

**VIRGINIA: AT A MEETING OF THE TAZEWELL COUNTY
BOARD OF SUPERVISORS AT A REGULAR MEETING
HELD NOVEMBER 12, 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
GARLAND ROBERTS, JR., MEMBER
JAMES H. SPENCER, III – COUNTY ADMINISTRATOR
C. ERIC YOUNG, COUNTY ATTORNEY
PATRICIA GREEN, ASSISTANT COUNTY
ADMINISTRATOR
RUTH GROSECLOSE, ADMINISTRATIVE ASSISTANT
MEMBERS OF THE PRESS: WARREN HINKLE,
TAZEWELL COUNTY FREE PRESS; JIM TALBERT,
CLINCH VALLEY NEWS/RICHLANDS NEWS PRESS**

ABSENT: NONE

The Chairman, John M. Absher called the regular meeting to order and presided. All members of the Board of Supervisors were in attendance.

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

The Chairman then welcomed all visitors to the regular meeting.

He then welcomed and introduced newly elected Northern District Board of Supervisor Member, Garland Roberts, Jr. Mr. Roberts was elected as a member of the Board during the

November 5, 2013 election – filling the expired term of Thomas B. Childress. Mr. Roberts will serve the remaining two years of Dr. Tom Brewster’s unexpired term to December 31, 2015. The Chairman also congratulated Supervisor Mike Hymes for his victory. Members of the Board then congratulated Supervisor Absher for his win.

AGENDA APPROVED AS AMENDED

Upon motion of Supervisor Roberts, 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 November 12, 2013 agenda as amended.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 October 1, 2013 Board of Supervisors meeting minutes as written.

EXECUTIVE/CLOSED MEETING

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

- ▶ A-7 Legal Consultation regarding Haymes V. Tazewell County, IDA
- ▶ A-7 Legal Consultation regarding the Dental School MOU with Bluefield College
- ▶ A-3 Property Disposition regarding the Landfill Gas Lease
- ▶ A-1 Personnel – one (1) matter involving one person in Workforce Development
- ▶ A-1 Personnel –two (2) matters: involving the County Administrator and County Attorney (annual performance evaluations)

RETURN/CERTIFICATION/REPORT OF ACTION

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 adopts the following resolution read by Supervisor Hymes:

RESOLUTION

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

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

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

Ayes: Five (5) Supervisor Roberts, Stacy, Hymes, Absher, White
Nays: None
Absent: None
Absent during vote: None

ACTION: There was no action to report as a result of the Executive/Closed Meeting; however the Chairman announced that the Board would return to the closed session later in the meeting to discuss one (1) personnel matter involving Workforce Development.

PRESENTATION COMMEMORATING THE LATE J. GLENN PEERY

The Chairman introduced and welcomed members of the late J. Glen Peery. The Board acknowledged Mr. Peery’s dedicated service and for his longevity as a member of the Tazewell

County Animal Shelter – Board of Director’s. One plaque was given to the family as a keepsake and the other plaque will be displayed at the Animal Shelter in memory of Mr. Peery for his love for animals and for his many contributions to the Tazewell County Animal Shelter.

SHELBY JEAN BILLIPS – APPRECIATION TO BOARD SHOWN

Shelby Jean Billips, a resident of Triangle Road, and the daughter of the late B.C. Fuller, presented each member with a home-made jar of apple butter in admiration of her father who was known for making apple butter and for his love and dedicated support of the County Fair and other County agencies. Prior to his failing health, Mr. Fuller attended almost every meeting of the Board of Supervisors. He was active in many county functions and voiced his opinions on various topics to the Board. Ms. Billips said that she would never be able to fill her father’s shoes, but she would try her best to follow his wishes. She reiterated his love of government and told the Board that one of his last words was that Tazewell County was always good to him.

Members thanked Ms. Billips and expressed their sorrow in losing such a special friend to Tazewell County.

Mr. Billips next questioned the status of VDOT possibly placing cattle guard signs on Triangle Road, Bluefield, Virginia. Supervisor Stacy stated that VDOT would be contacted to see if such signs could be placed. The County Administrator stated that he would follow up with Conrad Hill, VDOT Residency Administrator on this matter.

CONSENT CALENDAR APPROVED

Upon motion of Supervisor Roberts seconded by Supervisor Hymes 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”. The 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:

Approved the following warrants as paid:

Warrants

- Ordered that Warrant Nos. 138075 through 138132 and direct deposits totaling \$351,640.25 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending September 30, 2013, be approved.
- Ordered that Warrant Nos. 138134 through 138192 and direct deposits totaling \$350,784.01 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending October 15, 2013 be approved.

Accounts Payable/Payroll Deductions

- Ordered that Warrant Nos. 463038 through 463206, for \$486,804.10 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of September 2013, be approved.
- Ordered that Warrant Nos. 463208 through 463218, for \$133,570.51 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending September 30, 2013 be approved
- Ordered that Warrant Nos. 463230 through 463374, for \$1,669,042.54 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of October 2013, be approved
- Ordered that Warrant Nos. 463376 through 463387 for \$120,540.59 from the General Funds, covering payroll deductions for the various County agencies for the period ending October 15, 2013, be approved.

Handwritten

Ordered that Warrant No. 801816 for \$335.67 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of September 2013, be approved.

- Approved coyote claims in the amount of \$400.00:

- \$50.00 to David W. Harris, PO Box 237, Cedar Bluff, VA 24609 for 1 coyote killed with a muzzle loader on Nov. 5, 2013.
- \$50.00 to Archie French, 207 Salina Road, North Tazewell, VA 24630 for 1 coyote killed with a snare on Sept. 2, 2013.
- \$50.00 to John Martin, 920 Goose Creek Rd. North Tazewell, VA 24630 for 1 coyote killed with a gun on snare on Sept. 30, 2013
- \$50.00 to Danny White, 1754 Gose Mill Road, Tazewell, VA 24651 for 1 coyote killed with a snare on October 11, 2013.
- \$50.00 to Monica Mitchell, PO Box 208, Bishop, VA 24604 for 1 coyote killed with a rifle on Sept. 27, 2013
- \$50.00 to Timothy Carter, 851 Bailey Switch Rd. Bluefield, VA 24605 for 1 coyote killed with a gun on Nov. 2, 2013
- \$100.00 to Alfred Webb, 244 Beachwood Lane, Tazewell, VA 24651 for 2 coyotes killed with a snare on Oct. 1, 2013.
- Ratified resolution for Sonny Rose presented during the Annual Fire & Rescue Appreciation
- Ratified \$189,822.62 matching funds from Coal Road funds to the Revenue Sharing Fund for overlay projects (as approved Oct. 1, 2013)
- Ratified \$900.00 donation to Volleyball for the Cause (Southern \$250; Northwestern \$200; Western \$200 and Northern \$250 [from THS fund])
- Ratified \$1000.00 (500 W & 500 NW) to RHS Boys Basketball for shoes.
- Ratified \$1000.00 from the Western District Fund to the Richlands Midget League earmarked for the Richlands Smurf Raiders, jackets and trophies.
- Southern District – approved \$500.00 payable to Tazewell Elementary School PTA for Fall Festival and Auction
- Southern District – approved \$1000.00 (\$500 to Tazewell Boy Scout Troop 93 & \$500.00 to Tazewell Cub Scout Pack 93).
- Sheriff's Department - Ratified trade of 2008 Dodge Charger for a 2009 Dodge Charger as well as an \$8,000.00 difference (dealer: Ramey in Richlands) – VIN. NO. 2B3KA43R48HS14974

- Sheriff's Department – approved extraditions totaling \$9,764.39 - reimbursed to the Treasurer's Office since July 1, 2013 from the Contingent Grant Resource Account 91050-7041 to the Account No. 31020-5510 Travel & Training
- Sheriff's Department – approved detainers totaling \$898.36 reimbursed to the Treasurer's Office from the Contingent Grant Resource Account 91050-7041 to Account No. 31020- 5510 Travel & Training
- Sheriff's Department – approved reimbursement of insurance monies for wrecked vehicles in the amount of \$6,643.40 from the Contingent Grant Resource Account 91050-7041 to Account No. 31020 – 8105 Automobiles (\$6,250.00 & \$393.40 respectively).
- Commissioner of Revenue – approved the amount of \$500.00 from the Contingent Grant Resource Account 91050-7041 to Account No. 5410/Lease Rental of Equipment-payment of release of assessment data file information of real estate records – reimbursement from Corelogic Solutions, LLC.
- Library – Approved a total of \$6,845.16 from the Contingent Grant Resource Account 91050-7041 to Library Account No. 7301-5230 as Time Warner (\$3,695.16) & Verizon (\$3,150.00) E-Eate USAC reimbursements.
- Library – Approved \$500.00 from the Contingent Grant Resource Account 91050-7041 to the Library Account No. 7302-6012 as donation received from the North Tazewell Lions Club
- Library – Approved \$355.91 from the Contingent Grant Resource Account 91050-7041 to Library Account 7301-5410 in the amount of \$280.91; 25.00 to Library Account 7301-3099 and \$50.00 to Library Account No. 73013-3099 (donations received)
- RDA – Parks & Recreation – Approved the amount of \$7,106.79 from the Contingent Grant Resource Account 91050-7041 to Account 072020-5605 (payments to Boissevain Miners) for updated repairs and improvements to the Boissevain Coal Miners Park. This is money received from scrap disposed of at Bluefield Iron & Metal.

- Reimbursed the Western District Fund in the amount of \$1,500.00 – from the Northern District (loan to purchase Fire Hydrant).
- Pursuant to Section 59.1-148.3 of the Code of Virginia – the Board of Supervisors approved allowing retiring Officer Turley to purchase his service fire arm, a Glock 357 for \$1.00, upon approval by the Sheriff.
- Approved to waive Landfill tipping fees for the Town of Pocahontas, Wolfe Water Treatment Plant Project: cleanout of backwash drying beds.

**CLINCH RIVER VALLEY INITIATIVE –
RANDY ROSE AND RICHARD HUDSON**

The Board welcomed Randy Rose, Sr. Partnership Marketing Development Specialist – VA Tourism Corporation, and Richard Hudson, professor at SWCC. Mr. Rose gave an overview of the Clinch River Valley Initiative. The objective of the CRVI is an effort to build local economies in the coalfields of Southwest Virginia – focusing on the Clinch River Valley. Information given to the Board stated that the CRVI is one of the most bio-diverse river systems in North America. Mr. Rose said by 2020, the CRVI, would be a global destination based on its unique biodiversity, natural beauty, cultural attractions and outdoor opportunities, which should bring significant economic, environmental and social benefits to the region’s communities while protecting the Clinch’s rare species. Mr. Rose presented five current groups who are developing strategies around five goal areas of the initiatives i.e. 1. Develop a Clinch River State Park 2. Develop and Integrate Access Points, Trails and Campgrounds along the Clinch River 3. Enhance Water Quality in the Clinch River 4. Develop and enhance environmental education opportunities for all community members in the Clinch River watershed 5. Connect and expand downtown revitalization, marketing and other entrepreneurial development in the Clinch River Valley. Mr. Rose also presented a list of accomplishments of the CRVI for 2012-2013, taken since the initiatives begin. He gave the name of Brandy Hall, Lebanon, VA 276-254-2802, as the entrepreneur to assist persons with the Clinch River Initiative.

Dr. Richard Hudson, Clinch River Farms, spoke of his goal to continue with agritourism on his farm. His mission of the Clinch River Farm is to continue with educational recreation and to be a research facility for SWVA. He has various on-going energy projects, including a solar

panel energy system, which saves the farm a lot of money on its electric bill. Dr. Hudson mentioned the many out-of-town guests on the farm; a cabin is available for overnight stay. Adventure events are held there, tubing on the Clinch, day-camps, weddings, as well as birthday parties and other events. School field trips are held there as well. He invited the Board to visit the farm and thanked the Board for their support of the Clinch River Farm - a beautiful place to live.

**TOURISM ZONE ORDINANCE PUBLIC HEARING HELD-
ORDINANCE ADOPTED**

The Chairman called to order a public hearing that was duly advertised according to law, entitled **AN ORDINANCE TO CREATE A BACK OF THE DRAGON TOURISM ZONE**. He then called for public comments from the floor regarding the proposed ordinance three times and there being none, he declared the public hearing closed.

Now, upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 **“AN ORDINANCE TO CREATE A BACK OF THE DRAGON TOURISM ZONE”** as follows:

WHEREAS, the Board previously adopted an Ordinance to create tourism zones in Tazewell County;

WHEREAS, the Tourism Zone Ordinance provides that additional areas of the County may be included in the Tourism Zone by subsequent Ordinance;

WHEREAS, the Board recognizes the popularity of U.S. Route 16's use as a scenic motorcycle byway known as "The Back of the Dragon" to be a source of tourism revenue and commerce in the County, as a tourist attraction;

WHEREAS the Board desires to include said area along U.S. Route 16 in the County's Tourism Zone such that tourism related businesses located in and serving "The Back of the Dragon" will be eligible for all the benefits appertaining to Tourism Zones in Tazewell County;

NOW THEREFORE be it ORDAINED, pursuant to Section 58.1-3851 of the Code of Virginia and Section 15-142 of the Code of Tazewell County, that the Tourism Zone in Tazewell County hereby is amended to include all that certain portion of the County being all parcels identified on the attached map, hereby incorporated into this ordinance, which adjoin U.S. Route 16, commonly referred to as "The Back of the Dragon".

It is so ORDAINED this the 12th day of November, 2013.

UNSCHEDULED CITIZEN COMMENTS

The Chairman called for Unscheduled Citizen Comments from the floor.

Tom Lester, 194 East Hillcrest Drive, Cedar Bluff, Virginia 24609, updated the Board with regard to a civic group in Cedar Bluff called Prayer and Vote. The group meets monthly to discuss civic issues tied in with their faith. Discussed are challenges with education and other aspects of today's society. He spoke of an institute that offers at bulk rate discounts, pocket size copies of the US Constitution, as well as day-long seminars. Mr. Lester said the committee would like to pull together a proposal to purchase copies of the US Constitution for distribution to schools, seniors and make available to the public the forms where citizens can obtain information regarding the US Constitution. Mr. Lester will provide a proposal to the Board on this matter.

EMERGENCY SERVICES COMMITTEE (ESC)

ABBS VALLEY FIRE DEPARTMENT

\$900.00 FOR MAINTENANCE SERVICE

Following presentation by Supervisor Hymes, representing the Emergency Services Committee, and upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 \$900.00 from the Fire Capital Account Outlay, No. 32010-8109, payable to the Abbs Valley Fire Department, Account No. 32010-5604-1, as payment of initial maintenance service of the new fire truck for Abbs Valley Fire Dept. This is a one-time deal. The County Administrator is hereby authorized and directed to make the necessary transfers in accordance with this action.

**REQUEST FOR \$15,000.00 TO HELP WITH PURCHASE OF AN ATV FOR
POCAHONTAS FIRE DEPARTMENT**

Members of the Pocahontas Fire Department were present requesting the County's assistance to help purchase an ATV for the Pocahontas Fire Department – the ATV would be used during emergency situations and used for rescue on the ATV Trail in Pocahontas. Tammy Buchanan representing the fire & rescue dept. was present and stated that the department has sought assistance from various agencies requesting grants for the purchase of same but thus far, no funding assistance has been granted. The fire department is willing to put up approximately \$8,000.00 to assist with the lighting, skid unit and trailer. They are seeking an additional \$15,000.00 from the County. The County Administrator said he would talk to Mike Davidson, Swampfox Motor Sports, Inc. and discuss ATV prospects with him. Supervisor Hymes also suggested the Buchanan's search for company that is willing to give them a cost estimate that is good for 30 days. The Board of Supervisors will discuss potential funding for the ATV at their December 3, 2013 meeting. Now, upon motion of Supervisor Stacy, seconded by Supervisor Roberts 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 tables this matter to the December 3, 2013 regular meeting.

COUNTY PAGING SYSTEM

Supervisor Hymes discussed the need to update county paging systems. There is a problem in Amonate, Dicks Creek, Stoney Ridge, and other remote areas of the County. Supervisor Hymes said having a fire department that could not page calls is like having no fire department at all. Major Harold Heatley with the Sheriff's office was present and said the County continues to work on the problem. Supervisor Hymes said that John Dash has a tower on Stoney Ridge that could possibly be used to help with paging service in surrounding areas of Stoney Ridge. Major Heatley said the County would continue to explore ways to upgrade the emergency paging systems.

ROGER MITCHEM - BIG BRANCH ROAD

Roger Mitchem, a resident of Big Branch Road, Bluefield, Virginia presented a petition signed by residents of Big Branch Road. The petition as presented stated "This petition is in reference to Big Branch Road being referred to as "The Prison road". We the residents would like for it to remain as it has always been called "Big Branch Road". We also believe if you people, whoever you are, decide to change it, the cost would be more than necessary and the money could be used for other projects." Mr. Mitchem again requested that cattle crossing signs be placed on Big Branch Road. A copy of the petition in a form as presented is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

BOS LIAISON REPORTS

Cumberland Plateau Planning District Commission (CPPD)

Supervisor White said the monies for the additional towers for the 4-G network towers into Buchanan County are a little short, but hopefully the monies will be secured and the project completed by next summer.

Recreation Development Authority (RDA)

The County Administrator mentioned the appointment needed for the RDA vacancy. The RDA continues to work to get the last agreement for the ATV Trails. Hopefully, the trail will be open by spring.

Industrial Development Authority (IDA)

Supervisor Stacy reported that the dental school project is on-going, building specifications, size, and final costs on the project are continuing. He said the County is waiting on final numbers on the project. Bluefield College continues to be on-track with its fund raising efforts for the dental school. Final numbers are needed to see where the County stands with regard to seeing if the County can make up the short-falls for the project. He said the County's position and commitment to the dental school project remains the same.

School Board

Supervisor Absher reported on a recent meeting with Dr. Meyers, Jim Spencer and other county staff. He said the meeting went well and he thought Dr. Meyer would be an asset to Tazewell County. He said her vision for new ideas was excellent. The County Administrator said suggestions and ideas were discussed for joint/shared services. No updates were given for early retirement incentives, but hoped to be addressed when both boards meet early 2014 during budget discussions. Supervisor Hymes said he felt the school board would want to meet as early as possible in 2014 to address budget concerns.

Airport Authority

There was nothing new to report with regard to the Tazewell County Airport.

BLUESTONE NOW OPEN

Supervisor Stacy mentioned the need to make the Bluestone available to the public – and another open-house was mentioned. The IDA will discuss the open-house during their Nov. 13 meeting.

TAZEWELL COUNTY PUBLIC SERVICE AUTHORITY (PSA)

VDOT SURETY RESOLUTION ADOPTED

Following presentation by the County Attorney, Eric Young, 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 **VDOT SURETY RESOLUTION** as follows:

“RESOLUTION”

WHEREAS, it becomes necessary from time to time for the Tazewell County Public Service Authority to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the Tazewell County Public Service Authority by the Virginia Department of Transportation of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by Tazewell County this 12th day of November, 2013:

Section 1: That pursuant to the provisions of Section 24 VAC 30-151-700 of the Land Use Permit Regulations of the Virginia Department of Transportation, the County of Tazewell, Virginia does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Tazewell County Public Service Authority and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation’s agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the County Administrator, or his designee, be, and hereby is authorized to execute on behalf of the County of Tazewell all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the County of Tazewell shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

Section 5: That nothing in this resolution shall be construed as a waiver of Sovereign Immunity by the Board, the Public Service Authority, the Department of Transportation, the Transportation Board, or the Commonwealth, with respect to third parties.

BE IT STILL FURTHER RESOLVED that the County Administrator, or his designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

APPOINTMENTS

ASAP – SW Alcohol Safety Action Program (VASAP)

One appointment to the Alcohol Safety Action Program was deferred to the December meeting. Recommendations from the Commonwealth Attorney's Office will be sought. Melanie Menefee does not wish to be reappointed.

Airport Authority & Mileage

One appointment to the Tazewell County Airport Authority was deferred.

The Board further recommended that the County Attorney contact Jerry McReynolds and inform him of the Board of Supervisors desire to allow the Airport Authority to pay mileage to Airport members who attend Airport Authority meetings, at a rate not to exceed the County's mileage reimbursement rate.

Crooked Road

One appointment to the Crooked Road was deferred to replace Margie Douglass.

Cumberland Plateau Planning District – CPPD

Appointments to the CPPD were discussed. Two appointments were deferred. Now, 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 appoints Thomas Lester, 194 East Hillcrest Drive, Cedar Bluff, VA 24609 as a citizen member to fill the expired term of Beth Grindstaff, effective immediately and expiring December 31, 2014 (one (1) year term).

Tazewell County Fire & Rescue, Inc.

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 Fred Harman, Attorney, 201 East Main Street, PO Box 523, Tazewell, Virginia 24651, as a member of the Tazewell County Fire & Rescue, Inc. Board of Directors, with a term commencing immediately and expiring December 31, 2015.

Ninth District Development Financing, Inc.

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 appoints Mike Thompson, Economic Development Coordinator, 108 East Main Street, Tazewell, Virginia 24651 as a member of the Ninth District Development Financing, Inc., with a term commencing immediately and expiring June 30, 2015. This appointment fills the unexpired term of Margie Douglass.

TOURISM COMMITTEE QUORUM

RESOLUTION - ADOPTED

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

RESOLUTION TO RECONSTITUTE THE MEMBERSHIP OF THE TAZEVELL COUNTY TOURISM DEVELOPMENT COMMITTEE

WHEREAS Virginia Code § 15.2-5505 requires that each locality in the Cumberland Plateau Planning District establish a local tourism development committee to develop tourism plans for the locality and the regional Tourism Development Authority;

WHEREAS Tazewell County has established the Tazewell County Tourism Development Committee by previous resolution pursuant to Virginia Code § 15.2-5505;

WHEREAS Virginia Code § 15.2-5505 further requires that the Tazewell County Board of Supervisors appoint five members to serve on the Tazewell County Tourism Development Committee;

WHEREAS the Board finds it appropriate to give advisory assistance to the five members of the Tazewell County Tourism Development Committee;

WHEREAS by resolution of the Board in 2012 the Board added certain advisory members to the Tourism Committee with certain voting rights as therein set forth, and as may have been later amended;

WHEREAS the Board does not desire for the absence of some of those members to delay the important work of the Committee;

NOW THEREFORE, BE IT RESOLVED,

That, effective immediately, the advisory members of the Tourism committee appointed pursuant to the Board's 2012 resolution shall not count towards the total number of members of the committee for purposes of calculating the number of members necessary to constitute a quorum; rather a majority of the five District Members appointed pursuant to Virginia Code § 15.2-5505, shall constitute a quorum of the entire Tourism Committee. Nevertheless, all members of the Committee shall be entitled to the same notice of meetings as any other members of the committee. It is so **RESOLVED** this 12 day of November 2013.

Planning Commission

Upon motion of Supervisor Absher, seconded by Supervisor Roberts 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 Charles A. Stacy as the BOS representative on the Tazewell County Planning Commission with a term commencing immediately and expiring December 31, 2015. This appointment fills the expired term of Thomas B. Childress.

Public Service Authority (PSA)

Supervisor Stacy resigned as a member of the Tazewell County Public Service Authority, effective immediately.

Upon motion of Supervisor Stacy, seconded by Supervisor Hymes and adopted by 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 Garland Roberts Jr. 3604 Abbs Valley Road, Bluefield, Virginia 24605 as a member of the Tazewell County Public Service Authority (PSA), effective immediately and expiring December 16, 2015. This appointment fills the unexpired term of Charles A. Stacy who resigned.

Recreation Development Authority (RDA)

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 appoints Garland Roberts, Jr. 3064 Abbs Valley Road, Bluefield, VA 24605 as a member of the Tazewell County Recreation Development Authority (RDA) to fill the unexpired term of Tom Childress.

COMMUNITY CRIMINAL JUSTICE BOARD

Upon motion of Supervisor Stacy, seconded by Supervisor Roberts 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 concurs with the Southwest Virginia Community Corrections Services Memo of September 26, 2013 – placing the

following people as members of The Community Criminal Justice Board (CCJB) to oversee the operation of a Pretrial Grant Program.

- The Honorable Elizabeth S. Wills-Juvenile and Domestic Judge Representative
- The Honorable Henry A. Vanover- Circuit Court Judge Representative
- The Honorable Richard C. Patterson-District Court Judge Representative
- Mrs. Teresa Turner-Education Representative
- Chief William H. Price-Chief of Police Representative
- Mary Hanzlik-Chief Magistrate Representative
- Sheriff David Bradley-Sheriff's Representative
- Roy Evans-Commonwealth Attorney Representative
- Steve Clear-Regional Jail Representative
- Kevin Tiller- Defense Attorney Representative

- Sharon Alderson- Community Service Representative

MUTUAL AID AND COOPERATION AGREEMENT FOR LAW ENFORCEMENT SERVICES FOR RUSSELL AND TAZEWELL COUNTY, VIRGINIA AS AMENDED

Following presentation by the County Attorney, Eric Young and upon motion of Supervisor Roberts, 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 AMENDED Law Enforcement Services Agreement for Russell and Tazewell County, Virginia:

MUTUAL AID AND COOPERATION AGREEMENT FOR LAW ENFORCEMENT SERVICES FOR RUSSELL COUNTY AND TAZEWELL COUNTY, VIRGINIA

Pursuant to Virginia Code §§15.2-1724, 15.2-1726, 15.2-1730.1, and 15.2-1736 (1950, as amended), in order that law enforcement services of each County better serve their citizens, this Mutual Aid and Cooperation Agreement for Law Enforcement Services (“Agreement”) is made this 12 day of November 2013, by and between the County of Russell, Virginia, the County of Tazewell, Virginia, the Sheriff of Russell County, Virginia, and the Sheriff of Tazewell County, Virginia.

WHEREAS, the County of Russell, Virginia, and the County of Tazewell, Virginia (together referred to as “Counties”), are contiguous political subdivisions of the Commonwealth of Virginia and the governing bodies for each are their respective Boards of Supervisors;

WHEREAS, the position of Sheriff is an elected position required for each city and county in the Commonwealth and established by the Constitution of Virginia in Article VII, Section 4;

WHEREAS, neither Russell County nor Tazewell County established a county police force as allowed pursuant to Virginia Code §15.2-1702 and the Sheriff of each respective County is the principal law enforcement officer;

WHEREAS, the parties have determined that providing emergency police aid across jurisdictional boundaries will increase the ability of the local law enforcement agencies to promote the public safety and protect the general welfare of the citizens and intend by this accord to enter into a reciprocal agreement for cooperation in furnishing police services and for use of their joint police forces, their equipment, and materials for their mutual protection, defense, and maintenance of peace and good order;

WHEREAS, the Counties are members of the Southwest Virginia Regional Jail Authority, and use the jail facilities of the Southwest Virginia Regional Jail Authority to house prisoners from the Counties;

WHEREAS, criminal investigations often cross jurisdictional lines in the boundary area of the Counties and the demands of emergencies and disasters, as addressed in Virginia Code §15.2-1730.1, may require interjurisdictional law enforcement support among the Counties;

WHEREAS, in light of the foregoing, the Counties are so located in relation to each other and to the Jails that it is advantageous of each, under the circumstances herein specified, to permit law enforcement officers of the neighboring jurisdictions to provide service of civil summons, service of criminal warrants, process of arrest, and emergency support in the neighboring jurisdictions of the parties to this Agreement as if they were officers in such jurisdictions; and;

WHEREAS, the Boards of Supervisors for both Counties and the Sheriffs of both Counties have determined that it is in the best interests of the public health, safety, and welfare that the law enforcement personnel of the Counties should have the authority pursuant to Virginia Code §§15.2-1724, 15.2-1726, 15.2-1730.1, and 15.2-1736 to cooperate and to request and render assistance as provided herein.

NOW THEREFORE, BE IT KNOWN AND AGREED that the Board of Supervisors of the respective Counties by proper resolutions adopted at a regular meeting, at the request of, and with agreement of the Sheriffs of both Counties, hereby approve and enter into this Agreement, and the parties hereto jointly resolve and agree with one another as follows:

Assistance in Event of Emergency, Disaster, or Other Need

1. The principal law enforcement officer of the respective parties, or the officer commanding in his or her absence, is authorized to determine the need for additional law enforcement assistance without the necessity of deputizing officers from the other cooperating jurisdictions, when such officer determines that an emergency or other need exists. In such cases, the assisting law enforcement agency may participate in law enforcement activities beyond their respective jurisdiction to the extent authorized by the general laws of the Commonwealth of Virginia.
2. In the event that a determination is made that law enforcement assistance is required, the law enforcement officer requiring assistance shall communicate such request to the principal law enforcement officer or his/her then officer in command of the law enforcement agency from which assistance is requested. In the event immediate response is required by the requesting agency, said request may be made through general dispatch at the direction of the requesting officer. Such request will include the following:
 - A) Name and title of officer making the request;
 - B) A summary of the circumstances initiating the action and a description of the assistance needed; and
 - C) The name, title, and location of the officer to whom assisting personnel shall report.
3. Upon receipt of a request for assistance, the law enforcement officer authorized to provide assistance may provide such assistance as is consistent with the circumstances within the requesting jurisdiction and the availability of his or her own agency's forces.
4. Nothing in this Agreement shall compel any party hereto to respond to a request for law enforcement assistance nor shall any party providing assistance pursuant to this Agreement be compelled to continue with such assistance after such assistance is initiated.
5. During the period assistance is provided, personnel of the assisting agency shall operate in the requesting jurisdiction with the same powers, rights, benefits, privileges and immunities as are enjoyed by members of the requesting agency. Each officer who enters the jurisdiction of the requesting agency pursuant to this Agreement is authorized to exercise the full police powers of the requesting agency's law enforcement personnel. For purposes of this Agreement, it is understood that the assisting party is considered to be rendering aid once it has entered the jurisdictional boundaries of the party receiving assistance. This specifically includes, but is not limited to, the authority to serve civil summons, the authority to serve criminal warrants, and the authority to make arrests.

Interjurisdictional Actions

6. Further, pursuant to this Agreement, (1) the law enforcement officers of the Russell County Sheriff's Office may serve civil summons, serve criminal warrants, and make arrests within the territorial limits of Tazewell County when the alleged offense or civil cause of action occurred in the territorial limits of Russell County, including the towns located in Russell County and (2) the officers of the Tazewell County Sheriff's Office may serve civil summons, serve criminal warrants, and make arrests in the territorial limits of Russell County, when the alleged offense or civil cause of action occurred within the territorial limits of Tazewell County, including the towns located in Tazewell County.

Formation of Task Force

7. Pursuant to Virginia Code §15.2-1726, in the event that a determination is made by the principal law enforcement officers of two or more participating jurisdictions, or either of them then acting second in command, that cooperation between both agencies would be necessary or beneficial to the enforcement of laws and maintenance of peace in their respective jurisdictions, then they may form a task force of officers from two or more jurisdictions until such time as the agency of that participating jurisdiction determines that the need for such a task force no longer exists. The purpose for which the agency of two or more participating jurisdictions may form a task force includes, but is not limited to, the following:
 - a) The investigation of any sexual offense or prostitution as contained in Article 3 of Chapter 8 of Title 18.2;
 - b) The investigation of laws assigned to control or prohibit the use or sale of controlled drugs as defined by Virginia Code §54.1-301
 - c) The investigation of serial rapes, murders, armed robberies, or other felonies;
 - d) Law enforcement and crowd control at special events and athletic events such as parades, sporting events, rallies, gatherings, or such other occurrences; or;
 - e) The occurrence of any other event which in the opinion of both principal law enforcement officers makes cooperation between their respective agencies necessary.

General Terms and Conditions

8. In the event of arrest or service of process by law enforcement outside their regular jurisdiction pursuant to this Agreement, the law enforcement agency of the jurisdiction where the case is to be adjudicated will be responsible for satisfaction of the requirements under Virginia Code §19.2-390.
9. The principal law enforcement officer of any agency receiving assistance under this Agreement shall be responsible for directing the activities of other officers, agents, or

employees coming into his or her jurisdiction. The principal law enforcement officer of the agency receiving assistance shall notify the principal law enforcement officer of the assisting agency of any complaints, reports, or other instances of inappropriate, criminal, or other improper conduct or act of any assisting officer promptly after receipt of such complaint, report, or other instance.

10. Each agency shall bear any liability arising from acts undertaken by the personnel of that office pursuant to this Agreement. All of the privileges and immunities from liability, exemption from laws, ordinances, and rules, and all pension, insurance, relief, disability, worker's compensation, salary, death benefits and other benefits, which apply to the activity of such officers, agents, or employees of either agency, when performing their respective functions within the territorial limits of their respective public agencies shall apply to them to the same degree, manner, and extent as if they were within their territorial limits while engaged in the performance of any of their functions and duties outside of their territories under the provisions of this Agreement.
11. Each agency shall provide satisfactory proof of law enforcement professional liability insurance, including public liability insurance in the minimum amount of ONE MILLION DOLLARS (\$1,000,000.00). Each agency shall maintain worker's compensation insurance in the statutorily required amount for any person acting under and covered by this Agreement. Should the coverage of such insurance required by the Agreement of either agency be canceled or materially changed, then that agency shall notify the other agency of such cancellation or change in writing within fifteen (15) calendar days of that agency's receipt of notice of such cancellation or material change. Each party shall notify its insurance carriers of this Agreement.
12. Whenever any law enforcement officer, agent, or other employee acts pursuant to this Agreement outside of their normal jurisdiction, pursuant to the authority contained herein, or under any other written agreement subsequent to signing of this Agreement, or any supplement or addition hereto, such persons shall have the same authorities, powers, rights, benefits, privileges, and immunities as if they were performing their duties in the territorial jurisdiction of which they are employed, appointed, or elected.
13. It is the intent and purpose of this Agreement that there be the fullest cooperation among the agencies to ensure the maintenance of good order and law enforcement during an emergency situation or other law enforcement matter which requires interjurisdictional law enforcement activity pursuant to this Agreement.
14. If any part, section, sub-section, sentence, clause or phrase of this Agreement is for any reason declared invalid, such decision shall not affect the validity of the remaining portions of this Agreement.
15. This Agreement shall be in effect from September 3, 2013 through and including December 31, 2015. This Agreement shall be renewed or extended only by written agreement signed

by authorized representatives of all parties hereto. Either party may withdraw from this Agreement upon fifteen (15) days advance written notice to the other party.

16. This Agreement is subject to modifications only by written agreement signed by all parties hereto. Any such modification shall be made a part of this Agreement as an addendum.
17. This Agreement may be signed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

SUGAR RUN ROAD – OFF DAW ROAD

Supervisor White requested that Sugar Run Road off Daw Road be patrolled by the Sheriff's office somewhat closer.

TRANSPORTATION PRIORITIES –

TOP FIVE (5) PRIORITIES, TAZEWELL COUNTY

Following presentation by the County Administrator, Jim Spencer, at the request of Cumberland Plateau Planning District, the Tazewell County Board of Supervisors hereby approves the following top five (5) transportation priorities for Tazewell County, Virginia. The County Administrator stated that VDOT needs the information by the end of this week to present during their annual Six Year Road Plan meeting in Bristol on November 19.

1. Route 644 – Abbs Valley Road. Reduction of grade on southbound approach and reconstruction of intersection with State Route 658 (Rosenbaum Road)
 2. Route 609 – Wardell Road. Reconstruction of roadway, including widening of lanes and addition of shoulders to roadway.
 3. Route 744 – Triangle Road. Replacement of bridge over the Bluestone River.
 4. Route 651 – T.R. Barrett Road. Reconstruction of roadway, including widening of lanes and addition of shoulders to roadway.
 5. Route 644 – Horsepen Road. Reconstruction of roadway, including widening of lanes and addition of shoulders to roadway.
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OLD 945 AMBULANCE –TO TAZEWELL COUNTY SHERIFF’S OFFICE

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 transfers the old ambulance at 945 to the Tazewell County Sheriff’s Office. This will be added back to the County’s insurance after repairs are made.

VIRGINIA ENTERPRISE ZONE EXPANSION

The County Administrator mentioned a request by a realtor to include a certain area of property located near the Timberline Lodge in Claypool Hill. He presented a list of guidelines with regard to the County adding property in the County’s Enterprise Zone. Supervisor White stated he would contact the interested party (Ramona Simmons) to discuss this matter. The County Administrator is also providing Ms. Simmons with information regarding the VA Scan Webpage with regard to listing property.

FALL MILLS SCHOOL PROJECT – AASC

The County Administrator stated there are guidelines the County must follow with regard to the AASC/Falls Mills School Project. The County must have public meetings, public hearings and meet other criteria by a Dec. 10 deadline in order to qualify for the grant funding. The County Administrator stated that he was working diligently with AASC and CPPD to fulfill the deadline requirements.

POCAHONTAS WALKING TRAIL

The Board of Supervisors requested the County Administrator and County Attorney to send a letter to Hill Studio advising them of a Dec. 31, 2013 deadline to have the Pocahontas

Walking Trail Plan complete and submitted to VDOT. The Board of Supervisors felt a cut-off date was pertinent to move the project forward. Supervisor Roberts requested that he be given a copy of the Plan for review.

OLD/NEW COUNTY TELEPHONE SYSTEM

It was a consensus of the Board of Supervisors to permanently place into operation the new county telephone system effective January 1, 2014 and at which time the old county telephone system will become obsolete. Notices regarding the new county numbers should be made accordingly.

TAZEWELL COUNTY PROPERTY MAINTENANCE DEMOLITION – IN HOUSE PLAN

Upon motion of Supervisor White, seconded by 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 prepare a proposal for an In-House Plan for Tazewell County Property Maintenance/Demolition and present same to the Board of Supervisors at their December 3, 2013 regular meeting.

BID ACCEPTED – TAZEWELL COUNTY PROPERTY MAINTENANCE DEMOLITION TO ARRINGTONS, INC.

The County Administrator presented bids/quotes received on the demolition and cleanup of two sites in Tazewell County, i.e. a house in Boissevain and Bishop. Now, following review of the bid received from Arringtons, Inc. and 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 accepts

the following lowest responsive bid(s) from Arringtons Inc, 2278 Crab Orchard Road, Tazewell, Virginia 24651:

- Boissevain House Demolition - \$4,000.00
- Bishop House Demolition - 6,500.00

Total \$10,500.00

The County Administrator is further hereby authorized and directed to take the necessary actions in accordance herewith and to issue said warrants as may be necessary and appropriate.

HVAC SYSTEM – COURTHOUSE OFFICE SPACE

Supervisor Stacy requested the County Administrator to report on the Courthouse HVAC System /Courthouse Office Space plan at the December 3, 2013 meeting.

EXECUTIVE/CLOSED MEETING

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 enter into an executive/closed meeting pursuant to Virginia Code Section 2.2-3711 A-1 Personnel – one (1) matter involving one person in Workforce Development.

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 adopts the following resolution read by Supervisor White:

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 Roberts, Stacy, Hymes, Absher, White

Nays: None

Absent: None

Absent during vote: None

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

POCAHONTAS STATE CORRECTION CENTER –

CHRISTMAS – ABBS VALLEY BOISSEVAIN ELEMENTARY SCHOOL –

PARTNERS IN EDUCATION

\$250.00 FROM NORTHERN DISTRICT FUND

Upon motion of Supervisor Roberts 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 Northern District Fund, Acct. No. 910600-5699-3, payable to the Pocahontas State Correction Center, Christmas for Children Project /Abbs Valley Boissevain Elementary School – Partners in

Education. The County Administrator is hereby authorized and directed to issue said warrant in accordance herewith and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

TAZEWELL COUNTY FOSTER PARENT ASSOCIATION

\$1,250.00 TOTAL (\$250.00 FROM EACH DISTRICT FUND)

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 monies hereby approves the amount of \$1,250.00 (\$250.00 from each District Fund, from Northern Acct. No. 3) payable to the Tazewell County Foster Parent Association, Tazewell County Dept. of Social Services attn: Dawn Milam & Josie Allison, PO Box 149, Tazewell, Virginia 24651. This is for the 2013 Christmas Dinner for Foster Care children. 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.

STOVES FOR NUCKOLLS HALL

Supervisor Hymes requested a price for new kitchen stoves for Nuckolls Hall. The stoves will not heat and probably need replaced.

SPAY AND NEUTER PROGRAM –

TAZEWELL COUNTY ANIMAL SHELTER

MATCHING FUNDS PLEDGE OF \$5,000.00

Upon motion 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 pledge an amount up to \$5,000.00 from the County's Contingency Fund, as matching funds to help the Animal work towards a spay & neuter program in Tazewell County, Virginia. The Board further requested that the Animal Shelter implement a plan and recommendations for better services at the Tazewell County Animal Shelter. The County Administrator is authorized and directed to take the necessary actions in accordance herewith at such time as may be necessary and appropriate.

\$500.00 to TAZEWELL HIGH SCHOOL BAND BOOSTERS FOR UNIFORMS

(\$250.00 Southern and \$250.00 Northern)

Upon motion of Supervisor Roberts, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 to the Tazewell High School Band Boosters for Uniforms, PO Box 361, Tazewell, Virginia 24651 Attn: Caitlin M. Hutchison, (\$250.00 ¹Northern, Acct. 091600-5699-3, & \$250.00 Southern District, Acct. 91800-5699-55). 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.

TOWN OF TAZEWELL – POLICE DEPT.

SHOP WITH A COP \$500.00

(\$250.00 Southern and \$250.00 Northern)

Upon motion of Supervisor Roberts, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 (\$250.00

¹ Supervisor Roberts authorized certain transfers/donations from the Bandy Community Center Acct. No. 91600-5699-3 (large account \$8,000). The Budget Director will set-up new line-items to specify the agency(s) receiving the donations accordingly.

Northern, Acct. No. 091600-5699-3, and \$250.00 Southern District) payable to the Tazewell Police Dept. PO Box 608 – 201 Central Ave. Tazewell, Virginia 24651 for the Shop with the Cop Program – Christmas for Children. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

NORTH TAZEWELL ELEMENTARY SCHOOL –

FIELD TRIP \$500.00

(\$250.00 Northern and \$250.00 Southern)

Upon motion of Supervisor Roberts, seconded by Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 (\$250.00 Northern Acct. 091600-5699-3 and \$250.00 Southern District Acct. 91800-5699-34), payable to the North Tazewell Elementary School, 3rd Grade field trip/Zoo of North Carolina. 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.

²TAZEWELL POLICE DEPARTMENT –

\$500.00 SOUTHERN DISTRICT - COMMUNITY THANKSGIVING

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 \$500.0 from the Southern District Fund, payable to the Tazewell Community Thanksgiving Dinner, PO Box 608

² Supervisor Hymes stated \$250.00, but meant \$500.00 – to be ratified Dec. 3, 2013

– 201 Central Avenue, Tazewell, 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.

ACCOUNTABILITY BY DONEE

-RESOLUTION DEFERRED TO DEC. 3, 2013

Following presentation by Supervisor Roberts, 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 defers to the December 3, 2013 regular meeting a Resolution Requiring Accountability by Donees. Other members felt they should have the opportunity to review and study the proposal.

FRAUD, WASTE & ABUSE HOTLINE

ETHICS HOTLINE – SCHOOL BOARD CONCERN

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 the County Attorney write a letter to the Tazewell County School Board recommending that they implement a FRAUD, WASTE and ABUSE HOTLINE – similar to the County’s Ethics Hotline, and that a copy of the County’s policy, along with contact information for the company, costs, etc. be sent to the School Board.

EASTERN DISTRICT FUNDS

\$500.00 TO GRAHAM YOUTH LEAGUE

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 \$500.00 from the Eastern District Fund, Account No. Graham Youth League, 91500-5699-27, payable to the Graham Youth League, for sponsor of tournament. Attn: Tom Wimmer. 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.

Supervisor Stacy requested the County Attorney to review the deeds to the Fairground property to verify ownership.

Supervisor Stacy stated he and the County Administrator attended the VFW POST 9696 dedication on Veterans Day. He said members of the Post voiced their appreciation to the County for their latest funding support.

Supervisor Stacy voiced concern regarding the lack of AEP lighting and conduit services at the Bluestone as well as the Landfill. He said these services have already been paid for by the County. The County Administrator said AEP should begin lighting services at the Bluestone in December 2013 and reported that he talked to AEP this date and no solid time-frame could be given for the conduit service.

³ RICHLANDS HIGH SCHOOL – BASKET BALL CHEERLEADERS-

SPORTS FUND \$1000.00 (\$500.00 N.W. & \$500.00 Western)

Upon motion of Supervisor Absher, 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 amount of \$1000.00 (\$500.00 Western, Acct. No. 91900-5699-40 & \$500.00 Northwestern, Acct. No. 91700-5699-40) payable to the Richlands Basketball Cheerleaders, Sports Fund. Attn: Chase Meade-Patton. 138 Tornado Alley, Richlands, Virginia 24641. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

TAZEWELL HIGH SCHOOL COMPETITION CHEERLEADERS

\$250.00 FROM SOUTHERN DISTRICT FUND

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 Southern District Fund, Acct. No. 91800-5699-55, payable to the Tazewell High School

³ Following the meeting, Supervisor Absher authorized an additional \$500.00 from the Western District Fund payable to RHS Basketball Cheerleaders, for a total of \$1500.00 for this cause. To be ratified Dec. 3, 2013

Competition Cheerleaders, attn: Chelsa Whittaker, 167 Cosby Boulevard, Tazewell, VA 24651. This is help to assist with transportation costs to a State Competition. The County Administrator is hereby authorized and directed to issue said warrant and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

TAZEWELL MIDDLE SCHOOL – BASKETBALL BOOSTERS

\$1,500.00 – WARM-UPS GIRLS AND BOYS TEAMS

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 \$1,500.00 from the Southern District Fund, Account No. 91800-5699-57, payable to the Tazewell Middle School Basketball Boosters, 367 Hope Street Tazewell, VA 24651, Attn: Rita Justice, President for warm-up suits for girls and boys basketball teams. 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.

FOUR SEASONS YMCA - \$10,500.00 SOUTHERN DISTRICT FUNDS

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts 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 \$10,500.00 from the Southern District Fund, 91800-5699-23, payable to the Four Seasons YMCA Annual Campaign (Income/Sliding Scale) – 106 Gratton Road, Tazewell, 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.

LABOR OF LOVE MISSION –

**WHITE CHRISTMAS \$1000.00 (\$500 SOUTHERN
\$500 NORTHWESTERN)**

Upon motion of Supervisor White, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,000.00 (\$500.00 Northwestern Acct. No. 91700-5699-32 & \$500.00 Southern Acct. No. 91800-5699-32) payable to the Labor of Love Mission, White Christmas, P.O. Box 386 North Tazewell, VA 24630. 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.

Supervisor Roberts indicated his support of the White Christmas program at the December 3, 2013 regular meeting.

FESTIVAL OF THE ARTS - SWCC

\$2,500.00 (\$500 FROM EACH DISTRICT)

Upon motion of Supervisor White, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,500.00 (\$500.00 from each district fund, Northern Acct. No. 91600-5699-49; Northwestern 91700-5699-49; Southern 91800-5699-49, Western 91900-5699-49 & Eastern District), payable to the Southwest Virginia Community College, Festival of the Arts Program, P.O. Box SVCC, Richlands, VA 24641, Attn: Mary W. Lawson, Executive Director. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

ROAD CONCERNS

- Line repainting on Route 67 – Pittston Mine Office to Bear Wallow to County Line and 621 Stinson Ridge Road (Supervisor White)
- Buck Horn Road Petition – Supervisor Hymes presented a petition for consideration of road repairs. The petition will be presented to the Planning Commission and looked at by the Road’s Subcommittee.
- Property At Jumps Store – Mr. Vance concerned citizen: contact no. 245-0551 – VDOT to be contacted to see if poles/barrier could be placed to deter vehicles off Mr. Vance’s property/parking area. VDOT paved over into his driveway and motorists are traversing Mr. Vance’s parking lot. (Supervisor Hymes)
- Blackhorse Road pot hole concerns, consider for 2014 paving schedule (Supervisor Hymes)
- Olympic Road consider for full paving in 2014 (Supervisor Hymes)
- Royal Oak Road tree concern – contact Mr. Spurgeon 988-2865 (Supervisor Hymes)
- 1761 Radio Hill – paving to be considered for 2014 schedule (Supervisor Hymes)
- Arrow Street – David Joyce, 963-3213 & 970-3697, would like a fire hydrant (Supervisor Absher)
- 177 Banes Bottom Road contact: Harold Harrison - Stop sign requested (Supervisor Absher)
- Green Acres – Wakefield Drive, possible drainage issues, contact: Daniel Ray 202-4255, Matt Anderson and Ken Dunford to contact (Supervisor Absher)

- Claypool Hill – Jake brake noise concern to be looked into by VDOT – contact: Mr. Dales 964-5186 (Supervisor Absher)
- 192 Divine Street, consideration of vacating alley-way (Supervisor Absher)
- Drain pipe needed at the Corner of Leak Street & Lonely Drive /Green Acres – contact: 201-2901 (Supervisor Absher)

OTHER CONCERNS VOICED

Cancer Study

Supervisor Hymes stated that an update on the Cancer Study Proposal by Virginia Tech should be ready by December 2013.

School Funding

Supervisor Hymes requested that the County Administrator write a letter to the new governor elect with copies to Delegate Morefield and Senator Puckett asking for additional school funding.

Gas Study

Supervisor Hymes requested Supervisor Roberts, as the BOS representative on the Public Services Authority (PSA), look into the status of the Western District Gas Project as well as natural gas services from 460 to Baptist Valley.

Compressed Natural Gas

Supervisor White requested the County Administrator to obtain information regarding compressed natural gas for possible use in county vehicles and school buses.

PSA Water to Airport Subdivision

Supervisor Absher wanted to know the possibility of a PSA Water Project to the Airport Subdivision. Supervisor White said a study had already been completed.

Gary McReynolds, CMCS

Supervisor Absher requested the County Administrator to call Gary McReynolds at Cumberland Mt. Community Services.

Nuisance Concern

Supervisor Absher requested the County Administrator to have the County's Code Enforcement to contact Lee James, 964-5084 with regard to an old structure for possible demolition on the outskirts of Indian Creek.

Fran Vance

Supervisor Absher requested that the County Administrator call Fran Vance, tele. 963-5085.

ADJOURN

Now, there being no further business to be transacted, and 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 meeting was adjourned. The next meeting is scheduled for December 3, 2013 at 6:00 p.m.

John M. Absher, Chair

By: rg

Adjourn time 10:35 p.m.