

**VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL COUNTY
BOARD OF SUPERVISORS HELD AUGUST 4, 2015 AT 6:00
P.M. IN THE TAZEWELL COUNTY ADMINISTRATION
BUILDING, 108 EAST MAIN STREET, TAZEWELL VIRGINIA
24651**

**PRESENT: SETH R. WHITE, CHAIR
J. GARLAND ROBERTS, VICE CHAIR
CHARLES A. STACY, MEMBER
JOHN ABSHER, MEMBER
D. MICHAEL HYMES, MEMBER
C. ERIC YOUNG, COUNTY ATTORNEY
PATRICIA GREEN, DEPUTY COUNTY ADMINISTRATOR
RUTH GROSECLOSE, ADMINISTRATIVE ASSISTANT
MEMBERS OF THE PRESS: JIM TALBERT, CLINCH VALLEY
NEWS/RICHLANDS NEWS PRESS; WARREN HINKLE, THE
VOICE NEWSPAPER
SEAN HAGY - AUDIO/SOUND**

ABSENT: NONE

The Chairman, Seth R. White, called the regular meeting to order and presided with all members in attendance. Supervisor Hymes gave the invocation with Supervisor Stacy leading those present in the pledge of allegiance to the US flag.

The Chairman then welcomed all those in attendance.

AGENDA APPROVED AS AMENDED

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 approves the agenda as amended. The Board of Supervisors also added A-3 Property Disposition - Pocahontas High School to the Executive Session.

MINUTES APPROVED

JUNE 30, JULY 21, JULY 30, 2015

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 approves the June 30, 2015, July 21, 2015 meeting minutes as written and the July 30, 2015 meeting minutes as written, except that paragraph 1 - line 1, read "the meeting was called to order by Vice Chairman Roberts" instead of Chairman White.

DAVE ANDERSON - COMMISSIONER OF REVENUE

TAZEWELL COUNTY, VIRGINIA

Dave Anderson, Tazewell County Commissioner of Revenue, presented a Resolution for Natural Disaster Relief pursuant to VA Code Section 58.1-3104, giving property owners relief from taxes on property damaged or destroyed by the July 5, 2015 Flood. The relief would only be in force if the Governor of Virginia declares a State of Emergency as a result of the July 5, 2015 Flood, and contingent upon the request for tax relief being reviewed by the Commissioner of Revenue and approval of the TCBOS. The Board of Supervisors also approved Gary Jackson, County Building Official, to serve as Tazewell County's representative to help review the requests and make purchases from the CVAC Flood Relief Fund (per Patricia Green's request).

Matt Anderson, County Engineer, gave an update on the July 5, 2015 flood with regard to rainfall amounts as well as estimated storm-year events. He presented a cost of 10K to 12K for the installation of a new weather systems at the transfer stations, convenience areas and o

He also presented a new Orphan Road List, with the Board of Supervisors approving the list of orphan roads for repairs as recommended by CST committee. The TCBOS added Kennedy (Western District) which will be officially approved by the CST Committee October 6. Lester & Buckhorn Roads were added to the list as well.

With regard to the FEMA Study -all four(4) firms will be interviewed.

The contractor is on-site at the Pocahontas Walking Trail. AEP has completed the lighting system.

ORPHAN ROAD PROJECTS

ROAD LIST APPROVED AS RECOMMENDED BY CST BOARD

Upon presentation by Matt Anderson, County Engineer, and as recommended this date for approval by the Tazewell County Coal & Gas Road Improvement Committee this date, and upon motion of Supervisor Hymes, seconded by 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 Orphan Road Projects List as recommended for approval this date, with the addition of Lester Road, Buckhorn and contingent upon approval of the Coal Severance Tax Committee's recommendation, Kennedy Drive. This was an oversight and should have been placed on the list, but will be revisited by the CST Committee October 6.

Road Name
Paramount Drive
Royal Oak Road
Tradewinds Drive
Barn Avenue
Banner Circle Drive
Bo Street
Repair Street
White Street
Holiday Road
Coal Creek Road
Devin Lane
Goose Creek Road
Hastings Street
Zoo Lane
Bluejay Street
College Estates Drive
Cordelia Street

Grace Street
Honey Rock Road
Keen Road
Maid Street
Mall Church Road
Matney Road
Point Drive
Powerline Road
Ridgewood Street
Roydon Street
Summit Street

Roads Work - General Funds

Road Name
Addison Road
Granny's Road
Laurelwood Acres Road

**RESOLUTION
FOR NATURAL DISASTER RELIEF**

Following presentation by Dave Anderson, Tazewell County Commissioner of Revenue, and upon motion of Supervisor Roberts, 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 adopts a RESOLUTION FOR NATURAL DISASTER RELIEF as set forth below, contingent upon the Governor of Virginia declaring a State of Emergency as a result of the July 5, 2015 Flood and contingent upon the declaration of said flood as a common disaster by the Governor of Virginia, and further that such relief be granted upon application of the taxpayer to the Commissioner of Revenue and reviewable by him and subject to the approval by the Board of Supervisors unless such relief is less than \$2,500.00 for any single application which may be approved by the County Attorney on behalf of the Board of Supervisors as previously advertised.

RESOLUTION FOR NATURAL DISASTER RELIEF

WHEREAS, Tazewell County, Virginia, on or about July 5, 2015, incurred floods which resulted in disastrous damage to the personal and real property of some residents of Tazewell County, Virginia.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors of Tazewell County, Virginia (Board) pursuant to the authority granted to the Board by Section 58.1-3014 of the Code of Virginia, hereby provides relief from the payment of taxes and levies to Tazewell County upon such land, improvements thereon, or personal property as shall have been destroyed in any manner by the flood of July 5, 2015, being a common disaster, provided such residents were not compensated therefore by insurance or otherwise;

BE IT FURTHER RESOLVED that this ordinance shall take effect only upon a declaration of said flood as a common disaster by Governor McAuliffe;

BE IT FURTHER RESOLVED that such relief shall for the 2015 taxable year from and after the date upon which such disaster occurred;

BE IT FURTHER RESOLVED, that any such taxpayer who has not paid the taxes or levies on any such land, improvements thereon, or personal property, so taken shall be relieved of interest and penalties therefore; provided such taxpayer shall make payment for his/her proportion, if any, of the taxes and levies for the year during which the land, improvements thereon, or personal property was so taken, on or before July 1 of the year following.

BE IT FURTHER RESOLVED that such relief may be granted upon application of the taxpayer to the Commissioner of Revenue within one year of such disaster, said Commissioner of Revenue shall determine the amount by which the assessment on such property should be reduced by reason of such loss.

BE IT FURTHER RESOLVED, that if such tax has not been paid, the Commissioner of Revenue shall exonerate the applicant taxpayer from the payment of so much of the tax as is allocable to such loss and if such tax has been , the Commissioner shall certify the amount of such reduction to the Treasurer of Tazewell County, Virginia, who shall issue a refund there for.

BE IT FURTHER RESOLVED, that such relief granted by the Commissioner shall, in accordance with Section 58.1-3980 of the Code of Virginia, be subject to approval by the Board; unless such relief is less than \$2,500.00 for any single application and may be approved by the County Attorney on behalf of the Board as previously authorized.

ECONOMIC DEVELOPMENT

Mike Thompson, Economic Development Director said the Enterprise Zone Application has been submitted. He thanked the Board of Supervisors for holding the Special Meeting July 30 in order to get the application submitted. Supervisor White said Jim Baldwin, CPPD, commended Tazewell County on a great job with the Enterprise Zone application. Mr. Thompson said his office is working on approximately five (5) projects, as well as one (1) business plan and have two (2) websites are in progress. He is having a PTAC Webinar on Thursday, August 6 with local companies and the area Chamber. Mr. Thompson is excited about all the good projects for economic growth in Tazewell County.

Dahmon Ball, PSA Administrator said the Claypool Hill- Wardell WTP is 95% complete in time and 97% complete in value with a September 2015 completion date anticipated. The Greater Tazewell Regional WTP - Town of Pocahontas Project Water Supply bid opening will be held August 18. The PSA hopes to start a 5 year capital improvements plan for old infrastructures. With regard to the Turner Hollow Road Water Project the CST approved \$25,000.00 from Coal Severance Funds. Additional monies will be sought from CPPD for the project. The Tazewell to Divides Sewer Leachate Line is being surveyed; design to begin soon. The Natural Gas Project will possibly receive up to \$500,000.00 in ARC funding as well as Power Plus funding for disadvantage coal communities (tied to job creation).

Jerry McReynolds , Tazewell County Airport - The West End Drainage Project is coming to an end. Possible additional funding to be requested from FFA due to slippage. The Cruise In with Fly In will be held August 22, 2015. A gate issue at the Airport will be addressed at a later date.

EXEUCTIVE/CLOSED SESSION

Upon motion of Supervisor Stacy, 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 enters into an executive/closed meeting Pursuant to Virginia Code Section 2.1-3711:

- A(5) Discussion of a prospective business or industry involving project Jonah
- A(7) Legal matter - Consultation with legal counsel regarding the Pocahontas water agreement

- A(1) Personnel Matter- Discussion of the selection of a County Administrator
- A(5) Prospective Business or industry - Project Panel
- A(7) Legal Matter - Consultation regarding the Landfill Gas Project
- A(3) Property Disposition involving the Pocahontas High School

EXECUTIVE/CLOSED MEETING

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 returns from the Executive/Closed Meeting pursuant to Virginia Code Section 2.2-3712 and hereby adopts the following certification read by Supervisor Hymes:

CERTIFICATION

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 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 Stacy, Roberts, White, Absher, Hymes

Nays: None

Absent: None

Absent during vote: None

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

PUBLIC HEARING -

AN ORDINANCE ESTABLISHING FOR TAZEWELL COUNTY, VIRGINIA THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE WITHIN THE DEFINED LIMITS OF TAZEWELL COUNTY, VIRGINIA

The Chairman, Seth R. White, called to order a public hearing to hear concerns regarding a proposed **ORDINANCE ESTABLISHING FOR TAZEWELL COUNTY, VIRGINIA - THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE WITHIN THE DEFINED LIMITS OF TAZEWELL COUNTY, VIRGINIA.**

The Chairman requested that the County Attorney, Eric Young, explain the reason for the proposed changes to the ordinance. Mr. Young said the State periodically updates the Uniform Statewide Building Codes, usually every three(3) years. And, the Board of Supervisors now need to update the Ordinance pursuant to the State's changes. In addition to changes to the Uniform Statewide Building Code, the County needs to adopt provisions of Part III of the Uniform Statewide Building Code, known as the 2012 Virginia Maintenance Code to include an Appeals Process to the Maintenance Code.

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

The Chairman then called for discussion from the floor regarding part of the building referenced Appendix F of the 2012 International Residential Code and as thereafter amended from time to time, requiring that all new construction in the County comply with the Radon Control Methods included therein. Discussion from the Board ensued. Supervisor White and Supervisor Absher disagreed with leaving the Radon provision in the ordinance feeling the provision would be passed on to builders costing home owners an additional \$10,000.00. Supervisor Stacy and Supervisor Hymes disagreed. They felt the County Code should include baseline reasonable safety measures as a protection to county citizens. Supervisor Hymes reminded the board that the VA Tech Cancer Study was on-going which includes radon testing. Supervisor White said that in the Richlands area only one church has been found to have radon; however , the testing is on-going and complete results are uncertain at this time.

Now, upon of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 3 to 2, with Supervisor Stacy and Supervisor Hymes voting no, the Tazewell County Board of

Supervisors hereby strikes the last sentence of Section 4-27-1., specifically pertaining to Radon testing.

And then, 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 adopts the following Ordinance as hereby amended:

ARTICLE II. - UNIFORM STATEWIDE BUILDING CODE
TITLE

AN ORDINANCE ESTABLISHING FOR TAZEWELL COUNTY, VIRGINIA THE
VIRGINIA UNIFORM STATEWIDE BUILDING CODE WITHIN THE DEFINED
LIMITS OF TAZEWELL COUNTY, VIRGINIA.

Sec. 4-26. - Applicability of state law in case of invalid provisions.

If any provisions of this article which are held to be invalid so affect the remaining provisions of this article as to make any or all of them unenforceable, the applicable provisions of the laws of the Commonwealth, so far as possible, shall control the functions intended to be carried out under this article.

(Ord. of 5-14-86, § 3)

Sec. 4-27. - Adoption of code.

There is hereby adopted in the county the Virginia Uniform Statewide Building Code, which is effective September 1, 1973, the provisions of which shall control all matters concerning the construction, alteration, addition, repair, removal, demolition, use, location, condemnation, occupancy and maintenance of all buildings, and all other functions which pertain to the installation of all systems vital to all buildings and structures and their service equipment as defined by the uniform statewide building code, and shall apply to existing and proposed buildings or structures in the county.

(Ord. of 5-14-86, § 1)

Sec. 4-27-1. – The 2012 Virginia Uniform Statewide Building Code, Part I and II, specifically

There is hereby adopted in the county The 2012 Virginia Uniform Statewide Building Code, Parts I and II, effective July 14, 2014, and as thereafter amended from time to time, enforcement of which shall be pursuant to Code of Virginia §36-105, as amended, the provisions of which shall control all matters concerning construction, alteration, addition repair, removal, demolition, use, location, condemnation, occupancy and maintenance of all buildings, and all other functions which pertain to the installation of all systems vital to all buildings and structures and their service equipment as defined by the uniform statewide building code, and shall apply to existing and proposed buildings or structures in the county. In particular, Part I of said Code is adopted pertaining to overall structures, in its entirety. Further Part II of said Code is adopted pertaining to Rehabilitation, in its entirety. Included shall also be mechanisms for enforcement,

generally, as included in all sections of said Code. Also, such appendixes as may be adopted, from time to time and as amended, may also be incorporated herein by reference as determined by the Board of Supervisors by resolution.

Sec. 4-27.2. - The 2012 Virginia Maintenance Code.

In addition to the uniform statewide building code, including all of Part I and Part II, herein previously adopted, Tazewell County hereby, pursuant to the Code of Virginia, § 36-105(C) as amended, further adopts the following provisions of Part III of the uniform statewide building code known as the 2012 Virginia Maintenance Code:

- (1) All of section 105, regarding unsafe structures.
- (2) Section 302.3, regarding sidewalks and driveways
- (3) Section 302.5, regarding rodent harborage.
- (4) Section 309.1, regarding infestations.

These provisions of the 2012 Virginia Maintenance Code shall be enforced as a part of the building code in accordance with the provisions of this chapter. Except, however, that the above cited sections of the Virginia Property Maintenance Code shall not apply to structures, which are not intended for human habitation, erected for agricultural purposes, on property taxed as agricultural land or designated as agricultural by the comprehensive plan or any zoning ordinance. This exception shall be in addition to any other exceptions set forth in the Code of Tazewell County or the uniform statewide building code.

(Ord. of 11-17-09)

Sec. 4-28. - Building inspection office.

There is hereby established a building inspection office whose responsibility it is to enforce the provisions of the uniform statewide building code as stated in article 1, section 102.0 of volume 1 of the uniform statewide building code. The cost of enforcement may be defrayed through the levying of fees by the county as provided in Code of Virginia, § 36-105. The department shall have a building official and inspectors who shall be appointed by the board of supervisors. The building official or inspectors, in concurrence with the chief appointing authority, shall be responsible for the organization and daily operation of the office.

(Ord. of 5-14-86, § 2)

Cross reference— Administration, Ch. 2.

Sec. 4-28.1. - Amusement device fee schedule.

There is hereby adopted in and for the County of Tazewell, Virginia, the Virginia Amusement Device Fee Schedule as set forth in the attached memorandum from Dean Johnson, Building Inspector, to LaVern Bechtel, County Administrator, dated May 19, 1994, with the classifications as the same were adopted by the Commonwealth of Virginia, Board of Housing and Community Development at its April 18, 1988 meeting, and as the same may be amended by the Virginia Board of Housing and Community Development from time to time hereafter, and such fee schedule is hereby adopted, and incorporated herein by reference thereto, mutatis

mutandis, and made a part of this chapter as fully as though set forth at length herein, and, such rates shall apply to the issuance of such documents and the performance of such services as may be required of any agency of the County of Tazewell, Virginia, in conformity with the Virginia Amusement Device Regulations.

(Ord. of 5-19-94, §§ 1, 2)

Editor's note— An ordinance adopted May 19, 1994, amended the Code by the addition of § 4-28 and at the discretion of the editor said provisions have been redesignated and included herein as § 4-28.1 in order to avoid duplicative section numbering.

State Law reference— Authority for above section, Code of Virginia, §§ 15.1-510, 36.1-105.

Sec. 4-29. - Permit fees.

No permit to begin work for new construction or other building operations shall be issued until the fees prescribed in this section have been paid. Fees shall be affixed at the following rates:

- (1) Minimum fee. The minimum permit fee shall be twenty dollars (\$20.00).
- (2) Determination of fees. All new construction fees shall be based upon the most recent Building Officials and Code Administrators International, Inc., valuation data report for square foot costs published semiannually in the Building Officials and Code Administrators International, Inc., magazine. Valuation will be based upon use group and type as described in the 1987 building code. The regional modifier supplied for Virginia in this publication shall be used. Also, a local fee multiplier shall be established by the board of supervisors. The board shall review this system annually and make necessary changes.
- (3) Application of minimum fee. The minimum fee shall apply to the following:
 - a. Heating stoves.
 - b. Fireplaces and chimneys.
 - c. Volunteer services.
 - d. Change of electric service.
 - e. Any work valued under five thousand dollars (\$5,000.00).
- (4) Fee calculation formula.
 - a. For valuation over five thousand dollars (\$5,000.00), the formula of the Building Officials and Code Administrators International, Inc., shall be used. The following equation will be used to determine the building permit fee:

Square footage×Square foot costs×Regional modifier×
Local fee multiplier=Building permit fee

- b. For other than new construction, valuation shall be based upon the owner's valuation, the engineer's valuation or the building official's valuation. This

valuation shall be used in place of the figure "Square footage×Square foot costs" in the equation set out in this subsection.

- (5) Computation of fee. For purposes of the equation set out in subsection (4) of this section:
 - a. Square footage means the total square footage to be constructed.
 - b. Square foot costs shall be determined by type and use group as described in the Building Officials and Code Administrators, International, Inc., manual and as applied to the Building Officials and Code Administrators International, Inc., valuation data report.
 - c. Regional modifier shall be that percentage reported for the state in the semiannual publication of the Building Officials and Code Administrators International, Inc., valuation data report.
 - d. The local fee multiplier shall be determined by the board of supervisors on an annual basis. The formula for obtaining the local fee multiplier shall be:

Local fee multiplier =	$\frac{\text{Housing code enforcement budget or percentage thereof}}{\text{Expected annual construction costs}}$
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- (6) Penalty for beginning work prior to obtaining permit. When construction is begun prior to obtaining a building permit, the fees shall be doubled.
- (7) Moving of building or structure. For moving any building or structure, the fee shall be 0.45 percent of the cost plus the permit fee for the new foundation.
- (8) Demolition of building or structure. For demolition of any building or structure, the fee shall be twenty dollars (\$20.00). The proper liability insurance shall be filed with the county administrator to protect the public and assurance shall be provided that the vacant lot will be cleaned of all debris.
- (9) Signs. The fee for signs shall be forty cents (\$0.40) per square foot. A liability insurance policy shall be on file with the county administrator to protect the public if the sign is located on public property.
- (10) Mobile homes. Fees for mobile homes shall be as follows:
 - a. For valuation up to fifteen thousand dollars (\$15,000.00) the fee shall be thirty-five dollars (\$35.00).
 - b. For valuation over fifteen thousand dollars (\$15,000.00) the fee shall be 0.3 percent times the cost.

Valuation shall be based upon the bill of sale, the sale price or the building official's valuation.

Cross reference— Mobile homes, Ch. 11; subdivisions, App. A.

Sec. 4-30. - Prerequisites for furnishing of electric service.

The county requires the local public electric utility company to deny temporary electric service for construction unless evidence of a building permit is presented. Further, the local public electric utility company shall deny permanent electric service to the meter unless evidence of a certificate of occupancy is presented.

(Ord. of 5-14-86, § 3(10))

Sec. 4-31. - Approval of subdivision required prior to issuance of building permits.

No building permit will be issued for construction in a subdivision not properly approved by the agent for the subdivision ordinance of the county, as appointed by the board of supervisors.

(Ord. of 5-14-86, § 3(12))

Cross reference— Subdivisions, App. A.

Sec. 4-32. - Access to public roads.

All newly constructed buildings in the county must have access to a public road.

- (1) Where a proposed structure will be built on real property adjacent to a Virginia State Highway, no building permit application shall be granted and no building permit shall be issued, unless the application includes a land use permit issued by the Virginia Department of Highways.
- (2) Where a proposed structure will be built on real property adjacent to a county road, being a public road expressly or impliedly accepted by the board of supervisors which is not a part of the Virginia Highway System, no certificate of occupancy shall be issued unless the applicant presents an entrance permit from the county engineer's office.
- (3) The Tazewell County Engineer, or his designee, hereby is authorized and directed to issue appropriate entrance permits as described in subsection (b) of this section.
 - a. The failure or refusal of the engineer's office to issue such permit may be appealed by petitioning the Board of Supervisors for Tazewell County.
 - b. The board's decision to deny any permit may be appealed to the Circuit Court for Tazewell County solely on grounds that the board's denial was arbitrary or capricious.

(Ord. of 10-3-06; Ord. of 12-5-06)

Editor's note— Ord. of Oct. 3, 2006, set out provisions intended for use as section 4-31.1. To preserve the style of this Code, and at the editor's discretion, these provisions have been included as section 4-32.

Secs. 4-33—4-50. - Reserved.

CONSENT CALENDAR APPROVED

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

WARRANTS APPROVED AS PAID

July 2015

Payroll

Ordered that Warrant Nos. 140302 through 140353 and direct deposits totaling \$356,551.40 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending June 30, 2015, be approved.

Ordered that Warrant Nos. 140355 through 140403 and direct deposits totaling \$369,425.33 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending July 15, 2015, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 470651 through 470806, for \$609,433.17 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of June 2015, be approved.

Ordered that Warrant Nos. 470808 through 470821, for \$150,685.32 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending June 30, 2015, be approved.

Ordered that Warrant Nos. 470823 through 470964, for \$1,865,223.54 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of July 2015, be approved.

Ordered that Warrant Nos. 470633 through 470649, for \$135,426.05 from the General Funds, covering payroll deductions for the various County agencies for the period ending July 15, 2015, be approved.

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Ordered that Warrant No. 801884 through 801891 for \$12,300.00 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of June 2015, be approved.

- Ratified \$4,000.00 from the Eastern District - Education Special Projects fund to the Springville School for playground equipment

- Ratified \$1,000.00 from the Northern District Fund to the Bluefield, VA Little League for July 22 - Pound, VA event (attn: Tom Wimmer)

- Ratified \$500.00 from the Southern District Fund to the Bluefield, VA Little League for July 22 - Pound, VA event (attn: Tom Wimmer)

- Ratified \$1,400.00 from the Northern District Fund to the Town of Pocahontas for mowing the Pocahontas Cemetery

- Approved \$50.00 from the Northern District Fund to the Masonic Lodge in Richlands for a hole sponsor in a golf tournament

- Ratified \$1,000.00 from the Western and \$1,000.00 from the Northwestern (\$2,000.00) payable to the Richlands Little League Boys 9-10 and 11-12 year old teams for State Tournament, attn: Pete Richardson

- Ratified \$7,500.00 from the Western - Education Special Projects to the Cedar Bluff Elementary School - Basketball Court, attn: Charity McDaniels
- Ratified \$1,000.00 from the Western and \$1,000.00 from the Northwestern to the RHS Girls Soccer Camp, Attn: LaRhonda Lindsey
- Ratified \$500.00 from the Western District Fund to the Southwest VA Football League, Inc. attn: Jamie Lester
- Ratified \$2,500.00 Western and \$2,500.00 Northwestern (\$5,000.00 total) for the purchase of a bus from AASC for the VFW Claypool Hill
- Southern District - Approved \$1,000.00 to Burkes Garden Community Center to pay for the Welcome Sign in Burkes Garden
- Southern District - Approved \$2,000.00 to THS Cheerleaders for new competition mats
- Southern District - Approved \$ 750.00 to Tazewell Middle School Volleyball team
- Southern District - Approved \$950.00 to help sponsor The Celebration of The Arts 2015
- Southern District - Approved \$500.00 to the Andrew D. Fox Memorial Run - payable to First Sentinel Bank, PO Box 167, Tazewell, VA 24651 (Trooper D. Fox Memorial 5K)
- Southern District - Approved \$3,000.00 to the Town of Tazewell IDA for downtown development projects

- Southern District - Approved \$75.00 for B & B Bouncers - permit for inflatable's for Main Street Moment event July 25, 2015
- Westlaw and Lexis - Approved a contract for services for the Law Library
- Sheriff's Department - Approved the amount of \$40.00 from Account No. 91050-7041 Contingent Expenditures & Grant Account to Sheriff Dept. Account No. 31020-6010 as monies received as restitution
- Sheriff's Department - Approved the amount of \$77.20 and the amount of \$105.79 from Account No. 91050-7041 Contingent Expenditures & Grant Account to Sheriff Dept. Account No. 31020-6001 - reimbursement of services
- Sheriff's Department - 911 Division - Approved an additional appropriation in the amount of \$686.00 from the General Fund to Project Lifesaver Account No. 035600-8109-19 as donations received for tracking bracelets and operating supplies
- Approved a resolution adopting the Cafeteria Plan for Tazewell County, Virginia as authorized under Section 125 of the Internal Revenue Code of 1986

CITIZEN COMMENTS UNSCHEDULED

Ms. Warren Hinkle and Mr. Jim Talbert members of the Tazewell County Animal brought to the Board of Supervisors attention a proposed ordinance in the Town of Richlands, Virginia that is being planned to require spaying/neutering of domestic dogs and cats within the Richlands Town limits. Ms. Hinkle said she wanted to make the Board of Supervisors aware that this would have a huge impact with regard to an increase in the animal population at the Tazewell County Animal Shelter. Ms. Hinkle also said her and Mr. Talbert were neither for or against the ordinance, but they felt the Board of Supervisors needed to know the consequences of the proposed ordinance should the Town of Richlands adopt it. The Board felt the best solution would be for an Animal Shelter Board member(s) to attend the next Richlands Town Council

meeting to address their concerns as well as ask for funding assistance from Town(s) to help with Animal Shelter expenses as well as seek funding to help with the new proposed Animal Shelter.

CITIZEN COMMENTS - UNSCHEDULED

Cordelia Street Road Concerns

Mr. Melvin B. Sparks, Jackie Stacy, Thomas Walls, Thomas Woolsey and Ray Street, residents of Cordelia Street, appeared before the Board to address matters relative to Cordelia Street located off Hwy. 19 - South of Claypool Hill. Mr. Sparks requested that the County repair and maintain Cordelia Street so two vehicles could safely pass, while Mr. Thomas Woolsey did not agree with giving up the required R.O.W. to make repairs to the Street. Mr. Woolsey lives in the first house entering Cordelia Street as well as owning various businesses on the street. There are also over 30 family homes and a large church connected to Cordelia Street. Supervisor Absher told Mr. Sparks that three other property owners living on Cordelia Street have called him that are opposed to the road repairs. The County Attorney, Eric Young explained that the County must have a public right-of-way in order to consider maintaining the road.

The Chairman suggested that the group take their concerns to the Planning Commission at their August 13, 2015 meeting.

Route 644 Curves - Ray Howell

Ray Howell, Transportation Safety Committee Member and a resident of Rosenbaum Road, located in the Boissevain/Bluefield, VA area was present to address two dangerous curves in the Abbs Valley Boissevain area on Route 644. The curves in question are located near the Abbs Valley School approximately .3 miles west along Route 644 from the intersection of Route 644 and Route 696 - and the 2 curves are less than 400 feet apart. He said several years ago the Virginia Department of Transportation added the projects to the 2017 Six Year Plan but has been taken out due to lack of funding. The project is anticipated around \$1,000,000.00. Mr. Howell also said he was told that Revenue Sharing funds could be used for repairs. He further said it was strictly a safety issue to avoid a potential serious accident.

Mr. Howell duly requested that the Board find some way to help fund the project. Chairman White said the Board could possibly send the County's engineer out to look at the project for a potential plan.

**BOARD OF SUPERVISORS -
LIAISONS REPORT**

Planning Commission - Supervisor Stacy had nothing to report with regard to activities of the Planning Commission.

IDA - Supervisor White said Mike Thompson had already given an IDA update with regard to various projects.

CPPD - Supervisor White reported that the CPPD is looking to help the PSA with various projects.

RDA - Supervisor Roberts said the RDA held a special called meeting to ratify a new contract for the construction of a \$600,000.00 investment for the new OHV trail system/resort in Boissevain, Virginia. The audience and Board of Supervisors applauded the RDA's efforts.

FIVE (5) MINUTE RECESS

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

APPOINTMENTS

Local Building Code of Appeals -

Upon motion of Supervisor Absher, 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 Mr. Ronnie Gillespie, Gillespie Electric, to serve as member status of the Local Building Code of Appeals, effective immediately. Mr. Gillespie currently serves as alternate member of the Board. The alternate position to fill Mr. Gillespie's slot will be placed on the September 1, 2015 agenda.

Library Board of Trustees - one appointment was deferred to the September 1, 2015 meeting.

Tazewell County Road Viewers -

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 William E. Osborne, 328 Little Tumbling Road, Tannersville, VA 24377 as a member of the Tazewell County Road Viewers, to

fill the unexpired term of Paul Brewster who passed away. Mr. Osborne's term is effective immediately and will expire June 30, 2015.

EMERGENCY SERVICES COMMITTEE UPDATE

Following presentation by Supervisor Hymes, representing the Tazewell County Emergency Services Committee, the following matters were reported. Said expenditures as approved will be issued by the Interim County Administrator with said warrant being converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

- Supervisor Hymes reported that the Town of Richlands requested \$37,000 to replace 40 air tanks. The Town of Richlands will be requested to put up any money toward the air tanks.

- Supervisor Hymes said the Bandy Fire Department asked for \$2,000 to turn a donated pickup truck into a quick response truck. He said Bandy has had all materials donated aside from a pump needed to run the tanker on the back of the truck. The cost of the pump is over \$5,000 and they are asking for \$2000 to help fund this project. Now, upon motion 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 \$1,000.00 from the Northern District Fund payable to the Bandy Fire Department, Bandy, VA attn: Ben Young, to help defray the costs of a pump needed to run the tanker on the back of a truck. And further, upon motion of Supervisor Hymes, seconded by Supervisor Roberts and approved unanimously, the amount of \$2,000.00 will be taken out of the UTV funding Account for this cause. A total amount of \$3,000.00 is hereby approved for the pump.

- Tazewell County Fire Department: Supervisor Hymes said that the Tazewell County FD requested \$7,000 for a new thermal imagery camera. Supervisor Hymes asked if Tazewell County FD planned to put anything towards the camera and he said the chief told him they could put up \$2,000. It was made clear that there are only three of these cameras in the County. The Board of Supervisors deferred the request to

the September 1, 2015 Board of Supervisors meeting. It was suggested that a plan of action for usage of the cameras be presented.

- **Baptist Valley:** Baptist Valley requested \$4,900 to match a grant they received to replace pagers, flashlights, helmets, and a chainsaw. 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 \$4,900.00 from the UTV funds to replace pagers, flashlights, helmets and a chainsaw for Baptist Valley.
- **Rescue Squad Reporting:** Supervisor Hymes went over a letter from the Sheriff's office about the rescue squads doing their 24 hour reporting. Supervisor Hymes stated that the reporting issue was with Rescue 945. David White has spoken to them about this issue and hopefully the matter will be resolved.
- **PSA Water Usage Reporting:** Supervisor Hymes requested Pat Green to contact Dahmon Ball with PSA to see if he could set up a 24 hour number where departments could call and report fire hydrant usage to the PSA if they tap into a fire hydrant. Ms. Green will see that this is remedied.
- **Fire & Rescue Appreciation Dinner:** The date for the Fire & Rescue Appreciation Dinner and Parade was announced for October 4th Sunday, with the parade starting at 3pm and the dinner starting at 4pm. at Nuckolls Hall.
- **Pocahontas Fire Department - Tree Concern.** Supervisor Hymes reported that there are some trees blocking the tower in the Pocahontas area. The County Attorney is working with property owners for permission to have the trees removed that are blocking the tower causing communication issues in the Pocahontas area.
- **Bishop Fire Department - Northfolk and Southern** - Application fee for Railroad Crossing Ingress and Egress -

Upon motion of 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 approves the amount of \$500.00 (\$250.00 from Northern and \$250.00 from Northwestern) payable to Norfolk Southern Corporation for an application fee for the consideration of asphaltting or removal of the railroad tracks located in Bishop near the Bishop Fire Department for that will allow more easily ingress and egress to the Bishop Fire Department. Should the application fee be waived the monies will be returned to the district funds accordingly. Said expenditures as approved will be issued by the Interim County Administrator with said warrant being converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

COYOTE BOUNTY \$50.00 FEMALE ONLY

EFFECTIVE IMMEDIATELY

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 approves the payment of \$50.00 for female coyotes only, effective immediately, and until such further action by the Tazewell County Board of Supervisors. The \$50.00 payment shall be issued from the Coyote Bounty Account FY15-16, and until such time as the \$2,500.00 as budgeted is depleted.

PPEA - EVALUATION COMMITTEE

CAVITTS CREEK WASTE WATER TREATMENT PLANT

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 appoints a committee, i.e. Supervisor Hymes and Roberts to evaluate the PPEA for the Cavitts Creek Park- packaged Waste Water Treatment Plant.

VDOT SAFETY STUDY - SIGNAL LIGHT AT THE 4-WAY INTERSECTION NEAR THE PM QUICK MART IN POUNDING MILL

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 request the Virginia Department of Transportation to perform a safety study for the consideration of placing a signal light at the 4-Way Intersection near the Pounding Mill Quick Mart, located in Pounding Mill, VA. A copy of the resolution in a form as adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

COMCAST CABLE FRANCHISE ORDINANCE

- PUBLIC HEARING TO AMEND

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 authorizes a public hearing at the October 6, 2015 meeting to renew the Comcast Cable Franchise Ordinance.

CANCER STUDY EXTENSION

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 a no-cost extension to collect more samples with final reporting by December 31, 2015, with regard to VA Tech's - Center for Public Health Practice & Research for the Cancer Study currently being performed in Tazewell County, Virginia.

Members of the Board further agreed to set aside a day to accompany VA Tech Team Members to locations in their respective districts.

OTHER ROAD MATTERS

Supervisor Absher reported that the trees near Bob Wade's house, telephone, 963-0661 needed trimming because they are causing a sight distance issue. Trees on Fill Street need attention immediately and tree branches on Route 609 on Wardell Road needs to be cleaned up.

Supervisor Hymes requested that a tree at the pump station in Adria be looked at for possible interference.

RICHLANDS MIDDLE SCHOOL - 8TH GRADE FOOTBALL TEAM

\$1,000.00 WESTERN DISTRICT AND \$1,000.00 NORTHWESTERN DISTRICT

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 approves the amount of \$1,000.00 from the Western District and \$1,000.00 from the Northwestern District, payable to the Richlands Middle School 8th Grade Football, attn: Bobby Adkins, to assist with the purchase of uniforms. Said expenditures as approved will be issued by check by the Interim County Administrator with said warrant being converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

CENTER FOR CHRISTIAN ACTION

\$500.00 - NORTHERN DISTRICT FUND

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 non one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 from the Northern District Fund, payable to the Center for Christian Action, Inc. Pocahontas, VA 24635 attn: Sally Rash, to assist with replenishing food and clothing dispensed during the July 5, 2015 flood. Said expenditures as approved will be issued by check by the Interim County Administrator with said warrant being converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651

NORTHWESTERN DISTRICT - SPECIAL SCHOOL PROJECTS

\$20,000.00 TO RICHLANDS ELEMENTARY SCHOOL - READING/BOOK ROOM

Upon motion of Supervisor White, 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 \$20,000.00 from the Northwestern District Special School Projects, Acct. No. 91700-5699-108 to the Richlands Elementary School, Book/Reading Room , Attn: Mrs. Lashinsky (Principal). Said expenditures as hereby approved will be issued by check by the Interim County Administrator with said warrant being converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

**JEWELL RIDGE FIRE DEPARTMENT -
\$5,500.00 FROM NORTHWESTERN DISTRICT
TRUCK REPAIRS TO 1986 FMC PUMPER**

Upon motion of Supervisor White, 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 \$5,500.00 from the Northwestern District Fund payable to the Jewell Ridge VFD, Attn: Brian Lowe, PO Box 199, Jewell Ridge, VA 24622, to repair the 1986 FMC Truck - Pumper. Said expenditures as hereby approved will be issued by check by the Interim County Administrator with said warrant being converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

SUPERVISOR ROBERTS

- OTHER CONCERNS

Supervisor Roberts requested the Interim County Administrator to check on the warranty coverage for engine repairs for an ATV housed at the Pocahontas Fire Department.

Supervisor Roberts questioned whether the Interim County Administrator obtained quotes for propane usage for all county fire departments.

RECESS TO AUGUST 19, 2015 - 3:00 PM.

Now, there being no further business to be transacted 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 recesses this meeting to August 19, 2015 at 3:00 p.m. to discuss County Administrator candidates.

Seth R. White, Chairman

by: RG

9:48 p.m.