

**VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL
COUNTY BOARD OF SUPERVISORS HELD MARCH 6, 2012 AT 6:00
P.M. IN THE TAZEWELL COUNTY ADMINISTRATION BUILDING,
108 EAST MAIN STREET, TAZEWELL, VIRGINIA 24651.**

**PRESENT: D. MICHAEL HYMES, CHAIRMAN
JOHN M. ABSHER, VICE CHAIRMAN
SETH R. WHITE, MEMBER
DR. TOM BREWSTER, MEMBER
CHARLES A. STACY, MEMBER
JAMES H. SPENCER, III. COUNTY ADMINISTRATOR
C. ERIC YOUNG, COUNTY ATTORNEY
PATRICIA GREEN, ASSISTANT COUNTY ADMINISTRATOR
RUTH GROSECLOSE, ADMINISTRATIVE ASSISTANT
MEMBERS OF THE PRESS, PRESS; JIM TALBERT, CLINCH VALLEY
NEWS/RICHLANDS NEWS PRESS; KATE COIL, BLUEFIELD DAILY
TELEGRAPH**

ABSENT: NONE

The Chairman, D. Michael Hymes called the meeting to order and presided with all members present. He then welcomed those present. Supervisor White gave the invocation with Supervisor Stacy leading those present in the Pledge of Allegiance to the US Flag.

AGENDA APPROVED AS AMENDED

Upon motion of Supervisor Stacy, seconded by Supervisor Brewster and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the agenda format as hereby amended. Amendments included a resolution regarding the Bluefield Virginia Rescue Squad and a resolution pertaining to EPA regulations.

BLUEFIELD VIRGINIA RESCUE SQUAD

Upon motion of Supervisor Stacy, seconded by Supervisor Brewster 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 resolve to contribute up to \$7,500.00 to Bluefield Rescue Squad from Eastern District funds to offset shortfalls they may have in their payroll over the next sixty (60) days under the following conditions:

(1) The Bluefield Town Council Resolves to match funds contributed by the County pursuant to this resolution over the same time period.

(2) The Squad fully discloses to County and Town all financial records they may have to verify the amount of any such shortfalls. This shall include but not be limited to accounts receivable, accounts payable, employee wages and hours and any other financial records County staff may find pertinent.

(3) The Squad fully discloses to County and Town all staffing records, manpower allocation records, standard operating procedures, and other records pertinent to the allocation of human resources and financing.

(4) The Squad prepares a short term and long term operational and financial plan and submits it to the County Administrator and Town Manager by the end of the sixty day period.

(5) The County Administrator and Town Manager explore alternative means of providing EMS services to the residents of the Town and the Eastern District and report to the Board their findings within sixty days.

(6) Should Squad fail to provide adequate staffing during the sixty day period Squad agrees that other qualified personnel, designated by the County Administrator and Town Manager, shall be allowed supplement staffing the Squad including operating Squad equipment and occupying the Squad facility.

COUNTY AUDIT PRESENTATION 2011

DEANNA COX – ROBINSON, FARMER & COX

Deanna Cox, Robinson, Farmer & Cox, presented the Audit for the Year Ending June 30, 2011 which was conducted in accordance with auditing standards generally accepted in the United States of America. Ms. Cox said during the audit, certain matters involving the internal

control structure and other operational matters were presented as a recommendation to improve the internal control structure, i.e. Social Services, ending balances on EBT Card Use did not reconcile to the beginning balances on the subsequent month's report. The Department has subsequently begun reconciling actual inventory counts to the correctly calculated totals. Social Services, CSA – two instances of payments to CSA clients exceeded the approved amounts and noted numerous vendors that did not appear in the CSA Service Fee Directory. School Board – Federal Program Reimbursement Requests – instances where found were reimbursements were not filed timely and a recommendation was made to the School Board that reimbursement requests for federal programs be made at a minimum on a quarterly basis.

As of June 30, 2011 the Ending General Fund Balance was \$7,849,173 and the Ending General Fund Cash Balance was \$4,191,898. The total County operating expenditures (including debt) totaled \$45,760,488. The School Board operating expenditures totaled \$57,188,725.00 (transfer to School Board shown in County expenditures \$11,673,844). Net government operating expenditures totaled \$91,275,369.00. Ms Robinson said the County was in an acceptable range for Debt per Capital in comparison with State Average. She also highlighted the Property Tax Assessment Values by Fiscal Years 2001 to 2011.

Ms. Robinson said the Auditors encountered no significant difficulties in dealing with management in performing and completing the county audit.

EXECUTIVE/CLOSED SESSION

Upon motion of Supervisor Brewster, 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 enters into an executive/closed session, pursuant to Virginia Code Section 2.2-3711:

- A (1) Personnel – involving Board of Equalization appointments
- A (7) Legal matter – involving legal consultation regarding potential litigation of coal severance tax
- A (6) Investment of public funds where competition or bargaining is involved, relating to a fire services contract in the Northern District
- A (5) Discussion of a new business or industry for the Bluestone - DB.
- A(5) Discussion of potential expansion of an existing business- PB

CERTIFICATION OF EXECUTIVE/CLOSED SESSION

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

**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 Brewster, Stacy, Absher, White and Hymes
Nays: None
Absent: None
Absent during vote: None

REPORT OF ACTION – EXECUTIVE/CLOSED SESSION

POCAHONTAS FIRE DEPARTMENT

- EXTENSION OF BOUNDARIES

Upon motion of Supervisor Brewster, 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 resolution extending the boundaries of the Town of Pocahontas Fire Department beyond the town limits of Pocahontas, Virginia 24651 subject to approval of the fire service contract with the Town of Pocahontas by

the County, and hereby authorizes and directs the County Administrator to negotiate same with the Town of Pocahontas, Virginia.

EQUALIZATION BOARD –

ALTERNATE NO. 1 & 2

PAYMENT TO MEMBERS AUTHORIZED

Upon motion of Supervisor Absher, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Bill Gillespie, 191 Clinch Mountain Road, Tazewell, Virginia 24651 as Alternate No. 1 to the Tazewell County Board of Equalization and Travis Hackworth, PO Box 1129, Cedar Bluff, VA 24609 as Alternate No. 2 to the Tazewell County Board of Equalization. And, further hereby sets a rate of pay for the Tazewell County Equalization Board for FY2012-13 at \$100.00 for each day they meet, as well as reimbursing mileage expenses at a rate of \$.555 cents per mile. Said funds for these payments are budgeted in Account No. 91050-7025 – Reassessment.

TOBACCO COMMISSION GRANT AGREEMENT FOR PROJECT PB

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 recommends to the Tazewell County Industrial Development Authority (IDA) that they approve the Tobacco Commission Grant agreement for Project P.B. contingent upon P.B. providing security adequate to the Tazewell County Industrial Development Authority (IDA).

COAL SEVERANCE TAX ORDINANCE – PUBLIC HEARING AUTHORIZED FOR AMENDMENT

Upon motion of Supervisor Stacy, 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 authorize the advertisement of a public hearing at its April 3, 2012 meeting, to consider the enactment of a remedial amendment to the Tazewell County Coal and Gas Severance Tax Ordinance, and hereby further authorizes and directs the County Attorney to draft an ordinance to comply with the provisions of House Bill 1233, as amended, upon its enactment.

TODD CHRISTENSEN, EXECUTIVE DIRECTOR, JACKIE STUMP AND JACK HINSELWOOD --

UPDATE ON HEARTWOOD INITIATIVES

Todd Christensen, Executive Director, SWVA Cultural Heritage Foundation gave an update on the Heartwood, the Crooked Road, Virginia's Heritage Music Trail and the 'Round the Mountain. The work of the SWVA Cultural Heritage Foundation, its partners and localities in surrounding areas has created a robust marketing campaign branding the entire region as a unique cultural destination and has generated considerable interest across the country and world. Articles on Southwest Virginia's Artisan Network have run in some of the largest American newspapers including the New York Times, The Washington Post and the San Francisco Chronicle. The USA Today recently named Heartwood among the top 10 places in the US to shop for crafts. Jack Hinselwood, Executive Director, The Crooked Road, spoke of the musical venues in the County and reported that the Southern Living magazine recently had an article on Virginia's Crooked Road Music Trail and Welt ONLINE – a German Newspaper recently did an article on the Crooked Road. He said the Crooked Road is getting a lot of attention. Mr. Hinselwood also presented the Board with a list of Tazewell County Artisans who showcase their talent at the Heartwood. He commended the many county musicians who have performed there, Jeff & Tony Brown Band, Backporch Pickers, Quay White & Band, Tower Street String Band, Ron Mullenex as well as Bluestone.

With regard to other County attractions, the County Administrator said that Author Scott from Pocahontas recently gave him a copy of USA Today that included an article on the proposed ATV Trail in Pocahontas.

David Hess, North Tazewell, did not appear as scheduled to discuss a proposed Peddlers Ordinance for Tazewell County.

**SECOND CHANCE ROCKS THE TWO (2) VIRGINIAS CONCERT – JUNE 29, 2012
MITCHELL STADIUM - \$5,000.00 APPROVED**

Following a request from Erik Robinson, Executive Director, Second Chance Learning Center and upon motion of Supervisor Absher, seconded by Supervisor Brewster 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 as set forth below payable to the Second Chance Rocks the Two (2) Virginias – 14 Westwood Medical Park, Bluefield, VA 24605. The County Administrator is hereby authorized and directed to issue said warrant in the amount of \$5,000.00 in accordance with this action and which said warrant will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

- \$1,250.00 Western District
 - \$1,250.00 Southern District
 - \$1,250.00 Northern District
 - \$1,250.00 Northwestern District
- \$5,000.00 Total

Supervisor Stacy suggested the County Attorney determine if the sponsorship package that includes VIP tickets and other perks be given to some other group or agency in the county that would benefit from the party-pass incentives.

Supervisor Brewster spoke of the many economic impacts the event gives Tazewell County.

CHAMPION STREET – PUBLIC HEARING

The Chairman called to order a public hearing that was duly advertised according to law entitled “ A PUBLIC HEARING TO CONSIDER ACCEPTING CHAMPION STREET INTO THE COUNTY’S ORPHAN ROAD SYSTEM.” Champion Street is located off of Claypool Hill Mall Road, on the West side of U.S. Highway Route Numbers 19 and 460, at or near Claypool Hill, Tazewell County, Virginia. The affected owners of adjoining property are HEICO Pty, LLC, H. Paul Buskell & Associates, Donald L. Case, Darlene Case, Donna Case Burnette, Anthony W. Endicott, and Connie J. Jamison. The road serves six structures and extends a distance of approximately Nine Hundred Forty Feet.

Now, the Chairman called for public comments from the floor with regard to the subject public hearing and there being none he declared the public hearing closed.

Supervisor White stated that he has spoken to several property owners of Champion Street who have potential concerns with the proposed public hearing. The County Attorney, Eric Young stated that he also spoke with representatives of HEICO Pty. LLC (Heintsman) who owns

property on both sides of Champion Street and often crosses the road with heavy equipment. Heintsman feels the acceptance of the road into the county's system might have an adverse effect on his business. The County Attorney further stated that the County Engineer plans to meet with the property owners and discuss the placement of potential signage or other alternatives to lessen their concerns. Therefore, the Board of Supervisors deferred this matter to the April 3, 2012 regular meeting.

WVVA – TV

WCYB - NON DUPLICATION LETTER

The Chairman welcomed Time Warner Cable, General Manager, C.K. Allen.

Supervisor White questioned the status or any advancement to restore NBC affiliate WCYB of Bristol to local airways. Supervisor Hymes and White both expressed dismay with WVVA's coverage of events in Tazewell County, especially in the central and western portions and reiterated the need for a switching system to allow customers to view WCYB at certain times. Mr. Allen said a switch would only broadcast the local news and there would not be any programming coverage. With regard to weather warnings, Mr. Allen said the Weather Channel does an excellent job of placing warnings with regard to storms, and other bad weather in the County. Mr. Allen suggested that Board of Supervisors contact federal legislators and request a change in laws concerning broadcast programming. He said Congress is currently proposing a bill to eliminate cable television that gives stations significantly viewed status. Supervisor Hymes said he did not think the bill would pass and voiced disappointment that the Board of Supervisors have not received a response from WCYB asking that they obtain a study of its viewing status in the County. Supervisor White suggested WCYB be broadcast on the Richlands – public access channel. Mr. Allen stated Federal law prohibits commercial programming on public access channels.

Now, upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 4 to 1, with Supervisor Stacy voting nay, the Tazewell County Board of Supervisors hereby authorizes and directs the County Attorney to draft a letter to WVVA TV asking they withdraw the WCYB non-duplication letter and once again ask Time Warner Cable, to restore NBC affiliate WCYB of Bristol to local airways.

PUBLIC HEARING

AN ORDINANCE TO PERMIT TRAVEL BY ALL TERRAIN VEHICLES ON CERTAIN STATE ROUTES IN TAZEWELL COUNTY

The Chairman, D. Michael Hymes called to order a public hearing that had been duly advertised according to law, to hear concerns regarding the County's intent to adopt "AN ORDINANCE TO PERMIT THE OPERATION OF ALL TERRAIN VEHICLES (ATV'S) BETWEEN ATV OFF-ROAD TRAILS ON CERTAIN PORTIONS OF STATE ROUTES 644,663,659,627, 734 AND 747 IN THE POCAHONTAS AND BOISSEVAIN AREAS OF TAZEWELL COUNTY, ON SUCH COURSES AS SHALL BE APPROVED BY THE TAZEWELL COUNTY RDA AND SUBJECT TO CERTAIN CONDITIONS AND LIMITATIONS IMPOSED BY THE CODE OF VIRGINIA." A copy of the proposed ordinance is on file in the office of the County Administrator and posted at the front door of the County Courthouse, Tazewell, Virginia.

The Chairman then called for public comments from the floor with regard to the subject public hearing.

Arthur Scott, Water Street, Pocahontas, Virginia 24635 thanked the County Administrator and Supervisor Tom Brewster for attending the last Pocahontas Council Meeting. He said he read the ordinance and was in favor of it. He further said the ordinance was a great idea and Pocahontas needed the ordinance for development and growth.

Supervisor Brewster suggested the proposed ordinance be forwarded to SRRA and the Spearhead Trail seeking their input on the ordinance and to see if the ordinance fell in line with their by-laws, etc. as well as obtaining feedback on the age of use.

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

No action was taken at this time and deferred to the April 3, 2012 regular meeting.

REDISTRICTING ORDINANCE – PUBLIC HEARING

The Chairman, D. Michael Hymes called to order a public hearing which was duly advertised according to law entitled "AN ORDINANCE TO REPEAL PORTIONS OF AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF VOTING PRECINCTS AND TO RELOCATE CERTAIN POLLING PLACES WITHIN TAZEWELL COUNTY,

VIRGINIA, TO BE EFFECTIVE JULY 1, 2012, which was adopted by the Board on December 6, 2011, PURSUANT TO VIRGINIA CODE SECTIONS 15.2-1211, 15.2-1425 AND SECTION 24.2-304.1, *ET SEQ.*, (1950), AS AMENDED”.

The Proposed Ordinance will repeal portions only of the December 6, 2011 Ordinance by rescinding the consolidation of the Gap Store Precinct and Adria Precincts into a precinct therein established and named Baptist Valley East, eliminating the polling place for Adria Precinct, and renaming the former Baptists Valley Precinct “Baptist Valley West”. The proposed Ordinance also shall establish Dailey’s Chapel’s Fellowship Annex addressed 6073 Baptist Valley Road, North Tazewell, Virginia as the new polling place for the Gap Store Precinct. Therefore as proposed the new ordinance would reestablish the Adria and Gap store precincts; move the polling place for Gap Store Precinct to Dailey’s Chapel Fellowship Annex at 6073 Baptist Valley Road, North Tazewell, Virginia; restore L&G Auction House addressed 2281 Adria Road, North Tazewell, Virginia as the polling place for the Adria Precinct and rename “Baptist Valley West” Precinct, simply “Baptist Valley”. A copy of the complete ordinance as hereby proposed for adoption including the maps outlining the proposed precinct boundary lines within Tazewell County is on file in the office of the County Administrator at the above address, and a copy of the ordinance is posted beside the Circuit Court Clerk’s Office on the second floor of the Tazewell County Courthouse on Main Street in Tazewell, Virginia.

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

Mrs. Sandra Warden, Tazewell, Virginia, as a citizen as well as a member of the Precinct Advisory Committee and previous member of the Electoral Board, spoke in support of the ordinance, stating she hoped it passed. Mrs. Warden agreed with reestablishing of the Adria and Gap Store Precincts, moving the polling place for Gap Store Precinct to Dailey’s Chapel Fellowship Annex, restoring L& G Auction House as the polling place for the Adria Precinct and renaming “Baptist Valley West” Precinct, simply “Baptist Valley.” She said the County needed to do everything possible to maximize voter turn-out in the upcoming presidential election.

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

The Board deferred consideration of adopting the ordinance to the April 3, 2012 regular meeting to give the new Precinct Advisory Committee time to obtain ADA costs and to see if owners of the facilities agree with the changes to their buildings.

MOORE MOUNTAIN ROAD – INCLUSION IN COUNTY’S ROAD SYSTEM
PUBLIC HEARING

The Chairman called to order a public hearing which had been duly advertised according to law entitled, a public hearing to hear concerns regarding the proposed acceptance of “Moore Mountain Road into the County’s Orphan Road System”. Moore Mountain Road is off Cochran Hollow Road, near Maxwell in Jeffersonville Magisterial District, Tazewell County, Virginia. The affected owners of adjoining property are Michael H. Absher and Debbie Absher, Barry R. Cochran, Mark H. Cochran and Thelma Cochran, Jerry A. Hoops and Vickie Hoops, Lucinda Kitts and Bernard Kitts, Gary S. Moore and Debbie Moore, Noah Moore, and James E. Sparks and Alice Sparks. The road serves eight homes and extends a distance of approximately One Thousand Nine Hundred Eleven Feet.”

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

Then, upon motion of Supervisor Brewster, seconded by Supervisor Absher 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 adopts the following resolution:

WHEREAS, the Board desires to further develop the County's Economy and in all ways otherwise enhance the standard of living for its residents; and

WHEREAS, the Board believes a transportation infrastructure is the foundation of our economy; and

WHEREAS, the Tazewell County Planning Commission has recommended acceptance of Moore Mountain Road into the County Road system;

NOW, THEREFORE BE IT RESOLVED, that the Tazewell County Board of Supervisors hereby accepts *Moore Mountain Road*, intersecting with Cochran Hollow Road, near Maxwell, in Jeffersonville Magisterial District, Tazewell County, Virginia, to extend a distance of approximately One Thousand, Nine Hundred Eleven Feet from said intersection, as bounded by the properties of Absher, Cochran, Hoops, Kitts, Moore, and Sparks, along the course as shown on the attached map.

It is further resolved that the Board's acceptance is conditioned upon approval of the right of way by the County Attorney and all other qualifications set forth in the County's Orphan Road Ordinance. IT IS SO RESOLVED this 6th day of March, 2012.

CONSENT CALENDAR APPROVED

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

WARRANTS APPROVED AS PAID

January 2012/February 2012

Payroll

Ordered that Warrant Nos. 135410 through 135494 and direct deposits totaling \$207,597.36 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending January 31, 2012, be approved.

Ordered that Warrant Nos. 135496 through 135574 and direct deposits totaling \$217,294.66 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending February 15, 2012 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 455511 through 455690, for \$343,303.85 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 2012, be approved.

Ordered that Warrant Nos. 455692 through 455706, for 147,704.56 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending January 31, 2012, be approved.

Ordered that Warrant Nos. 455708 through 455855, for \$374,751.87 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 2012, be approved.

Ordered that Warrant Nos. 455857 through 455870 for \$146,424.46 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending February 2012, be approved.

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Ordered that Warrant Nos. 801666 through 801668 for \$286,091.90 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of January 2012, be approved.

- Approved coyote claims in the amount of \$3,350.00 (67 coyotes)
 - \$50.00 to Archie K. French, 207 Salina Road, North Tazewell, Virginia 24630 for 1 coyote killed with a snare January 17, 2012
 - \$50.00 to Robert Peery, 463 Millstone Road, Bluefield, Virginia 24605 for 1 coyote killed with a snare January 24, 2012 with a snare
 - \$150.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651 for 3 coyotes killed with a snare
 - \$50.00 to Patricia Hicks, PO Box 414, North Tazewell, Virginia 24630 for 1 coyote killed January 6, 2012 with a rifle
 - \$50.00 to Debra Lockhart, Rt. 3 Box 3350 – 3498 Daw Road, Cedar Bluff, VA 24609 for 1 coyote killed February 4, 2012 with a snare
 - \$150.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 3 coyotes killed January 31, 2012 with a snare
 - \$150.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 3 coyotes killed January 26, 2012 with a snare
 - \$200.00 to Alfred Webb, 244 Beechwood Lane Tazewell, Virginia 24651 for 4 coyotes killed February 1, 2012 with a snare
 - \$50.00 to Alfred Webb, 244 Beechwood Lane Tazewell, Virginia 24651 for 1 coyote killed January 23, 2012 with a snare
 - \$50.00 to Ricky Sheets, 154 Dial Rock Road, North Tazewell, Virginia 24630 for 1 coyote killed January 18, 2012 with a snare
 - \$100.00 to Ricky Sheets, 165 Dial Rock Road, North Tazewell, Virginia 24630 for 2 coyotes killed January 6-7, 2012 with a snare

- \$50.00 to Ronnie Shrader, 287 Mundy Town Road, North Tazewell, Virginia 24630 for 1 coyote killed on January 16, 2012 with a trap
- \$50.00 to Glenda Sue Honaker, 520 Grace Street, Pounding Mill, Virginia 24637 for 1 coyote killed on February 7, 2012 with a rifle
- \$200.00 to Jessie Asbury, 4025 Hogback Road, Tazewell, Virginia 24651 for 4 coyotes killed February 4, 2012 with a snare
- \$150.00 to Bill Crabtree, 2208 Clearfork Road, Tazewell, Virginia 24651 for 3 coyotes killed January 24, 2012 with a snare
- \$100.00 to Bill Crabtree, 2208 Clearfork Road, Tazewell, Virginia 24651 for 2 coyotes killed February 15, 2012 with a snare
- \$50.00 to Harris Heath, 135 Quarterhorse, Tazewell, Virginia 24651 for 1 coyote killed February 8, 2012 with a snare
- \$150.00 to Ralph Boothe, 495 Dryfork Road, Tazewell, Virginia 24651 for 3 coyotes killed February 13-15, 2012 with a snare
- \$300.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651 for 6 coyotes killed February 14-15, 2012 with a snare
- \$50.00 to William Bandy, 231 Gillespie Road, Pounding Mill, Virginia 24637 for 1 coyote killed on November 28, 2011 with a snare
- \$50.00 to Travis Bandy, 231 Gillespie Road, Pounding Mill, Virginia 24637 for 1 coyote killed on January 17, 2012 with a snare
- \$50.00 to William Bandy, 231 Gillespie Road, Pounding Mill, Virginia 24637 for 1 coyote killed on February 15, 2012 with a trap
- \$100.00 to Alfred Webb, 244 Beechwood Lane, Tazewell, Virginia 24651 for 2 coyotes killed February 15, 2012 with a snare
- \$100.00 to Jessie Asbury, 4025 Hogback Road, Tazewell, Virginia 24651 for 2 coyotes killed February 14, 2012 with a snare
- \$100.00 to Norm Mullins, PO Box 1703 Cedar Bluff, Virginia 24609 for 2 coyotes killed February 6, 2012 with a trap
- \$300.00 to Lonnie Yates, 179 Mallard Way, North Tazewell, Virginia 24630 for 6 coyotes killed January 20, 2012 with a snare

- \$100.00 to Lonnie Yates, 179 Mallard Way, North Tazewell, Virginia 24630 for 2 coyotes killed February 15, 2012 with a snare
- \$250.00 to Lonnie Yates, 179 Mallard Way, North Tazewell, Virginia 24630 for 5 coyotes killed January 20, 2012
- \$50.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 for 1 coyote killed February 16, 2012 with a snare
- \$50.00 to William Bandy, 231 Gillespie Road, Pounding Mill, Virginia 24637 for 1 coyote killed February 16, 2012 with a snare
- \$50.00 to William Bandy, 231 Gillespie Road, Pounding Mill, Virginia 24637 for 1 coyote killed on February 14, 2012 with a snare
- Approved Abatement – payment of \$17,206.00 to Raleigh Mine & Industrial Supply, DS Parts Company, PO Box 72, Mt. Hope, WV 25880 (overpayment to Tazewell County for 2010 taxes)
- Tourism Account
 - Transferred the amount of \$10,000.00 from Account No. 91050-7041 to Account No. 12060-3600 – Tourism Advertising
- Ratified \$2,500.00 paid to the Horizon Foundation (\$1,000.00 Western, \$500.00 Northwestern, \$250.00 Northern, \$250.00 Eastern and \$500.00 Southern)
- Declared as surplus property a 2003 Dodge Intrepid, last VIN. No. 6097 and donate same to the Town of Tazewell, Virginia
- ¹Northwestern District funds – approved \$280.00 payable to the Tazewell County Recreational Development Authority for surveying Raven Theater /Coal Museum property
- Northern District funds – ratified \$700.00 paid to the Town of Pocahontas for purchase of paint
- Southern District Funds - \$1,000.00 payable to Tazewell Wrestling Club

EMPLOYEE HEALTH INSURANCE

Upon motion of Supervisor Absher, seconded by Supervisor Brewster 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 Tazewell County Hospitalization rates for

¹ This item will be placed on the April 3, 2012 TCBOA Agenda: “Ratify/transfer payment of \$280 to Alpha Land Surveyor for Raven Theater/Coal Museum property.”

FY2012-13 as well as approving Advantage 65 Medicare supplement rate and the continued coverage for survivors of deceased employees until the end of the month following the employee's death:

<i>Type of Coverage</i>	<i>Total Monthly Premium</i>	<i>Employee's Monthly Share</i>	<i>Employer's Monthly Share</i>
Single	\$627.00	\$62.70	\$564.30
Subscriber/Dependent	\$1,160.00	\$222.60	\$937.40
Family	\$1,693.00	\$382.50	\$1,310.50

Note: Based on 90% employer share for single, and 70% employer share for the difference in dual and family

BOS LIAISONS REPORT

Planning Commission- John Absher: Supervisor Absher reported the Planning Commission recommended the Board of Supervisors consider hiring a full-time assessor to perform reassessments on a yearly basis for Tazewell County. Supervisor Absher stated that after speaking with the Commissioner of Revenue and other County staff, the County did a study several years ago with regard to hiring a full-time assessor. It was determined that the costs would be extreme and the county would not be able to meet the expenses of a full-time property assessor.

Industrial Development Authority – Seth White: Supervisor White reported there are several detailed type things going on with the Bluestone Project and as soon as more definite information is received he will update the Board accordingly.

Cumberland Plateau Planning District - Seth White: Supervisor White reported that there are a lot of exciting things happening with the Cumberland Plateau Planning District, such as the increase in Broadband coverage, 4-G Network in rural areas. It said it would be great way to market the Bluestone. He mentioned the low interest revolving loan fund which is a great way to expand and create economic development in our area.

Emergency Services Committee – Charlie Stacy: Supervisor Stacy reported a lack of a quorum for the last few meetings. He mentioned the recent snow storms and the confidence he had in the County's Emergency Services team, Jim Spencer and Dave White. He said he was proud of the way they took the lead, opening emergency shelters and performing other emergency operations to keep the public safe.

FIRE TRUCK BID – CLEARFORK

The Assistant County Administrator, Patricia Green reported bids were solicited and opened for a pumper-freightliner tanker (fire truck) for the Clearfork Fire Department. The lowest bid came in at \$163,750.00. This matter will be addressed at the next ESC meeting and a recommendation made to the Board of Supervisors accordingly.

RECREATION DEVELOPMENT AUTHORITY

Supervisor Brewster said the next RDA meeting is scheduled for March 21, 2012 at 3:00 p.m. and will give an update at the April 3, 2012 meeting.

BUDGET COMMITTEE FY2012-13

Supervisor Brewster reported that the budget committee met briefly today and reviewed funding for several organizations. The County is waiting for numbers from the state and plan to have another meeting in a few weeks. There are potential reductions in the school budget on the state & federal level, such as title & special education, and if approved localities will be requested to make up the difference.

CITIZEN COMMENTS UNSCHEDULED

Sandra Warden, Tazewell, Virginia questioned whether the County had a plan in place for designated shelters during emergency situations. She mentioned the recent storms and tornado warnings for Tazewell County. The County Administrator said the County is responsible and fully committed for maintaining an emergency operations plan. He said shelters were set up at the 945 Rescue Building and the Bluefield Rescue Squad during the recent snow storm that caused power outages to hundreds of county residents. Mrs. Warden suggested the County advertise the emergency plan to make citizens aware of the plan in case of disasters or large-scale emergency situations.

RECESS – FIVE (5) MINUTES

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

APPOINTMENTS

Emergency Services Committee

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 appoints James Price, 7888 Burkes Garden Road, Tazewell, Virginia 24641 as a member of the Tazewell County Emergency Services Committee, with a term effective immediately and expiring June 30, 2014. This appointment replaces Mr. Fred Lawless who resigned.

Tourism and Recreation Committee

One appointment to the Tazewell County Tourism and Recreation was deferred to the April 3, 2012 meeting.

Library Board of Trustees

One appointment to the Tazewell County Library Board of Trustees was deferred to the April 3, 2012 meeting.

Transportation Safety Commission

One appointment to the Transportation Safety Committee was deferred to the April 3, 2012 meeting. The County Attorney was requested to determine if the committee was set by state or county guidelines.

2012 CDBG PLANNING GRANTS- AMONATE & JEWELL RIDGE

Upon motion of Supervisor Brewster, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to notify the Department of Housing and Community Development of the County's selection of the Amonate Housing Rehabilitation Project as the priority project for the 2012 CDBG Planning/Housing Grant. The Board of Supervisors selected Amonate because of its immediate need to deal with blighted areas. The Board of Supervisors concurred with Dave White, Emergency Services Coordinator that the Jewell Ridge Community was dealing with defacement rather than blight and the Board would revisit the Jewell Ridge Community and move to the Jewell Ridge area after an appropriate amount of progress has been made to the Amonate area.

RESOLUTION TO EQUALIZE APPROPRIATIONS OF
DISTRICT FUNDS THROUGHOUT THE FISCAL YEAR

Upon motion of Supervisor Brewster and 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 adopts the following resolution:

**RESOLUTION TO EQUALIZE APPROPRIATIONS OF DISTRICT FUNDS
THROUGHOUT THE FISCAL YEAR**

WHEREAS the Board currently has no provisions in place regarding the time or manner of appropriations from each Board member's District Fund allotment;

WHEREAS the Board wishes to judiciously utilize and appropriate funds from each Board member's District Fund allotment;

WHEREAS the Board finds it prudent to prohibit members of the Board from spending the majority or entirety of the members' District Fund allotment within a brief period of time;

NOW THEREFORE, BE IT RESOLVED,

That, effective July 1, 2012, during any election year, no more than 80% of any Board member's allotment of District Funds for that fiscal year shall be disbursed between July 1st and December 31st.

2012 JOB EXPO

The County Administrator reported the Job Expo in Bluefield sponsored by the County was a huge success. Approximately 150 people visited the 2 -day Expo with a huge number of companies there recruiting folks. He said county staff did an excellent job helping with the event and commended them accordingly. Another Job Expo will be held at the Richlands Middle School, March 9-10 and is expected to be as successful.

VIRGINIA ENTERPRISE ZONES & TOURISM ZONES

The County Administrator presented maps and information on the proposed tourism zones in the Southern, Northern and Northwestern Districts as well as showing maps on proposed changes to the Enterprise Zones in the Bluefield, Tazewell, Claypool Hill, Cedar Bluff /Richlands areas. The Board agreed to study the maps and give their recommendations to the County Administrator with the recommendations evaluated in April and a public hearing scheduled for the May 1 meeting.

RECYCLING

The County Administrator presented a slide show on a Recycling Program implemented in Raleigh County, WV schools. Roll-off bins are installed at each school and bins placed in each classroom. Paper, cardboard, newspaper, aluminum and other recyclables are collected and taken to a recycling center where the recycled material is used for various novelties as well as furniture and sold. The recycling program is a huge success and thousands of children and adults are involved and influenced by the recycling program there.

The County Administrator and Supervisor White will visit Tazewell County Schools this week and recycling bins will be set in various schools in the Northwestern & Western District to hopefully begin a full-scale recycling program in all Tazewell County Schools.

INUNDATION MAPPING – FLOOD CONTROL (CAVITTS CREEK DAM)

It was a consensus of the Board of Supervisors to appoint Supervisor Absher and Supervisor Hymes as a committee, along with other county staff, to review approximately 14 RFP's received for Professional Services from qualified engineering firms for the development of Inundation Mapping for the Upper Clinch Valley Dam (Cavitts Creek Dam). The committee will be responsible for interviewing 2 or 3 firms, as well as ranking said firms and bringing back a recommendation to the Board of Supervisors at the April 3, 2012 regular meeting.

POCAHONTAS WALKING - RIDING TRAIL

Supervisor Brewster gave an update on the Pocahontas Walking – Riding Trail. He said the project is still in the hands of Hill Studio & VDOT, but everything seems to be on track and a groundbreaking on the project should be held by midsummer.

APP DEVELOPMENT

– TAZEWELL COUNTY

Following a discussion by Supervisor Brewster on a proposed App Development for Tazewell County, and upon motion of Supervisor Brewster, 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 to move forward and to work with the IDA to procure services for a vendor for a three (3) year contract with regard to APP Development in Tazewell County, at a cost not to exceed \$25,000.00. And, further hereby authorize, empower and direct the County Administrator to take all actions as may be necessary with regard the implementation of same.

RESOLUTION IN SUPPORT OF S.J. RES. 37 THAT DISAPPROVES EPA’S MERCURY AND AIR TOXICS STANDARDS

Upon motion of Supervisor Hymes, seconded by Supervisor Absher 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 adopts a resolution in support of S.J. Res. 37 that Disapproves EPA’s Mercury and Air Toxics Standards. The Board of Supervisors supports improvements in air quality to protect the health of our residents and our environment and believes such improvements can be made in a sensible and reasonable manner.

A copy of the complete resolution in a form as adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

ESC ROSTER

Supervisor White requested a emergency services personnel list be developed (ESC Roster).

AHMAD BRADSHAW – NFL SIGNS

Supervisor Stacy requested the development and placement of NFL signs for Tazewell County (Eastern District) acknowledging New York Giants -NFL player, Ahmad Bradshaw, GHS graduate. The County Administrator said he would contact VDOT to determine costs involved to place the signs. Costs will be forwarded to Supervisor Stacy.

TOURISM SIGNS – WELCOME TO TAZEWELL COUNTY

Supervisor Stacy questioned the possible placement of signs for Tazewell County, such as entrepreneur signs. Supervisor White also questioned the proposed “Welcome to Tazewell County” signs discuss last year and requested the proposal be revisited and costs be obtained for the placement of same.

DOG TAGS AND VACCINATIONS

Supervisor Brewster requested the County Attorney and Dave White look into ways to close the gap on dog tag requirements and vaccinations.

HAY REMOVAL ON COUNTY PROPERTY

- BIDS TO BE SOLICITED

Upon motion of Supervisor Brewster, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to solicited bids for the removal of hay on county property (non mow-able property).

RICHLANDS YOUTH BASEBALL BOOSTERS CLUB, INC.

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 amounts as set forth below from district funds, payable to Richlands Youth Baseball Boosters Club, Inc. PO Box 1209, Richlands, Virginia 24641, attn: Mary Ann Strong. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

- \$600.00 Northwestern District
- \$600.00 Western District

RECREATIONAL DEVELOPMENT AUTHORITY

\$3,000.00 NORTHWESTERN DISTRICT FUNDS

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 \$3,000.00 from the Northwestern District Fund, earmarked and payable to the Recreation Development Authority, for the Raven Theater and Coal Museum Project. 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. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

RICHLANDS HIGH SCHOOL GIRLS VOLLEYBALL (\$1,000.00)

\$500.00 NORTHWESTERN

\$500.00 WESTERN

Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following amounts from District Funds, payable to Richlands High School Girls Volleyball. 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:

- \$500.00 Northwestern District Fund
- \$500.00 Western District Fund

\$12,500.00 EASTERN DISTRICT TRANSFERS

Upon motion of Supervisor Stacy, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby transfers the amount of \$12,500.00 from the Eastern District Road Fund to the Eastern District Fund to cover future obligations. The County Administrator is hereby authorized and directed to transfer these funds in accordance herewith.

RECREATION DEVELOPMENT AUTHORITY –

KIDS FISH DAY \$2,000.00 (\$500.00 FROM EACH DISTRICT FUND)

Upon motion of Supervisor Brewster, 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 amounts from district funds payable to the Tazewell County Recreation Development Authority for Kids Fish Day at the Falls Mills Dam. 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:

➤ Northern District	\$ 500.00
➤ Western District	500.00
➤ Southern District	500.00
➤ Northwestern District	<u>500.00</u>
Total	\$2,000.00

\$1,000.00 FROM NORTHERN DISTRICT –

RECREATION DEVELOPMENT AUTHORITY

FALLS MILLS DAM PLAY GROUND EQUIPMENT

Upon motion of Supervisor Brewster, 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, payable to the Tazewell County Recreation Authority, for playground equipment for the Falls Mills Dam. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

\$1,500.00 TO RESCUE 945 FROM NORTHERN DISTRICT FUNDS

RECRUITMENT AND STABILIZATION

Upon motion of Supervisor Brewster, 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 \$1,500.00 from the

Northern District Funds, payable to Rescue 945, PO Box 217, Boissevain, VA 24606, Attn: Peggy Taylor, for recruitment and stabilization. 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 DAM BE MARKETED

Supervisor Brewster requested the County look into ways to market the Falls Mills Dam.

APPALACHIAN AGENCY FOR SENIOR CITIZENS

TRANSFER OF MONEY APPROVED FOR PURCHASE OF DISHWASHER

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 transfer of funds in the amount of \$3,897.00 from the Four County Transit to Aging Services Account for the purchase of a commercial dishwasher for ASSC. This includes labor, installation and removal of the current dishwasher. The County Administrator is hereby authorized and directed to transfer these funds in accordance with this action.

\$1,000.00 FROM SOUTHERN DISTRICT FUNDS

TAZEWELL LITTLE LEAGUE BASEBALL

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,000.00 from the Southern District Funds payable to the Tazewell Little League Baseball, 696 Tacoma Road, Tazewell, Virginia 24651 Attn: Amy Stiltner Childress. This funding will be used to support youth activities. 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.

OLD LEESE HOUSE – WITTEN VALLEY

Supervisor Hymes requested a letter be forwarded to the property owners of the old Leese house (big white house) at the head of Witten Valley asking that they clean up the property. The property is an eye-sore and a nuisance to the community.

CONVENIENCE CENTER – THOMPSON VALLEY

Supervisor Hymes said he would be in touch with the County Administrator to schedule another meeting in Thompson Valley to address the proposed convenience center there.

ADJOURN

Now, there being no further business to be transacted and upon motion of Supervisor Absher, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, the meeting is hereby adjourned.

The next meeting is scheduled for April 3, 2012 at 6:00 p.m.

Adjourn time 10:40 p.m.

D. Michael Hymes, Chairman

By:RG