Council Meeting Minutes
July 14, 2009

The Tazewell Town Council met in regular session at 7:30 p.m. in the Town Hall Council Chambers.

Present:	Absent:
Mayor Jack Harry	None
Vice-Mayor Charles Grindstaff	
Councilmember Chris Blankenship	
Councilmember A. D. Buchanan	
Councilmember David Fox	
Councilmember Kim Long	
Councilmember Danny Willis	

Staff present were Town Manger, Jerry G. Wood; Clerk, Linda S. Griffith; Attorney, Brad Pyott; Police Chief, Brian Hieatt; Public Works Director, Steve Frederick; Recreation Director, Betty Conn, and Fire Chief, George Pilkins.

PUBLIC COMMENTS

Ashley Nuckols, a resident of 105 East Fincastle Turnpike, came before Council concerning dangerous parking.

APPROVAL OF MINUTES

Motion was made by Councilmember Buchanan, seconded by Councilmember Fox to approve the Council Meeting Minutes and Work Session Minutes of July 14, 2009. On vote, Councilmember Blankenship, aye; Councilmember Buchanan, aye; Councilmember Fox, aye; Vice-Mayor Grindstaff, aye; Councilmember Long, aye; Councilmember Willis, aye.

FINANCIAL STATEMENTS

Motion was made by Councilmember Long, seconded by Councilmember Grindstaff to approve the financial statements for June 2009. On vote, Councilmember Blankenship, aye; Councilmember Buchanan, aye; Councilmember Fox, aye; Vice-Mayor Grindstaff, aye; Councilmember Long, aye; Councilmember Willis, aye.

OPERATING REPORTS

Motion was made by Vice-Mayor Grindstaff, seconded by Councilmember Long to approve the operating reports for June 2009. On vote, Councilmember Blankenship, aye; Councilmember Buchanan, aye; Councilmember Fox, aye; Vice-Mayor Grindstaff, aye; Councilmember Long, aye; Councilmember Willis, aye.

Councilmember Buchanan asked Chief Hieatt to add a column to the police report for miles driven on police cars.

REPORT ON WATER LINE REPLACEMENT PHASE II

Manager Wood reported on the Water Line Replacement Project Phase II stating the project is going well. Monies are available for two trucks, leak detection, new meter reading computer software and additional paving. The project should be closed out by September 2009.

Councilmember Blankenship questioned the progress on the North Tazewell water tanks.

Manager Wood stated he was working with the Tazewell County Public Service Authority to concerning variable work with the speed pumps at the Water Plant. Approval from the Health Department will be approximately be 30 to 45 days.

REPORT ON HOUSE NUMBERING

Manger Wood reported he had met with Ervin Earnest with Tazewell County 911. He was advised by Mr. Earnest that Tazewell County has received $385,000 for house numbering for Tazewell County and Towns. The County will be hiring a consultant to complete the house numbering with anticipated completion for the Town by December 2009.

Councilmember Blankenship stated the Town should continue with completing the house number for the 90% of the town residents. He asked, "if the Town waits on the County will they just work on the Town house numbering before working on the County house numbering?"

Manager Wood stated he did not know, but he would try to find some answers.

REPORT ON SCHOOL RESOURCE OFFICERS

Manager Wood advised the Town has received grant for two (2) school resource officers for Tazewell County Career and Technical Center and Tazewell Middle School.

TAZEWELL COUNTY DRUG TASK FORCE – COMMONWEALTH ATTORNEY DENNIS LEE

Commonwealth Attorney Dennis Lee came before Council thanking them for their support in the Tazewell County Drug Task Force. In return for their support he presented the Town with a check in the amount of $18,504.90 funds. Funds are divided equally between all members of the Tazewell County Drug Task Force.

ORDINANCE ADOPTING PROVISIONS OF THE CODE OF VIRGINIA ORDINANCE

BE IT ORDAINED by the Council of the Town of Tazewell, Virginia, that Section 12-1, Adoption of State Law of Article I, of Chapter 12, Motor Vehicles and Traffic, be, and the same hereby is, amended as follows:

Section 12-1 - Adoption of State Law Pursuant to the authority of S46.2-1313 of the Code of Virginia of 1950, as amended, all of the provisions and requirements of the laws of the Commonwealth of Virginia contained in Title 46.2 and in Article 2 (S18.2-266, et seq.) of Chapter 7 of Title 18.2 of the Code of Virginia of 1950, as amended, except those provisions and requirements, the violation of which constitute a felony, are hereby adopted and incorporated in this Chapter and made applicable within the Town of Tazewell. References to "Highway of the State" contained in such provisions and requirements hereby adopted shall be deemed to refer to the streets, highways and other public ways within the Town. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this Chapter as fully as though set forth at length herein, and it shall be unlawful for any person, within the Town of Tazewell, to violate or fail neglect or refuse to comply with any provision of Title 46.2, or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia which is adopted by this Section; and the

Council of the Town of Tazewell does hereby adopt and impose the same penalties for the violation of any provision or requirement hereby adopted as in imposed for a similar offense under Title 46.2, or under Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia of 1950, as amended, subject only to any limitation of the Charter of the Town of Tazewell.

An emergency exists and this Ordinance shall be in effect from the date of its passage.

The Ordinance was read by Vice-Mayor Grindstaff to adopt the ordinance, seconded by Councilmember Buchanan. On vote, Councilmember Blankenship, aye; Councilmember Buchanan, aye; Councilmember Fox, aye; Vice-Mayor Grindstaff, aye; Councilmember Long, aye; Councilmember Willis, aye.

Whereupon, Vice-Mayor Grindstaff moved that the second reading of the Ordinance be dispensed with, which motion was seconded by Councilmember Fox and a vote being called, the Council voted as follows: Councilmember Blankenship, aye; Councilmember Buchanan, aye; Councilmember Fox, aye; Vice-Mayor Grindstaff, aye; Councilmember Long, aye; Councilmember Willis, aye.

R E S O L U T I O N

Vice-Mayor Grindstaff read the following resolution:

WHEREAS, the Town of Tazewell wishes to pave certain streets listed on VDOT's maintenance program.

NOW, THEREFORE, BE IT RESOLVED, that

UPC 86642	$ 42,060
UPC 86643	$ 42,072
UPC 86641	$ 23,868
	$108,000

be transferred to Paving Project #0019-158-R65:UPC 93964.

Given under my hand this 14th day of July, 2009.

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Jack H. Harry, Mayor

ATTESTED BY:

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Jerry G. Wood, Town Manager

Motion was mad by Councilmember Long, seconded by Councilmember Blankenship to approve the resolution. On vote, Councilmember Blankenship, aye; Councilmember Buchanan, aye; Councilmember Fox, aye; Vice-Mayor Grindstaff, aye; Councilmember Long, aye; Councilmember Willis, aye.

RESOLUTION

WHEREAS, the Town of Tazewell wishes continued improvements be made to East Riverside Drive (Rt. 61), Project #0061-158-R64: UPC 91446.

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Tazewell will support and participate in the said project and hereby requests $500,000 in revenue sharing funds plus $500,000 in local funds be allocated to this project. The Town also wishes to local administer this project.

Given under my hand this 14th day of July, 2009.

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Jack H. Harry, Mayor

ATTESTED BY:

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Jerry G. Wood, Town Manager

Motion was made by Councilmember Fox, seconded by Vice-Mayor Grindstaff to approve the resolution. On vote, Councilmember Blankenship, aye; Councilmember Buchanan, aye;

Councilmember Fox, aye; Vice-Mayor Grindstaff, aye; Councilmember Long, aye; Councilmember Willis, nay. Vote passes 5 to 1 vote.

EXECUTIVE SESSION

Motion was made by Vice-Mayor Grindstaff, seconded Councilmember Buchanan to move into executive session to discuss a pending contact. On vote, Councilmember Blankenship, aye; Councilmember Buchanan, aye; Councilmember Fox, aye; Vice-Mayor Grindstaff, aye; Councilmember Long, aye; Councilmember Willis, aye.

Motion was made by Vice-Mayor Grindstaff, seconded Councilmember Buchanan to move into regular session. On vote, Councilmember Blankenship, aye; Councilmember Buchanan, aye; Councilmember Fox, aye; Vice-Mayor Grindstaff, aye; Councilmember Long, aye; Councilmember Willis, aye.

RESOLUTION

Motion made by: Vice-Mayor Grindstaff Resolution Number: ES071409

Motion Seconded by: Councilmember Buchanan Meeting Date: August 14, 2009

Vote: All voted aye Purpose: Negotiate Contract

CERTIFICATION OF EXECUTIVE SESSION

Whereas, the Tazewell Town Council has convened an executive session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

Whereas, 2.1-344.1 of the Code of Virginia requires a certification by this Council that such executive session was conducted in conformity with Virginia Law;

Now Therefore, Be It Resolved, that the Tazewell Town Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Tazewell Town Council.

VOTE

Ayes: Councilmembers Blankenship, Buchanan, Fox, Grindstaff, Long, Willis

Nays: None

(For each nay vote, the substance of the departure from the requirements of the Act should be described.)

Absent during vote: None

Absent during meeting: None

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Clerk, Linda S. Griffith

ADJOURNMENT

With no further to come before Council, Mayor Harry adjourned the meeting until the next scheduled meeting.