaded E-10	\$2.898
On-Road Diesel	3.1635
Off-Road Diesel	3.167

The Board of Supervisors received four (4) bids, i.e.:

- ▶ Jones Petroleum Services, LLC – awarded lowest bid
- ▶ James River – Rejected: bid arrived after deadline
- ▶ Buck Oil Company – Rejected: bid arrived after deadline
- ▶ Ultra Petroleum - fuel prices submitted higher than Jones Petroleum

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**TOURISM SIGNS**

The County Administrator reported that a demo of the “Welcome to Tazewell County” signs will be presented August 6, 2013.

**POCAHONTAS WALKING/RIDING TRAIL**

The County Administrator recapped an earlier report by Supervisor Childress concerning the Pocahontas Walking/Riding Trail and payment by the County for cost of surveying as required by VDOT. Mr. Spencer notified Hill Studio of the June 4, 2013 action by the Board of Supervisors regarding payment of same.

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**EMERGENCY SERVICES – EMS REGULATIONS/DESIGNATED INFECTIOUS  
CONTROL OFFICER**

The County Attorney, Eric Young, reported that the required EMS-Designated Infectious Control Officer can be the same person for multiple departments. The County Administrator said that Dave White is working to hopefully schedule training to host here in Tazewell County. The EMS – DICO, officer, will be responsible for responding to emergency fire and medical scenes where Fire Service Paramedics and Firefighters have suffered potential exposures to infectious disease, investigates and evaluates the exposure incident, directs the appropriate actions and monitors all follow-up treatment based on applicable departmental regulations and protocols and Federal, State and local laws and regulations.

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**BOARD CONCERNS**

Supervisor White invited those present to the Freedom Festival scheduled for Saturday, June 29, 2013 in Richlands. He said there would be many activities including fireworks.

Supervisor Hymes announced that he was very happy to report that Dr. Brenda Lawson responded to the County's letter with regard to the retirement of Bob Moss, Agriculture Instructor at THS. Supervisor Hymes said Dr. Lawson informed the Board that the School Board was committed to retaining Mr. Moss's position, noting the importance of agriculture in Tazewell County. Supervisor Hymes thanked the Farm Bureau for bringing this concern to the Board of Supervisors, noting the importance of the School Board's official response.

**TOURIST INFORMATION KIOSK**

**- CRAB ORCHARD MUSEUM**

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby declares as County surplus the Tourist Information Center – Kiosk, located on property near the Historic Crab Orchard Museum, Tazewell, Virginia and hereby offers the Kiosk to the Crab Orchard Museum. Should the Crab Orchard Museum reject the County's offer, the Kiosk shall be moved and used at the Lake Jack Witten/Cavitts Creek Park.

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## **CITIZEN COMMENTS**

### **SWCC CONCERNS –**

#### **TONY LOTITO**

Tony Lotito, former employee of SWCC, coordinator of off-campus classes for 40 years – spoke to the Board with regard to comments made by Dr. Mark Estep at the June 4, 2013 meeting of the Board of Supervisors. Mr. Lotito said that he was invited to the meeting by several members of the board of supervisors to respond to the Dr. Estep's remarks.

Mr. Lotito gave a brief history of the college. He said at one time the college was the fifth largest and viewed as the “shining star” of community college systems. He presented charts and figures and raised questions with regard to low enrollment at the SWCC as well as questioning the college's financial condition. Mr. Lotito voiced concern with Dr. Estep's - June 4 comments to the Board of Supervisors in regard to SWCC only having \$15,000.00 in the bank. Mr. Lotito alleged that when he left the college there was over seven (7) figures in funding and said the Board of Supervisors as contributors, need to know where the money was going and questions should be asked. With regard off-campus classes he said the number has continued to go down. Mr. Lotito said that could coincide with the decline in the college's finances. Mr. Lotito also voiced concern that students could not find schedules for off-campus courses because the classes are not put on the calendar. He reiterated the colleges pledge to offer as much post-secondary education as they could, and turn no one away, even if they could not pay. Mr. Lotito said he was disturbed that Dr. Estep did not know how many credits are required for a FTE - primary funding for the college. He said the FTE figure varies from college to college and the college president is the one that negotiates the rate. Mr. Lotito said his position was eliminated and his department brought millions in funding to the college. He was told that his department did not have enough qualified SACS accredited teachers and if the teachers are not accredited a “rationale” can be written explaining why they should still be allowed to teach. He said the college got a warning and the students are suffering because of the warning.

With regard to faculty, he said there were 40 percent fewer faculties with the programs that have been eliminated. He said one health care program had been eliminated with the radiology department on probation. Mr. Lotito said he felt the college was struggling and for the first time in its history has been put on academic warning. He requested that the Board look into the issues as presented and ask that Delegate Morefield and Senator Puckett form a committee to

look into how the college is being managed. Mr. Lotito further said he believed there was enough evidence for an investigation, indicating something was not right and it needed to be made right. Chairman Absher said he liked Dr. Estep but he's seen a lot happen at the college and the Board needed to look out for Tazewell County. With this said, Supervisor Absher moved to request that local legislators ask for an internal investigation of the college, with Supervisor Childress seconding the foregoing. Discussion ensued. Supervisor Stacy said the board should invite Dr. Estep back and let him respond to Mr. Lotito's remarks – as a defense he said Dr. Estep should be given an opportunity to speak on what was said this evening. Supervisor White agreed. Now, Supervisor Absher moved to withdraw his motion, with Supervisor Childress withdrawing his second. The Board suggested that Dr. Estep be invited to the August 6 meeting.

Now, with regard to this topic, former Sheriff, Bill Osborne spoke and told the board they needed to be careful how they handled the situation. He said with all due respect to Mr. Lotito, he felt the college's enrollment went down when the police training center was moved to Bristol. He said the training center brought attention to other classes and police training participants enrolled in additional classes at the college. Mr. Osborne said he felt Dr. King made a big mistake to let the training center get away because every police officer in Southwest Virginia went to SWCC for training, and reiterated that a part of the college was lost when the police training school closed. He said the SWCC has done a lot for Tazewell County, stating we now live a very depressed area.

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#### **CITIZEN COMMENTS – UNSCHEDULED**

Mr. Roger Mitchem, 1122 Big Branch Road, Bluefield, Virginia 24605, spoke to the Board about the costs involved to build Route 696. Mr. Mitchem said he requested that the Board provide him the costs, to the penny, that the County spent on the construction of the Big Branch Road/Route 696. He also voiced dismay with how people were being treated on Big Branch Road. He said he could not run cattle across the road because of the dangerous curves and lack of signs. He wanted to know why the road was never widened. He also spoke of the Pocahontas Trail and mentioned the high costs of charging people \$100 to \$150 dollars a night to stay in such small quarters. Supervisor White said those fees were being charged by WV officials, not VA. Supervisor White said in the near future the Pocahontas Trail would be the

best thing that ever happened to the Northern District with regard to Economic Development and Tourism. The County Attorney said that he would send Mr. Mitchem, within 5 days, the County's costs involved relative to the construction of Route 696.

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**PUBLIC HEARING –**

**PROPOSED ORDINANCE AMENDING THE COUNTY'S TAX ORDINANCE**

The Chairman of the Board of Supervisors called to order a public hearing that was duly advertised according to law, entitled, a **PROPOSED ORDINANCE TO HEAR CONCERNS REGARDING AN "ORDINANCE AMENDING THE COUNTY'S TAX ORDINANCE TO ALLOW THE COUNTY TO RECOVER FROM DELINQUENT TAX PAYERS AN ADDITIONAL 20% OF UNPAID REAL ESTATE TAXES FOR PAYMENT OF ADMINISTRATIVE FEES, ATTORNEY FEES, AND COLLECTION AGENCY'S FEES TO COVER THE COSTS ASSOCIATED WITH THE COLLECTION OF DELINQUENT TAXES."** A complete copy of the ordinance as advertised is on file in the office of the County Administrator and posted at the front door of the County Courthouse in the office of the Circuit Court Clerk, on Main Street in Tazewell, Virginia.

The Chairman then called for public comments from the floor. The County Attorney, Eric Young, explained the Board of Supervisors currently has no provision in place regarding payment of Administrative Fees, Attorney's Fees, and Collection Fees for the collection of delinquent taxes. He said the County is proposing to charge a 20% fee of unpaid real estate taxes-- such fee will be imposed no earlier than 30 days after notice of the delinquency has been sent to the taxpayer and shall be equal to the maximum amounts allowed by the Code of Virginia. Supervisor White suggested the County consider revising the ordinance giving additional time. He felt the 20% fee was too unsympathetic for the average person who might be 30 days late on paying their taxes. The County Attorney along with the Treasurer, Dave Larimer explained that the Code of Virginia sets the time-frame, a two-year statute, before the County can sue a property owner for the sale of its real-estate property that is delinquent in the payment of its taxes. Mr. Larimer also explained that the 25% fee in the ordinance would be charged for payments for outside/contracted agency work because the County Attorney's office and staff as well as his office are already on the County's payroll. The County Attorney stated

that he would change the language in the ordinance to be more clear with regard to the 2-year statute as well as for the collection of fees to cover costs of out-side agency work.

Now, the Chairman called for further comments from the floor and there being none, he declared the public hearing closed.

The ordinance will be considered for adoption at the August 6, 2013 regular meeting.

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### **BOBBY SHEW FOUNDATION – POCAHONTAS**

Supervisor Childress moved to amend the proposed budget by including \$2,000.00 in the amended budget for the Bobby Shew Foundation, subject to legal review, to determine if the Bobby Shew Foundation is a charitable organization/501c3. Supervisor Stacy seconded by foregoing, but the motion was later withdrawn. Rev. Darrell Hundley was present and said the Bobby Shew Foundation was a Sub-501c3 of the Baptist Church. The Board said they could not expend monies to a non-501c3 organization. Supervisor Childress said that he has monies allocated in his district fund allocations for FY13-14. Following discussion it was decided to address this matter later in the meeting.

Now, the Chairman of the Board proceeded with the agenda format regarding the adoption of the proposed county budget.

### **BUDGET AMENDMENTS APPROVED**

Upon motion of Supervisor Stacy, 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 amendments to the proposed advertised budget as were outlined and discussed previously.

### **SCHOOL BUDGET –LOCAL FUNDING APPROVED FOR FY13-14**

Following discussion of local funding for the Tazewell County School Board for FY13-14, with Steve Davis, Chairman of the School Board in attendance, and upon motion of Supervisor Stacy, seconded by Supervisor Childress 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 \$14,750,000.00 as local funding for the Tazewell County School Board Budget for FY2013-14.

And, further, upon motion of Supervisor Stacy, seconded by Supervisor Hymes, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$266,000.00 to be placed in the County's Capital Projects Fund to be disbursed as one-time debt service payments on behalf of the Tazewell County School Board.

Board of Supervisor members requested that school board members be notified that the \$266,000.00 was a one-time payment and would not be included in next year's budget.

Supervisor White requested that over the next 60 days the School Board review their budget and to come back to the Board of Supervisors with several proposals and ideas and ways to work toward incentives to save money within the school system – including the possibility of the County helping to pay for retirement for early school retirees who are eligible and at the top of the pay-scale. Steve Davis, School Board Vice Chair was present and agreed that infrastructure and planning was needed. He commented on the allocation approved for the school board this date, and said the amount would help even though the amount was less than the school board requested. He said some cuts would still need to be made. The Board suggested that a committee be formed accordingly to address school board funding incentives for years ahead.

#### **BUDGET AMENDMENTS APPROVED**

Now, discussion was held regarding the proposed amendments to the proposed County Budget Ordinance, FY2013-14.

Now, upon motion of Supervisor Hymes seconded by Supervisor Childress 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 Tazewell County Budget amendments to the proposed Tazewell County Budget Ordinance as hereby recommended by the Tazewell County Budget Committee. A complete list of budget amendments is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651 and incorporated herein by reference and as set forth below:

**TAZEWELL COUNTY BUDGET AMENDMENTS APPROVED FY2013-14**

**Changes from Proposed Advertised Budget**

**FY2013-2014**

**Tazewell County General Fund**

	<b><u>Adjustments</u></b>	
	<b><u>As Advertised</u></b>	<b><u>Incr. / (Decr.)</u></b>
		<b><u>Revised Budget</u></b>
Current Beginning Balance:		
<b>Increase Beginning Balance:</b>	1,345,000	111,521
Carryover Funds:		
District Funds		138,027
Increased transfer to School System		1,043,940
<b>Adjusted Beginning Balance:</b>		<b>2,638,488</b>
Current Budgeted Revenue:	50,179,402	
<b>Additional Changes to Revenues:</b>		
DCR -Storm Water Grant		35,497
VDEM - Mobile Data Sharing Grant		(179,134)
Library Fines & Fees		(10,000)
<b>Total Current Rev. with Revisions:</b>		<b><u>50,025,765</u></b>
Current Budgeted Expenditures:	51,341,479	
<b>Additional Changes to Expenditures:</b>		
District fund carryover - Youth Funds		9,250
District fund carryover - Road Funds		90,297
District fund carryover		38,480

VDEM - Mobile Data Sharing Grant	(179,134)	
Employee Fringe Benefits	25,000	
Treasurer - Part-time Position Restored	14,933	
Tazewell County Fire/Rescue - Lease/Rental	30,000	
DCR -Storm Water Grant	35,497	
Transfer Station Budget (Incl. Thompson Valley)	24,088	
Sheriff's Dept. Budget- Animal Control Vehicle	27,500	
Increased Transfer to School System	1,043,940	
<b>Total Expenditures with Revisions:</b>		<u><b>52,501,330</b></u>
<b>Adjusted Ending Fund Balance:</b>		<u><u><b>162,923</b></u></u>

**CAPITAL PROJECTS FUND**

	<b><u>As Advertised</u></b>	<b><u>Incr. / (Decr.)</u></b>	<b><u>Adjustments</u></b> <b><u>Revised Budget</u></b>
Current Beginning Balance:	4,490,010		
<b>Increase Beginning Balance:</b>			
School Board Debt Service		266,000	
<b>Adjusted Beginning Balance:</b>			<b>4,756,010</b>
Current Budgeted Revenue:	2,424,661		
<b>Total Current Rev. with Revisions:</b>			<u><b>2,424,661</b></u>
Current Budgeted Expenditures:	6,737,163		
<b>Additional Changes to Expenditures:</b>			
School Board Debt Service		266,000	



<b>Total Expenditures with Revisions:</b>	<b>7,003,163</b>
<b>Adjusted Ending Fund Balance:</b>	<b>177,508</b>

**GENERAL SCHOOL FUND**

	<b><u>As Advertised</u></b>	<b><u>Incr. / (Decr.)</u></b>	<b><u>Adjustments</u></b>
			<b><u>Revised Budget</u></b>
Current Beginning Balance:	450,000		
<b>Increase Beginning Balance:</b>			
<b>Adjusted Beginning Balance:</b>			<b>450,000</b>
Current Budgeted Revenue:	54,134,395		
Increase in School Fund Transfer		1,043,940	
<b>Total Current Rev. with Revisions:</b>			<b>55,178,335</b>
Current Budgeted Expenditures:	54,584,395		
<b>Additional Changes to Expenditures:</b>			
Increase in School Fund Transfer		1,043,940	
<b>Total Expenditures with Revisions:</b>			<b>55,628,335</b>
<b>Adjusted Ending Fund Balance:</b>			<b></b>

**E-911 FUND**

	<b><u>As Advertised</u></b>	<b><u>Incr. / (Decr.)</u></b>	<b><u>Adjustments</u></b>
			<b><u>Revised Budget</u></b>
Current Beginning Balance:	600,000		
<b>Increase Beginning Balance:</b>			
<b>Adjusted Beginning Balance:</b>			<b>600,000</b>
Current Budgeted Revenue:	664,526		

<b>Total Current Rev. with Revisions:</b>		<u><b>664,526</b></u>
Current Budgeted Expenditures:	860,016	
<b>Additional Changes to Expenditures:</b>		
911 Fund - Comp. & Fringes	13,726	
<b>Total Expenditures with Revisions:</b>		<u><b>873,742</b></u>
<b>Adjusted Ending Fund Balance:</b>		<u><u><b>390,784</b></u></u>

**SUMMARY ALL FUNDS**

		<u>Adjustments</u>	
	<u>As Advertised</u>	<u>Incr. / (Decr.)</u>	<u>Revised Budget</u>
Current Beginning Balance:	14,696,878		
<b>Increase Beginning Balance:</b>			
All Funds		1,559,488	
<b>Adjusted Beginning Balance:</b>			<b>16,256,366</b>
Current Budgeted Revenue:	99,521,136		
<b>Additional Changes to Revenues:</b>			
All Funds		(153,637)	
<b>Total Revenues with Revisions:</b>			<u><b>99,367,499</b></u>
Current Budgeted Expenditures less Transfers:	108,208,487		
<b>Additional Changes to Expenditures:</b>			
All Funds		1,439,577	
<b>Total Expenditures with Revisions:</b>			<u><b>109,648,064</b></u>
<b>Adjusted Ending Fund Balance:</b>			<u><u><b>5,975,801</b></u></u>

**Adjusted Ending Fund Balance By Fund:**

General Fund	162,923
Capital Projects Fund	177,508
Landfill Enterprise Fund	3,344,752
General School Fund	-
School Textbook Fund	-
School Cafeteria Fund	-
School Construction Fund	-
Coal Road Improvement Fund	1,701,821
Coal Road Economic Development Fund	130,466
Damage Stamp Fund	41
Law Library Fund	67,506
Emergency 911 Fund	<u>390,784</u>
	<u><u>5,975,801</u></u>

**COUNTY BUDGET ADOPTED FY13-14**

**ORDINANCE APPROVING THE FY2013-14 BUDGET ORDINANCE, ADOPTING LOCAL TAX LEVIES, AND BUDGET FOR THE COUNTY OF TAZEWELL, VIRGINIA FOR FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, TO BE EFFECTIVE ON JULY 1, 2013 AT 12:01 A.M. AS HEREBY AMENDED – ADOPTED**

Now, after a public hearing on the proposed budget was duly held on June 4, 2013 in accordance with applicable Virginia Codes, and which public hearing was advertised in local newspapers having general circulation within Tazewell County, with said certificate of publication on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia, and following approval of the amendments to the aforementioned budget by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, and upon a motion of Supervisor Hymes seconded by Supervisor Childress and adopted by a roll call vote of 5 to 0, the Tazewell County Board of Supervisors hereby adopts an “ORDINANCE APPROVING THE FY2013-14 BUDGET ORDINANCE, ADOPTING LOCAL TAX LEVIES, AND BUDGET FOR THE COUNTY OF TAZEWELL, VIRGINIA FOR FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014, TO BE EFFECTIVE ON JULY 1,

2013 AT 12:01 A.M. AS HEREBY AMENDED.” A copy of the complete budget ordinance as hereby amended and has hereby adopted in its amended form is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651. The roll call vote of 5 to 0 is hereby recorded adopting said budget ordinance as set forth below:

- Supervisor Childress – Aye
- Supervisor Stacy- Aye
- Supervisor Absher - Aye
- Supervisor Hymes - Aye
- Supervisor White – Aye

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**MERCHANTS CAPITAL TAX RATE DECREASED**

**\$4.30 PER \$100 ASSESSED VALUE TO \$3.80 PER \$100 ASSESSED VALUE**

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 decrease the Merchants Capital Tax Rate for calendar year 2013 to \$3.80 per \$100.00 Assessed Value. The FY12 rate was adopted at \$4.30 per \$100.00 Assessed Value. This is a \$.50 cent decrease from the previous calendar year. All other tax levies remain the same for calendar year 2013.

Roll Call Vote:

- Supervisor Childress – Aye
- Supervisor Stacy – Aye
- Supervisor Absher – Aye
- Supervisor Hymes – Aye
- Supervisor White – Aye

**SETTING TAX RATE AND APPROVING TAX LEVIES, FOR CURRENT YEAR,  
CALENDAR YEAR 2013**

Now, 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 and fixes the tax rates and levies for the current year and calendar year FY2013-14 in accordance with Section 58.1-3001 of the Code

of Virginia, 1950. A complete copy of the tax rates and levies as hereby adopted and fixed are set forth in the County Budget Ordinance as hereby adopted, and which said Budget Ordinance in its amended form as adopted, is on file in the Office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

### TAX RATES AND LEVIES, FY 2013-14

<b>Type of Tax</b>	<b>Current FY2012-2013</b>	<b>Proposed FY2013-14</b>
<b>Consumer Electric/Utility Tax</b>	Residential - \$0.01525 per kwh w/a minimum of \$1.50 per month and a maximum of \$3.00 per month. Commercial - \$0.01500 on 1 <sup>st</sup> 667 kwh & \$0.00105 over 667 kwh with a minimum of \$1.50 & a maximum of \$90.00 per month. Industrial – Same as Commercial	Residential - \$0.01525 per kwh w/a minimum of \$1.50 per month and a maximum of \$3.00 per month. Commercial - \$0.01500 on 1 <sup>st</sup> 667 kwh & \$0.00105 over 667 kwh with a minimum of \$1.50 & a maximum of \$90.00 per month. Industrial – Same as Commercial
<b>Cable Franchise Tax</b>	5% of annual gross revenue	5% of annual gross revenue
<b>Real Estate Levy</b>	\$.57 per \$100.00 Assessed Value	\$.57 per \$100.00 Assessed Value
<b>Personal Property Levy</b>	\$2.00 per \$100.00 Assessed Value	\$2.00 per \$100.00 Assessed Value
<b>Merchants Capital Levy</b>	\$4.30 per \$100.00 Assessed Value	\$3.80 per \$100.00 Assessed Value
<b>Machinery &amp; Tool Levy</b>	\$2.00 per \$100.00 Assessed Value	\$2.00 per \$100.00 Assessed Value

<b>Public Service Levy</b>	R.E.\$57 Per \$100 of Assessed Value P. Prop. \$2.00 per \$100 of Assessed Value	R.E.\$57 Per \$100 of Assessed Value P. Prop. \$2.00 per \$100 of Assessed Value
<b>Mobile Home Levy</b>	\$.57 per \$100.00 Assessed Value	\$.57 per \$100.00 Assessed Value
<b>Motor Vehicle – Decal</b>	\$10.00 per newly acquired vehicle	\$10.00 per newly acquired vehicle
<b>Utility Consumer Tax</b>	½ of 1% of Gross County Receipts	½ of 1% of Gross County Receipts
<b>E-911 Emergency System Tax</b>	\$1.50 per month per service connection	\$1.50 per month per service connection
<b>Aircraft Tax</b>	\$.50 Per \$100.00 Assessed Value	\$.50 Per \$100.00 Assessed Value
<b>Transient Occupancy Tax</b>	5% Lodging fee	5% Lodging fee

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**ANNUAL APPROPRIATION FOR THE OPERATION OF ALL GENERAL COUNTY AGENCY BUDGETS, FOR FISCAL YEAR BEGINNING JULY 1, 2013 AND ENDING JUNE 30, 2014 EFFECTIVE JULY 1, 2013 AT 12:01 A.M. - ANNUAL APPROPRIATION OF COUNTY FUNDS, FY13-14**

Upon motion of Supervisor Stacy seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves an ANNUAL APPROPRIATION for the operation of all General County Agency budgets, for fiscal year beginning July 1, 2013 and ending June 30, 2014, to be effective July 1, 2013 at 12:01 a.m.

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**BUDGET TRANSFERS/APPROPRIATIONS APPROVED**

Upon motion of Supervisor Stacy 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 budget transfers/appropriations as may be necessary from surplus accounts, etc. to close all such accounts for the fiscal year FY2012-13.

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**LUMP SUM FUNDING FOR  
TAZEWELL COUNTY SCHOOL BUDGET FY13-14**

Upon motion of Supervisor White, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves lump sum funding for the Tazewell County School Board Budget, FY13-14 subject to the School Board notifying the Assistant County Administrator of any significant account transfers.

**RECESS (FIVE (5) MINUTES)**

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

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**PLANNING COMMISSION REPORT**

Supervisor Childress reported that the Planning Commission at their June 13, 2013 meeting discussed the Board of Supervisors request for the County to take Ponderosa Road and Sage Hill Road located in the Western District into the County Road Program. The Engineer's office as well as 2 members of the Planning Commission went to the road sites and reviewed the road conditions. Following a review of both roads by the road sub-committee it was recommended by the Planning Commission that the County not take the roads into the County's Orphan Road System.

Supervisor Childress also reported on behalf of the Planning Commission that the Planning Commission again offered to manage the County's Orphan Road Program and make the decisions on roads being taken into the system. Even then, residents on a road would have the right to appeal a decision of the Commission to the Board of Supervisors.

Supervisor Hymes said he did not agree to this method and said he thought the Board of Supervisors should be the ultimate decision maker with regard to road repairs. Supervisor Stacy agreed with Supervisor Hymes remarks and suggested a recommendation be given only by the Planning Commission. Supervisor White said he appreciated the Planning Commission's

assistance by looking at the roads and making comments, but felt the idea needed additional study.

The Commission also made a recommendation that a standard petition be drafted requiring all property owners to sign prior to a particular road or street being considered for inclusion in the orphan road program.

With regard to the proposed zoning, Supervisor Stacy requested that the Planning Commission proceed with a time-line with regard to Zoning for the Eastern District.

The Comprehensive Plan Sub-committee recently met and discussed the transportation portion of the plan and will address community facilities at their next sub-committee meeting.

With regard to drafting a proposed Peddlers Ordinance for Tazewell County, it was suggested that this situation be remedied by existing laws. Supervisor Childress said he was working with the Commissioner of Revenue and other county departments to see that peddlers as well as pawn dealers abide by county and state laws. Supervisor Childress said he would keep the Board apprised of further details on these topics.

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## **BOARD CONCERNS**

Supervisor Hymes reported that a rumor was circulating in his district that two (2) prospective industries were turned down by the County to construct a building in the Bluestone. The County Administrator reported that there have been no solid offers for the purchase of property in the Bluestone.

Supervisor Hymes wanted to know the County's plans for the old cheese house at the County Fairgrounds. The County Administrator said the County is planning on fixing the building up to be used as storage for county maintenance.

Supervisor Hymes wanted to know the status for Yong's Restaurant. The County Administrator said a local business person would be submitting a business plan to the IDA.

## **TAZEWELL VPI EXTENSION FARM TOUR - MONIES APPROVED FROM DISTRICT FUNDS \$1,600.00**

Upon motion of Supervisor Hymes, seconded by Supervisor Childress and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following amounts from district



funds payable to the VPI Extension Office, PO Box 229, Tazewell, Virginia 24651, attn: John Blankenship, to help defer the costs of the chartered bus for 2013 Extension Agriculture & Natural Resources Bus Tour. 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:

‣ Southern	\$ 500.00
‣ Northern	250.00
‣ Eastern	200.00
‣ Northwestern	250.00
‣ Western	<u>400.00</u>
	\$ 1,600.00

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**FAIRGROUNDS SEWER LINE /  
WATER LINE**

The County Administrator reported that the sewer-line is completed at the County Fairgrounds. The water-line is the next project. The County's goal is to complete the installation within 30 days before the County Fair begins. The Board of Supervisors suggested that the County request that the County PSA help the County in the installation of the water-line to speed up the project as well as a costs saving measure. The County Administrator said the PSA's expertise would also be valuable in speeding up the completion of the water-line.

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**BUILDING AND MAINTENANCE BUDGET – HISTORICAL SOCIETY PROJECT  
FUNDS NECESSARY FOR PLACEMENT OF PLAQUES ON COUNTY BUILDINGS  
AND STRIPING OF PARKING LOT**

Supervisor Hymes reported that the Tazewell County Historical Society would be placing plaques on various buildings in the Town of Tazewell; four (4) of the buildings belong to the County, Bldg. Nos. 15,16,17 & 18. The County Administrator also reported that the rear parking areas of the County Administration Building needed to be striped to alleviate illegal parking where on various occurrences vehicles have been blocked in. It was the consensus of the Board of Supervisors to proceed with the placement of the plaques on County Buildings as well as striping of the parking lot – monies will be taken from the County's Building & Grounds

Budget, Account No. 43020-3310 Repairs & Maintenance. The County Administrator is hereby authorized and directed to issue said warrant as may be necessary and appropriate to the Tazewell Historical Society for the placement of plaques – cost of the plaques will be approximately \$1,000.00 for the four (4) county buildings. Said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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**SOUTHERN DISTRICT FUNDS –\$9,000.00**

**TAZEWELL HIGH SCHOOL FOUNDATION**

**WEIGHTS FOR THE TRAINING FACILITY**

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$9,000.00 from the Southern District Funds, payable to the Tazewell High School Foundation, attn: Chris Blankenship, telephone no. 304-590-3375. This money will be used to purchase weights for the THS Training Facility. 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 checks by the Treasurer of Tazewell County, Virginia.

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**POCAHONTAS EXHIBITION MINE – ½ FUNDING APPROVED**

Upon motion of Supervisor Childress, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to issue as soon as possible, \$3,750.00, one-half (1/2) of the FY2013-14 funding set aside for Pocahontas Exhibition Mine to the Town of Pocahontas, Virginia. Said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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**PUBLIC HEARING – HISTORIC POCAHONTAS**

**TAX EXEMPT STATUS**

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

Administrator to advertise for a public hearing to consider the reinstatement of tax exempt status for Historic Pocahontas, Pocahontas, Virginia.

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**EASTERN DISTRICT YOUTH FUND –  
\$500.00 TO GRAHAM YOUTH SPORTS**

Upon motion of Supervisor Stacy, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 from the Eastern District Youth Fund, payable to the Graham Youth Sports, C/O Todd Baker, Graham Intermediate School, Bluefield, VA 24605 – to assist with the Youth Basketball Tournament at Myrtle Beach, NC. 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.

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**BUILDING CODE –**

Supervisor Absher mentioned the County Building Inspection Department and rules regarding the placement of storage buildings. Supervisor Absher said he felt the County was being too harsh with Wayne Lester's Storage Building project in the Western District. The County Administrator said the building inspectors must abide by and enforce all building code requirements, however, the County Administrator said he would speak to Gary Jackson, Chief Building Inspector about the situation.

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**CERTAIN AREAS IN CLAYPOOL HILL  
POSSIBLY BE CONSIDERED INTO ENTERPRISE ZONE**

Supervisor Absher requested that certain areas in Claypool Hill be considered for inclusion in the County's Enterprise Zone, more particularly areas located near the Timberline Motel and other properties near the bowling alley might be considered as well. The County Administrator reported that properties could only be added once per year; and it must be more than one (1) parcel. The ordinance can be considered for changes in December 2013.

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Supervisor Absher moved to close the county offices on Friday July 5, 2013 in order to give County employees an additional day off in observance of the July 4 holiday. The motion died for a lack of a second. Supervisor Stacy wanted to know how much closing the county offices an extra day would cost county taxpayers. Supervisor White said he felt the County needed to be open, as well as the courthouse. He said his job as well as other banking institutions depends on the Courthouse to do business.

No decision was made on giving County employees an additional day off at this time.

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**TOWN OF POCAHONTAS – \$4,000.00**

**MULCH FOR PLAYGROUND AT RAILROAD YARD**

**TRANSFER \$3,000.00 FROM NORTHERN DISTRICT ROAD FUND TO NORTHERN DISTRICT FUND & \$1,000.00 (\$500.00 SOUTHERN, \$500.00 NORTHWESTERN)**

Following an earlier request from Rev. Darrell Hundley, and upon motion of Supervisor Childress, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following from District & Road funds as set forth below payable to the Town of Pocahontas, Virginia, PO Box 128, Pocahontas, Virginia 24635 for mulch for playground and the railroad yard in Pocahontas, Virginia 24635:

- Transfer \$3,000.00 from the Northern Road District Fund to the Northern District Fund \$3,000.00
  - Southern District \$500.00
  - Northwestern District \$500.00
- Total \$4,000.00

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**TOWN OF POCAHONTAS – POCAHONTAS CEMETERY**

**\$1,000.00 NORTHERN DISTRICT FUND FOR CUTTING AND MAINTENANCE**

Upon motion of Supervisor Childress, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,000.00 from the Northern District Fund, out of the \$5,000.00 obligated for the Pocahontas Cemetery, payable to the Town of Pocahontas, Virginia PO Box 128, Pocahontas, Virginia 24635, for cutting and

maintenance of the Pocahontas Cemetery. 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.

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**EXECUTIVE/CLOSED MEETING**

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 enters into an executive/closed meeting, pursuant to Virginia Code Section 2.2-3711 A-7 Consultation with legal counsel involving Sage Hill Road.

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

**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 Childress, Stacy, Absher, Hymes, White  
Nays: None

Absent: None

Absent during vote: None

**Report of Action:**

**SAGE HILL AND PONDEROSA ROADS-**

**NOT INCLUDE IN ORPHAN ROAD PROGRAM**

Following an executive closed meeting to address a bridge inspection report, and pursuant a recommendation from the Tazewell County Planning Commission, and upon motion of Supervisor White, seconded by Supervisor Childress and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs that Sage Hill Road situate over Indian Creek, located in the Western District of Tazewell County, Virginia not be considered for improvements as part of the County's Orphan Program.

And further, upon motion of Supervisor Childress, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs that Ponderosa Road located in the Western District of Tazewell County not be included in the County's Orphan Road Program, and as recommended by the Tazewell County Planning Commission.

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**JULY 2, 2013 – MEETING CANCELLED**

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 cancels the July 2, 2013 regular Board of Supervisors meeting.

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**ADJOURN**

Now, there being no further business to be transacted and upon motion of Supervisor White, seconded by Supervisor Hymes, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adjourns this meeting.

The next meeting is scheduled for Tuesday, August 6, 2013 at 6:00 p.m.

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John M. Absher, Chair

By: RG

Adjourn time: 12:26 a.m.