

VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD MARCH 5, 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
PATRICIA GREEN, ASSISTANT COUNTY ADMINISTRATOR
RUTH GROSECLOSE, ADMINISTRATIVE ASSISTANT
MEMBERS OF THE PRESS: WARREN HINKLE, TAZEWELL COUNTY FREE PRESS; JIM TALBERT, CLINCH VALLEY NEWS/RICHLANDS NEWS PRESS**

The Chairman, John M. Absher, called the regular meeting to order and presided.
Supervisor Childress arrived at the meeting a few moments late.

Supervisor Stacy gave the invocation with Supervisor Hymes leading those present in the Pledge of Allegiance to the United States Flag.

AGENDA AS AMENDED

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 4 to 0, with Supervisor Childress absent and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the March 5, 2013 agenda as amended.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Stacy, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Childress absent and with all members present and voting in favor

thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the February 5, 2013 and February 20, 2013 meeting minutes as written.

ROBINSON, FARMER, COX ASSOCIATES

Deanna Cox, Robinson, Farmer, Cox Associates, presented to the Board the Independent Auditors' Report of the County of Tazewell, Virginia for year ending June 30, 2012. The Audit was conducted in accordance with auditing standards, pursuant to the Comptroller General of the United States and the Auditor of Public Accounts of the Commonwealth of Virginia.

- The assets of the County's government activities exceeded its liabilities at the close of the fiscal year by \$18,697,371 (net assets). Of this amount, \$12,355,961 was considered unrestricted.
- The assets of the County's business-type activities exceeded its liabilities at the close of the fiscal year by \$6,661,766 (net assets)
- The assets of the School Board component unit exceeded its liabilities at the close of the fiscal year by \$19,832,454 (net assets). Of this amount \$1,956,464 was considered unrestricted.
- As of the close of the current fiscal year, the County's funds reported combined ending fund balances of \$14,570,342. Of this amount \$9,825,327 was considered unassigned, \$3,033,197 was considered committed, \$1,637,318 was considered restricted and \$74,500 was considered non-spendable.
- During the year, the County had governmental revenues that were \$665,869 more than expenditures.

Ms. Cox reported that during the auditing of the County's governmental financing activities, there was nothing significant to the financial statements or the auditor's report, except for the matters noted that involved certain internal control structures, i.e. Purchase Orders were several cases in which they were issued subsequent to the purchase of goods or services. The Auditors recommended that since a purchase order is to gain approval for the a purchase prior to obligating the County for said purchase, that all purchase orders be completed and approved prior to the purchase taking place.

School board – federal program reimbursement requests (Title VI-B):

Ms. Cox reported that during the School Board's audit of federal programs, instances were found where reimbursement requests were not filed timely. The Auditors recommended that reimbursement requests for federal programs be made at a minimum, on a quarterly basis.

Social Services Department:

Ms. Cox reported that during the Department of Social Services expenditures, a few instances were noted that case action forms lacked the proper supervisor approval. The Auditors recommended that the Department of Social Services insure that all case action forms have the proper supervisor approval per the State Department of Social Services compliance requirements.

Ms. Cox said in two years, as a result of an accounting rule, GASB No. 68, the statewide teacher VRS pool amount would have to be shown in the County's financial estimate which would be approximately \$60,000,000.00. She suggested that the Board get used to the new rule and because the County would not have resources to cover or fund the liability the County would be hit with a deficit balance in their audit reports.

The County Administrator then brought to discussion Bill No. 1836 with regard to Discretionary Funds – upcoming budget requirement. Ms. Cox said she would send the County Administrator an email with regard to how the County would need to address the new Bill in the upcoming fiscal year budget.

Supervisor White also requested that she correct County Official names in the Audit because some of the names listed were old elected officials.

In closing, Ms. Cox said that all Tazewell County agencies were in compliance with auditing requirements and were in good financial condition. Ms. Cox commended county employees for handling the county's records and funds in a good and appropriate manner. She said the county had good group of employees.

A complete copy of the County Audit in a form as hereby presented 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 the executive/closed session, pursuant to Virginia Code Section 2.2-3711 as follows:

- A-7 Legal Consultation involving the Tazewell County Fire Rescue lease
- A-7 Legal Consultation regarding potential litigation with respect to Gas Well Assessments.
- A-29 Contract Negotiations – potential loan/grant to the Town of Pocahontas Virginia
- A-7 Legal Consultation regarding the landfill gas project
- A-29 Contract Negotiations – involving Town of Richlands/regarding fire protection for Claypool Hill

Then, 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 returns from the Executive/Closed meeting pursuant to Virginia Code, Section 2.2-3712 and hereby 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 and White

Nays: None

Absent: None

Absent during vote: None

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

The Chairman indicated that the Board would return to the Executive/Closed meeting to address A-7 Landfill Gas Project and A-29 Contract Negotiations/involving the Town of Richlands – fire protection for Claypool Hill.

JOHN BLANKENSHIP -

VPI EXTENSION OFFICE REQUEST FOR FUNDING FOR SUMMER

INTERNSHIP- INCLUDE IN FY13-14 BUDGET PROCESS

The Board of Supervisors received a funding request from John Blankenship, VPI Cooperative Extension – local office, for monies to help fund a forty hour ten-week summer Internship program offered through VCE. The objective of the Internship Program is to afford the intern the opportunity to examine “Extension” as a career choice and to contribute to the Summer Programs of the Unit – the intern is typically undergraduate students, usually rising juniors or seniors. Information about the program is posted on the VCE “Jobs” website. The State VCE administration will provide a maximum of \$2,000.00 plus associated FICA, for the cost of the intern, and the local unit will be responsible for the remaining funds of \$2,153.00 plus FICA at 7.65%. The Tazewell County Farm Bureau was requested to contribute partial funding for this cause and at their February 18, 2013 meeting, the Farm Bureau decided to take no action on the funding request until additional information was received. The interns will be working here in Tazewell County in the Extension Office. Two (2) applicants have expressed an interest and the application process will close March 15, 2013. Mr. Blankenship said the money wasn’t needed until September 13, 2013, therefore he budgeted the money in his proposed FY13-14 Extension Budget. However, he needed a commitment and an answer now as to how to proceed with the program.

Now, following discussion the Board determined the best solution would be to fund the program in the upcoming proposed budget. And, 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

requests that the Tazewell County Budget Committee include the monies for this program, in the amount of \$2,153.00, in the FY13-14 VPI Extension- County Budget.

AMY LAMBERT – CITY INVASION

Amy Lambert, founder of Global Ministries and City Invasion, announced her next concert for July 2013. The event will be free at the Richlands High School football stadium. Ms. Lambert said the event will be much more than a concert – it is a vision with a mission to see lives changed. Ms. Lambert is a recovering drug addict and found herself once hopeless and broken. She now travels worldwide, holding gospel crusades, national meetings as well as training to reach out to those struggling who feel lost and hopeless. Invasion’s objective is to combat drug abuse by targeting people who are addicted sharing hope through music and testimonies. Invasion also helps place those struggling in recovery - The concern at Richlands will include Musician Artist Brian “Head” Welch and other hip-hop performers. Invasion has taken place in 4 major cities. Ms. Lambert said the Richlands concert would cost an average of \$70,000.00. She also mentioned Invasion’s efforts to help place those needing and wanting help in affordable Recovery Re-hab facilities. Ms. Lambert mentioned a facility in Lenoir NC as well as Mercy Ministries. The cost for a 65 day – rehab program in NC is \$265.00. Supervisor Stacy requested Ms. Lambert send the Board of Supervisors more information about the program in NC. Supervisor White reiterated Amy’s good work and Invasion’s goals to bring hope to broken and hurting people. He told her the Board would consider her request in the next few months and notify her accordingly. He thanked Ms. Lambert for her work and for her continued desire to reach and help those in need.

ROGER MITCHEM -

ROUTE 696 ROAD CONCERNS

Roger Mitchem, Big Vein, Virginia voiced concerned regarding the 4-wheelers traveling the Bramwell Road as well as using the baseball park for the mud-bog event. He also voiced concern about the Route 696/Prison Road. Mr. Mitchem felt the road was built for strip-job truck drivers. He also expressed concern about not being allowed to walk/move his livestock across Route 696 road and continued to imply that the County Administrator and this Board initiated the Route 696 road construction. The County Administrator told Mr. Mitchem that a previous

Board of Supervisors in the 1990's started the Route 696 movement, not this Board. He told Mr. Mitchem that he would send him a copy of the old Board of Supervisors minutes confirming this.

There were no unscheduled citizen comments from the floor.

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, 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

February 2013

Payroll

Ordered that Warrant Nos. 137108 through 137168 and direct deposits totaling \$333,863.56 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending January 31, 2013, be approved.

Ordered that Warrant Nos. 137170 through 137228, 137230 and direct deposits totaling \$329,821.03 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending February 15, 2013 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 460105 through 460253, for \$552,439.06 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of January 2013, be approved.

Ordered that Warrant Nos. 460255 through 460265, for \$128,726.37 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending January 10, 2013 be approved.

Ordered that Warrant Nos. 460267 through 460422, for \$270,024.10 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 2013, be approved.

Ordered that Warrant Nos. 460424 through 460434 for \$112,825.25 from the General Funds, covering payroll deductions for the various County agencies for the period ending February 15, 2013, be approved.

Handwritten

Ordered that Warrant No. 801768 through 801773 for \$459,514.36 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of January 2013, be approved.

- Approved coyote claims in the amount of \$450.00 (received as part of the 100 limit):
 - \$150.00 to William Bandy, 231 Gillespie Road, Pounding Mill, VA 24637 for 3 coyotes killed December 10, 2012 with a rifle
 - \$200.00 to William Bandy, 231 Gillespie Road, Pounding Mill, VA 24637 for 4 coyotes killed January 2, 2013 with a rifle
 - \$50.00 to William Bandy, 231 Gillespie Road, Pounding Mill, VA 24637 for 1 coyote killed December 17, 2012 with a trap
 - \$50.00 to Herbert Sparks, 221 Grove Street, Cedar Bluff, VA 24609 for 1 coyote killed on December 25, 2012 with a rifle.
- Approved \$500.00 from the Southern District Youth Funds to Tazewell Middle School Baseball
- Approved \$250.00 from the Southern District Youth Funds to Falls Mills Fishing Club
- Approved payment in the amount of \$7,600.00 to Troutman Sanders LLP, PO Box 933652, Atlanta Georgia, 31193-3652 – for professional services rendered during the 2013 General Assembly – Legislative Representation Jan. 1-Feb. 23, 2013 concerning the coal and natural gas severance tax.

- Rescue 945- approved a transfer in the amount of \$7,953.96 from the Contingent Expenditures & Grants Account No. 9105-7041 to the Rescue 945 Account 3202-5604-2 and authorizes payment to 945 Rescue in same amount for repairs (Insurance check from VACo for damages to Rescue 945 Vehicle). Rescue 945 will pay Cole Chev.
- Sheriff's Department
 - Approved a transfer in the amount of \$5,647.20 & the amount of \$442.00 from the Contingent Expenditures & Grants Account No. 9105-7041 to the Sheriff's Dept. Line Item 31020-1150 and Line Item 31020-6009 respectively - reimbursement for a grant for the Drug Court Officer.
 - Approved a transfer in the amount of \$1040.81 from the Contingent Expenditures and Grants Account No. 9105-7041 to the Sheriff's Dept. Line Item 31020-5510 Travel & Training – reimbursement for training from the County of Washington, VA
 - Approved a transfer in the amount of \$1,486.00 from the Contingent Expenditures and Grants Account No. 9105-7041 to the Sheriff's Dept. Line Item 31020-5510 Travel & Training re: Detention Transportations, reimbursement for class, order from Judge.
 - Dept. of Police Richlands - Approve an additional appropriation in the amount of \$165,173.00. This is a grant received from the Virginia Department of Emergency Management – continuation of the Regional Data Sharing Continuance Grant awarded in 2010.
 - Approved a transfer in the amount of \$47,002.50 from the Contingent Expenditures and Grants Account No. 9105-7041 to the Sheriff's Budget Account No. 31020-5850 (reimbursement for cancelled contract/grant -Virginia Dept. of Emergency Management)
 - Library – approved a transfer in the amount of \$16,467.18 from the Contingent Expenditures and Grants Account No. 9105-7041 to the Library Budget as monies received from donors.

- Library – approved a transfer in the amount of \$350.00 from the Contingent Expenditures and Grants Account No. 9105-7041 to the Library Budget 7301-3099 as monies received from donors.
- Approved \$2,400.00 Eastern District Road Maintenance Fund – bridge signs
- Approved \$1,200.00 Western District Road Maintenance Fund – bridge signs
- Ratified monies approved Feb. 5, 2013 to the Richlands Youth Baseball Club, Inc. (RYBC), in the amount of \$5,400.00 (\$1,350 Western Youth, \$1,350 Eastern Youth and \$2,700 to Northwestern District fund).

Supervisor John Absher mentioned the need for gravel at the landfill. He said Jim Tatum a local contractor from the Western District told him that he almost gets stuck everytime he goes to the landfill. The County Administrator said he is working to correct the mud situation there, however, he said this time of the year, the placement of gravel would only help for a couple of days due to the ground freeze/thaw situation.

BOARD OF SUPERVISORS

LIAISONS REPORT

Planning Commission – Supervisor Childress

Zoning: Supervisor Childress said the next subcommittee zoning meeting is scheduled for March 15, 2013 at 1:30 p.m. in the County Engineer's office.

Woodson Avenue: Supervisor Childress reported that he visited the road in question and he has concerns about the County taking Woodstone Avenue into the orphan road program. There are some drainage issues there that could be permanent. The Planning Commission is scheduled to discuss the road at their March 14 meeting and a recommendation will be made to the Board of Supervisors accordingly.

Industrial Development Authority (IDA):

Supervisor White reported that a conference call was held on the Western District Natural Gas Project. A cost estimate as well as potential new customers was discussed. A report will be given April 2 to the Board of Supervisors.

Supervisor White said that the dental school project was moving forward.

Cumberland Plateau Planning District Commission (CPPD):

Supervisor White announced that he was chairman for the Virginia Coalfield Coalition (VCC) now and commended them in moving the 4g Wireless project forward. He said 4g services are continuing and would be great for tourism and businesses in Tazewell County. Supervisor White also said it was an honor to serve on the Cumberland Plateau Planning District and this year the CPPD would be celebrating its 45th year.

Emergency Services Committee (ESC):

Supervisor Hymes questioned the chain of command for Emergency Services communications. The County Administrator said he considered the Sheriff as the person in charge of communication. Supervisor Hymes requested that this matter be placed on the April 2 agenda for further discussion because emergency communications between emergency services departments need to be remedied.

The County Administrator reported that he continues to work with the Sheriff's office with regard to the placement of emergency generators. They have visited area fire departments, evaluating each department's demands. Supervisor Hymes reiterated the need to place generators in rural areas and requested that the Clearfork Fire Department be considered.

County Budget Committee, FY13-14:

Supervisor Stacy reported that the County's budget committee held its second meeting today. He said the Budget Committee's objective is address core services for tax-payer dollars.

Recreation Development Authority (RDA):

Supervisor Childress said the next RDA meeting would be held March 14, 2013 at 9:00 a.m. The committee will discuss the ATV trail and the continued development of the Walking Riding Trail.

School Safety –

Monies Requested \$320,276.00

The Board of Supervisors did not take action on a request from the School Board for \$320,276.00 to address school safety/security measures. The School Safety Committee has not met, but a committee meeting will be scheduled soon by the Sheriff. The County Administrator mentioned a VPSA School Bond/ Unclaimed Refunding Savings, in an approximate amount of \$102,000.00 that could be used for capital projects, such as school windows and doors. A SNAP Account for these refunding savings has been set up and opened and can be requisitioned for school capital expenses. The County Administrator said the possible use of these monies for this purpose could be addressed during the school safety meeting.

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

APPOINTMENTS –

Cumberland Mountain Community Services (CMCS)

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 appoints H.S.Caudill, 258 Dial Rock Road, North Tazewell, Virginia 24630 as a member of the Cumberland Mountain Community Services Board, with a term commencing immediately and expiring December 31, 2015 (three (3) year term). This appointment fills the expired term of Rick Chitwood.

Tall Structures Appeals Board

One northwestern district appointment to the Tall Structures Appeals Board was deferred to the next regular meeting.

COUNTY PROJECTS UPDATE

Emergency Texting of Public Notices

The County Administrator will give an update at the April 2, 2013 meeting with regard to emergency texting of public notices. Sam Wolford is looking into options for mass

communications via texting during emergency situations at the courthouse and other county events.

Storm water Re-inspection Fee

The County Administrator, Jim Spencer, reported that the Department of Conservation and Recreation (DCR) will begin assessing and collecting fees for re-inspecting projects involving land-disturbing activities (E & S issues) under the Virginia Stormwater Management Program. The DCR is authorized to assess a \$125 re-inspection fee for each visit to a project site that is necessary to check on the status of a project site noted to need corrective action(s). The state has offered a small grant to help with the implementation of same.

PUBLIC HEARING AUTHORIZED – STORM WATER

Now, 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 authorizes and directs that a public hearing with regard storm water control be held at the April 2, 2013 Board of Supervisors meeting. The County Administrator requested that Kelly Miller, with DCR be invited to attend the public hearing to speak on the storm water control matter.

WELCOME TO TAZEWELL COUNTY SIGNS

The County Administrator stated that the Tourism- Project committee met and addressed the design for the Welcome to Tazewell County signs, as well as the placement and location of same. The County Administrator reported that Sam Wolford is working on three (3) graphic design options for the signs. A recommendation will be made at the April 2, 2013 Board of Supervisors meeting.

MERCHANTS CAPITAL TAX RATE

Supervisor Hymes and Supervisor Absher will meet with town officials as well as several area businesses to discuss possible Merchants Capital rate reductions for job creation incentives.

POCAHONTAS WALKING RIDING TRAIL

Supervisor Childress reported his desire to continue with an April 27, 2013 Ground-breaking ceremony for the Pocahontas Walking Riding Trail. The County Administrator reported that he sent a list of things to do to Hill Studio required by VDOT with regard to finalizing the plans for the ground-breaking ceremony.

MUD BOG – ATV ROAD SIGNS

ATV road signs must be in place prior to the May 3, 4 & 5 Mud-bog events in Pocahontas. The County Administrator suggested that Dave White work with VDOT by sending a letter to them as soon as possible in order for them to get the ATV signs placed. Traffic patrol by local and state law enforcement offices will also need to be coordinated.

EMS CHANGES

The County Administrator has scheduled a meeting on March 14, 2013 with EMS folks to address new EMS regulations forthcoming.

BURNETT STREET PUMP STATION

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 the execution of any and all documents necessary for the Tazewell County Public Authority (PSA) Burnett Street Pump Station- Bond Closing, in the amount of \$350,000.00. A copy of the documents once executed will be attached hereto and incorporated herein by reference thereto.

INTERIM FINANCING FOR THE CLAYPOOL HILL WASTE WATER TREATMENT PLANT

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 Interim Financing for the Claypool Hill Waste Water Treatment Plant (CHWWTP) in the amount of \$750,000.00, contingent upon the Tazewell County Public Service Authority (PSA) setting and holding the public hearings for the purposes of implementing the rate increase required by VRA for the financing for the CHWWTP Project.

NATURAL GAS STUDY –

\$50,000.00 IDA TO PSA

NATURAL GAS PROJECT – STUDY (SOUTHERN & NORTHERN DISTRICTS)

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby requests the Industrial Development Authority (IDA) to allocate the amount of \$50,000 to the PSA, to use for the Natural Gas Project to study natural gas in the Southern & Northern districts. These are the monies from the County Administration Building tax credits set aside for the Western District gas study that are no longer needed.

LANDFILL EQUIPMENT BIDS

Finn- Hydro seeder

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 a bid for a Finn-Hydro Seeder for the Tazewell County Landfill in the amount of \$50,924.00, to the lowest responsive bidder, James River Equipment, Salem, VA. The County Administrator is hereby authorized, empowered and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Dump Trailer

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 approves a bid for a Dump Trailer for the Tazewell County Landfill in the amount of \$39,807.00 to the lowest responsive bidder, Martins Peterbuilt, Pikeville, KY. The County Administrator is hereby authorized, empowered and directed to issue said warrant in accordance this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

NORTHERN DISTRICT FUNDS

\$1,250.00 TO THE TOWN OF POCAHONTAS, VIRGINIA

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 \$1,250.00 from the Northern District Fund, payable to the Town of Pocahontas, Virginia PO Box 128, Pocahontas, VA 24635 Attn: Mayor Ben Gibson and Councilman Jerry Gravely. This money will be used for moving dead wood and cleaning and cutting the Pocahontas Cemetery for the Annual Coal Heritage Ceremony. 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.

\$100.00 TO THE TOWN OF POCAHONTAS, VIRGINIA – EGG HUNT FOR CHILDREN

Upon motion of Supervisor Childress 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 \$100.00 to the Town of Pocahontas, Virginia PO Box 128, Pocahontas, Virginia 24635 Attn: Ben Gibson. This money will be used for the Annual Children's Egg Hunt. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

BLUEFIELD STATE - RESEARCH AND DEVELOPMENT FOUNDATION - HISTORIC POCAHONTAS MONIES \$10,500.00

Upon motion of Supervisor Childress, seconded by Supervisor Absher and adopted by a vote of 5 to 0, and 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 \$10,500.00 allocated in the Historic Pocahontas Account, be donated to the Bluefield State College Research and Development Foundation, 219 Rock Street, Bluefield, WV. These funds are to be used solely for the operation of properties belonging to Historic Pocahontas located in Tazewell County. The Bluefield State – Research and Development Foundation is a 501C3 Organization. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this

action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

FALLS MILLS FISHING CLUB

\$250.00 FROM EASTERN DISTRICT FUND

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 amount of \$250.00 from the Eastern District Fund, payable to the Falls Mills Fish Club, PO Box 74, Falls Mills, VA 24613 attn: David S. Lewis, President. The County Administrator is hereby authorized, empowered and directed to issue said warrant in accordance with this matter and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

TAZEWELL COUNTY SHERIFF'S OFFICE –

\$10,000.00 (\$2,500 FROM EASTERN, WESTERN, SOUTHERN AND NORTHWESTERN)

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 the amount of \$10,000.00 from the following district funds, transferred to the Tazewell County Sheriff's Office to purchase new AR 15's (semi-automatic weapons & and equipment), to be used by Resource Officers and other departments as may be needed. The County Administrator is hereby authorized and directed to transfer these funds in accordance with this action to the Police Supplies Category in the Sheriff's Budget.

\$2,500.00 – Northwestern district

\$2,500.00 – Eastern district

\$2,500.00 – Western district

\$2,500.00 – Southern district

\$10,000.00 Total

RICHLANDS HIGH SCHOOL DECA

\$2,000.00 (\$1,000 FROM NORTHWESTERN & \$1,000 FROM WESTERN)

Upon motion of Supervisor White seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,000.00 (\$1,000 Northwestern & \$1,000 Western) payable to Richlands High School DECA, attn: Paula Bandy (970-3882). These funds will be used for a State DECA event. 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.

FOUR SEASONS YMCA – \$500.00 FROM SOUTHERN DISTRICT FUNDS

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present 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 Recreation fund, payable to the Four Seasons YMCA, attn: Bill Bunch, 106 Gratton Road, Tazewell, Virginia 24651 to be used for fencing of the community garden at the YMCA. 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.

COUNTY EMPLOYEE DRUG TESTING

Supervisor Hymes requested that the County Personnel Committee meet to address a proposal for pre-employment drug testing as well as random drug testing for all county employees. If approved, this would take place after July 1, 2013. A report on this matter will be forthcoming.

FIRE HYDRANT FOR POCAHONTAS, VA

\$1,500.00 FROM WESTERN DISTRICT FUNDS

Upon motion of Supervisor Absher, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same,

the Tazewell County Board of Supervisors hereby approves the amount of \$1,500.00 from the Western District Fund to be used to pay the PSA for the placement of a fire hydrant in Pocahontas, Virginia. This will assist in the town's water loss. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

**BLUEFIELD VIRGINIA AMBULANCE GRANT
COUNTY TO MATCH GRANT**

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 that the County Budget Committee include in the FY2013-2014 budget, monies to match an 80/20 grant for the Town of Bluefield Virginia Rescue Squad to purchase a new ambulance.

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 Virginia Code, Section 2.2-3711:

- A-29 Contract Negotiations – potential loan/grant to the Town of Pocahontas Virginia
- A-7 Legal Consultation regarding the landfill gas project

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 and hereby certifies same by resolution, with Supervisor White reading same:

**CERTIFICATION
OF EXECUTIVE/CLOSED MEETING**

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

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

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

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

Nays: None

Absent: None

Absent during vote: None

**REPORT OF ACTION AS A RESULT OF THE EXECUTIVE/CLOSED SESSION
TOWN OF POCAHONTAS - REPAYABLE GRANT**

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 authorizes and directs the County Administrator and County Attorney to negotiate a repayable grant to the Town of Pocahontas, Virginia, in an amount not to exceed \$22, 000.00 for a project to improve the Town's water system.

ADJOURN

Now, there being no further business to be transacted and upon motion of Supervisor Childress, 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 adjourns this meeting. The next meeting is scheduled for April 2, 2013 at 6:00 p.m.

John M. Absher, Chairman

By: RG

Recess time: 10:50 p.m.