

**VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL  
COUNTY BOARD OF SUPERVISORS, HELD AUGUST 5, 2014 AT  
6:00 P.M. IN THE TAZEWELL COUNTY ADMINISTRATION  
BUILDING, 108 EAST MAIN STREET, TAZEWELL VIRGINIA 24651**

**PRESENT: CHARLES A. STACY, CHAIR (arrived 6:05 p.m.)  
SETH R. WHITE, VICE CHAIR  
JOHN ABSHER, MEMBER  
D. MICHAEL HYMES, MEMBER  
J. GARLAND ROBERTS, 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: JIM TALBERT, CLINCH VALLEY  
NEWS/RICHLANDS NEWS PRESS; WARREN HINKLE, TAZEWELL  
COUNTY FREE PRESS**

**ABSENT: NONE**

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The Chairman, Charles Stacy arrived at the meeting a few moments late, and in his absence, Vice Chair White called the meeting to order and presided. Supervisor Roberts gave the invocation with Supervisor Absher leading those present in the Pledge of Allegiance to the US Flag.

Now the Vice Chair welcomed all those in attendance.

**AGENDA APPROVED AS AMENDED**

Upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 4 to 0, with the Chair absent and with all members voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the August 5, 2014 agenda format as amended.

**MINUTES APPROVED AS WRITTEN**

Upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 4 to 0, with the Chair absent and with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the June 26, 2014 Board of Supervisors Meeting Minutes as written.

**COUNTY ENGINEER UPDATE**

Matt Anderson, County Engineer, gave an update on various projects taking place in the Engineer's department. A building construction and permits report for June and July was given. The Orphan Road Paving Schedule was submitted for consideration of approval.

**ROADS APPROVED FOR BID**

Following recommendation by the Tazewell County Coal and Gas Road Improvement Committee this date, and upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present voting in favor and no one against the Tazewell County Board of Supervisors hereby authorizes and directs the County Engineer to advertise for bid, the Orphan Roads Paving Schedule for FY 2014-15:

**LOT I (WESTERN DISTRICT)**

ROAD	L X W (FEET)	EST. TONS	BID PRICE
<b>Fashion Road</b>	410 X 15	76	
<b>Martin St</b>	528 X 12	78	
<b>Pleasant Valley Rd</b>	203 x 15	48	
<b>Bluejay St</b>	400 x 12	53	
<b>Honey Rock</b>	10 x 12	21	
<b>Total Bid Price</b>			
<b>Price Per Ton</b>			

**LOT II (SOUTHERN DISTRICT)**

ROAD	L X W (FEET)	EST. TONS	BID PRICE
<b>Olympic Dr</b>	262 x 11	46	

<b>Ella Rd</b>	558 x 13	86	
<b>Zoo Ln</b>	1000 x 15	158	
<b>Valley Loop</b>	200 x 15	48	
<b>Bluebonnet</b>	528 x 16	97	
<b>Total Bid Price</b>			
<b>Price Per Ton</b>			

**LOT III (NORTHWESTERN DISTRICT)**

<b>ROAD</b>	<b>L X W (FEET)</b>	<b>EST. TONS</b>	<b>BID PRICE</b>
<b>Monarch St</b>	80 x 9	27	
<b>Gulf Ave</b>	200 x 10	38	
<b>Mill Ave</b>	260 x 9	41	
<b>Bellwood Rd</b>	1000 x 10	112	
<b>Total Bid Price</b>			
<b>Price Per Ton</b>			

**LOT IV (Thompson Valley Community Center)**

<b>Item</b>	<b>EST. TONS</b>	<b>BID PRICE</b>	
<b>Parking Lot/Road</b>	215		
<b>Total Bid Price</b>			
<b>Price Per Ton</b>			

**LOT IV (Airport)**

<b>Item</b>	<b>EST. TONS</b>	<b>BID PRICE</b>	
<b>Parking Lot Area</b>	159		
<b>Hangar Area</b>	162		
<b>Total Bid Price</b>			
<b>Price Per Ton</b>			

**ADDITIONAL CONTINGENCY ITEMS**

The following additional roads may be incorporated as additive alternates to the lots listed above.

**LOT I (Western District)**

ROAD	L X W (FEET)	EST. TONS	BID PRICE
County Line Rd	350 X 12	59	
Kennedy Dr	560 x 12	82	
<b>Total Bid Price</b>			
<b>Price Per Ton</b>			

**Eastern District (ADD. ALTERNATE)**

ROAD	L X W (FEET)	EST. TONS	BID PRICE
Royal Oak	2271 x10	228	
<b>Total Bid Price</b>			
<b>Price Per Ton</b>			

**Northern District (ADD. ALTERNATE)**

ROAD	L X W (FEET)	EST. TONS	BID PRICE
Barn Ave	490 x 10	65	
<b>Total Bid Price</b>			
<b>Price Per Ton</b>			

**COMMONWEALTH ATTORNEY'S ANNEX -  
CHANGE ORDER APPROVED \$2,898.00**

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 approves Change Order No. 1 for the

Commonwealth Attorney's Annex Project in the amount of \$2,898.00 because the Contractor, Nickels, Inc. PO Box 347, Tazewell, Virginia 24651 encountered large formations of limestone rock that had to be removed. A copy of Change Order No. 1, Dated 7/28/2014, is on file in the office of the County Engineer and the County Administrator's Office, Main Street, Tazewell, Virginia 24651.

### **POCAHONTAS WALKING TRAIL**

The Pocahontas Walking Trail project is moving forward with the County seeking approval for the Virginia Department of Transportation to authorize the Bid for Phase One of the Project. A letter will be sent to VDOT, Ms. Tamara Pritchard asking for approval. There are also several safety issues to be addressed on the Trail as well.

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### **ECONOMIC DEVELOPMENT UPDATE**

Mike Thompson, Economic Development Coordinator gave an update with regard to activities in the Economic Development Department. There are several projects being discussed with Mr. Thompson stating his office continues to search for new opportunities. Each BOS member will receive, once completed in draft form, a copy of the Economic Development Annual Report for FY14. The Annual Report must be submitted in conjunction with the renewal of the Enterprise Zone, which must be completed by June 30, 2015. The expiration of the County current Zone is December 31, 2015. Mr. Thompson said a Tourism Report with plan/initiatives and tourism efforts was emailed to the Board of Supervisors. With regard to the Enterprise Zone, a consultant for the Enterprise Zone renewal process was placed in the FY14-15 Budget and monies approved.

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### **EXECUTIVE/CLOSED MEETING**

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 enters into an Executive/Closed Meeting pursuant to Virginia Code Section Pursuant to Virginia Code Section 2.1-3711

✚ A(29) Contract Negotiations involving a consultant for the Dental School Project

- ✚ A (7) Legal Consultation regarding the Mullins claim for flood damage as a result of landfill run-off
- ✚ A (29) Contract Negotiations - with ANG for Western Natural Gas Project in which public discussion would compromise the County's bargaining position.
- ✚ A (5) Discussion regarding a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made involving Project Jonah.

**RETURN/CERTIFICATION/REPORT OF ACTION**

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 returns from the Executive/Closed Meeting with the following resolution hereby adopted as read by Supervisor Hymes.

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***CERTIFICATION***

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***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, White, Stacy, Absher, Hymes

Nays: None

Absent: None

Absent during vote: None

**REPORT OF ACTION:  
PROJECT JONAH**

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 supports the Tazewell County Industrial Development's (IDA) application to the Tobacco Commission for an additional grant for Project Jonah.

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**CONSENT CALENDAR APPROVED**

Upon motion of Supervisor Hymes seconded by Supervisor Roberts 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:

**WARRANTS**

**July 2014**

**Payroll**

Ordered that Warrant Nos. 139048 through 139094 and direct deposits totaling \$349,506.84 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending June 30, 2014, be approved.

Ordered that Warrant Nos. 139096 through 139142 and direct deposits totaling \$362,551.49 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending July 15, 2014 be approved.

**Accounts Payable/Payroll Deductions**

Ordered that Warrant Nos. 466198 through 466358, for \$636,921.91 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 2014, be approved.

Ordered that Warrant Nos. 466360 through 466375, for \$168,471.83 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending June 30, 2014 be approved.

Ordered that Warrant Nos. 466377 through 466528, for \$1,686,273.28 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 2014, be approved.

Ordered that Warrant Nos. 466530 through 466545, for \$134,857.28 from the General Funds, covering payroll deductions for the various County agencies for the period ending July 15, 2014, be approved.

**Handwritten**

Ordered that Warrant No. 801852 through 801855 for \$73,242.00 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of June 2014, be approved.

- Ratified \$1000.00 from Western District and \$1000.00 from Northwestern District, total \$2,000.00 paid to the Richlands Little League - earmarked for the 11-12 year old All-Stars Baseball
- Ratified \$2000.00 (\$400.00 from each district fund) payable to the Tazewell/Russell Shriners c/o Raleigh Worley
- Ratified \$2,750 from District Funds, \$1,000 Southern; \$750 Northwestern; \$1,000 Northern - Southeastern Region Tournament
- Approved \$500.00 from the Southern District fund for the Trooper Andrew D. Fox "727" Memorial 5k.

- Approved \$4000.00 from the Southern District fund to Tazewell County Fire Rescue to pay for 10 sets of boots and gloves to go with the new turn-out gear
- Approved tax abatement pursuant to 58.1-3981 of the Code of Virginia for a duplicative taxation of certain machinery and tools erroneously assessed to Regional Surgical Services (RSS) in the amount of \$2,770.00.
- Coyote Claims:
  - Approved \$50.00 to Timothy Sparks, PO Box 1084, Cedar Bluff, VA 24609 for 1 coyote killed with a rifle on July 2, 2014.

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### **ROBERTS RULES OF ORDER SUSPENDED**

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 suspends Roberts Rules of Order - changing the agenda format due to the Board of Supervisors being ahead of schedule.

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### **BOARD OF SUPERVISORS LIAISON REPORTS**

#### **Planning Commission**

Supervisor Stacy had nothing new to report on behalf of the Planning Commission, except that Zoning and Comprehensive Plan updates are ongoing.

#### **IDA**

Supervisor White had nothing new to report with regard to IDA matters.

#### **Emergency Services**

##### **ESM- R.I.T.**

Supervisor Hymes on behalf of the Tazewell County Emergency Services Committee presented a costs of trucks and equipment for a county wide R.I.T (Rapid Intervention Team). The RIT would consist of a minimum of 20 trained volunteers and would respond to all dwelling fires in the County. Two trucks would equip one on the East end of the County and one on the West end of the county. The cost for these trucks would be approximately \$165,000.00 per truck

and would include all needed equipment. The Board of Supervisors suggested the request be looked at in next year's budget.

#### **VA FORESTRY GRANT**

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 \$2,000.00 towards a VA Forestry grant for the purchase of a skids unit for Richlands Fire Dept. attn: Rhudy Keith from the Capital Outlay Acct. No. 32010-8109. The VA Forestry Dept. will provide \$1,000.00 and Richlands will provide \$2,000.00 for a total of \$5,000.00. 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.

#### **LOCAL EMS RESPONSE PLAN**

A request from Jason Kinser on behalf of the EMS Committee to grant David White permission to sign off on Local EMS Response Plans was deferred to later in the meeting. A new law went into effect in October 2013 that requires each EMS locality to have a Local Response Plan. This plan must be presented during their inspection by each department and must be signed by the governing body or their appointee.

#### **FIRE AND RESCUE APPRECIATION DINNER**

A request to approve \$6,000.00 for the Fire and Rescue Appreciation Dinner and Parade in October 2014 was deferred to the September 2, 2014 regular BOS meeting. This is an annual event to show appreciation for all fire and rescue personnel. The money will be spent to cover a catered dinner, t-shirts for each department and door prizes. Supervisor Stacy suggested that Dave White consider soliciting local businesses to help sponsor the event.

#### **UTV FOR RESCUE 945 -**

##### **CAPITAL OUTLAY**

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 \$6,750.80 from the Rescue Capital Outlay Account No. 32020-8109 for the purchase of skids unit and safety equipment for their UTV to be used for emergency response on the ATV trail. 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.

### **JEWELL RIDGE - A REQUEST FOR WATER LINES TO BE UPDATED**

Jewell Ridge Fire Department requested that the PSA update water lines in Jewell Ridge so fire hydrants could be placed in the camp because they currently only have one hydrant at the bottom of the mountain. Supervisor White requested two (2) additional blow-off valves be placed in the Jewell Ridge water system. PSA was requested to see if the Health Department would approve the additional blow-off valves. The Board requested that Dahmon Ball, PSA Administrator provide them with a copy of the Jewell Ridge PER for review. Bishop also requested additional hydrants in their area.

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### **PUBLIC HEARING**

#### **CLINIC DRIVE**

The Chairman called to order a Public Hearing that was duly advertised according to law to consider public comment regarding the Board of Supervisors intent to accept Clinic Drive into the County's Road system. Clinic Drive extends approximately 2835 feet from VA State Route 719 (Claypool Hill Mall Road), near the Claypool Hill Mall, in Claypool Hill. The Board will consider accepting newly dedicated right of way and including the road into the county's system for improvement. The Road may be improved such that it will be conveyed to V-DOT for future maintenance. The Ordinance also will vacate any previously existing public rights of way established by prescription or otherwise over the same properties, along the course of the existing road. The property owners affected are Temecula's Elite, LLC; Taylor Hydraulics, Incorporated; C. J. Horn; D & T, Inc.; Richlands Properties, LLC; MCMW Investment, LLC; Freedom Ministries; Herndon-Keen, Incorporated; H. Paul Buskell & Associates; MCAP Richlands II, LLC; Mayfair Richlands Properties, LLC; and Clinch Valley Medical Center, Inc.

The Chairman called for public comments from the floor.

1. Randy Bolling representing Mayfair Properties and Commonwealth Assisted Living was present and presented to the County Attorney Deeds of Dedicated Easements in support of the Clinic Drive project.

2. Austin Wratchford, Assistant Administrator at Clinch Valley Medical Center, Richlands, Virginia was present and strongly endorsed the County's acceptance of Clinic Drive into the County's Road system. Mr. Wratchford also presented the County Attorney with Deeds of Dedication in reference to this project. He said the project would be a great benefit to the Clinic

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

The County Attorney, Eric Young explained that the Orphan Road Ordinance requires a comment period from the Planning Commission with regard to the Board of Supervisors considering the acceptance of a road into the Orphan Road Program. In addition as legal counsel he would need to approve the easements as presented.

Now, upon motion Supervisor Absher, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts An Ordinance accepting Clinic Drive into the County's Road system, contingent upon a comment period from the Tazewell County Planning Commission and subject to the approval of the easements by the County Attorney.

Clinic Drive extends approximately 2835 feet from VA State Route 719 (Claypool Hill Mall Road), near the Claypool Hill Mall, in Claypool Hill. The Board will consider accepting newly dedicated right of way and including the road into the county's system for improvement. The Road may be improved such that it will be conveyed to V-DOT for future maintenance. The Ordinance also will vacate any previously existing public rights of way established by prescription or otherwise over the same properties, along the course of the existing road. The property owners affected are Temecula's Elite, LLC; Taylor Hydraulics, Incorporated; C. J. Horn; D & T, Inc.; Richlands Properties, LLC; MCMW Investment, LLC; Freedom Ministries; Herndon-Keen, Incorporated; H. Paul Buskell & Associates; MCAP Richlands II, LLC; Mayfair Richlands Properties, LLC; and Clinch Valley Medical Center, Inc.

A copy of the Ordinance in a form as hereby presented is on file in the office of the County Administrator and incorporated herein by reference thereto.

**ORDINANCE AS ADOPTED -  
CONTINGENT UPON PLANNING COMMISSION COMMENT  
AND SUBJECT TO THE APPROVAL OF EASEMENTS BY THE COUNTY  
ATTORNEY**

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

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

WHEREAS, the Tazewell County Planning Commission has recommended acceptance of Clinic Drive into the County Road system;

WHEREAS, the Board desires to make improvements to Clinic Drive and later convey the road to the Virginia Department of Transportation for future maintenance;

NOW, THEREFORE BE IT RESOLVED, pursuant to § 15.2-2006 of the VA Code (1950), as amended, that the Tazewell County Board of Supervisors hereby accepts *Clinic Drive*, located approximately 0.28 miles West of Route 460, off of Claypool Hill Mall Road, at or near Claypool Hill, in Tazewell County, Virginia, bounded by the properties of Temecula's Elite, LLC; Taylor Hydraulics, Incorporated; C. J. Horn; D & T, Inc.; Richlands Properties, LLC; MCMW Investment, LLC; Freedom Ministries; Herndon-Keen, Incorporated; H. Paul Buskell & Associates; MCAP Richlands II, LLC; Mayfair Richlands Properties, LLC; and Clinch Valley Medical Center, Inc., to extend a distance of approximately 2351 Feet from said intersection, along the course as shown on the attached plat.

It is further resolved that the Board's acceptance is conditioned upon approval of the right of way by the County Attorney and all other qualifications set forth in the County's Orphan Road Ordinance.

The Board does hereby accept all rights of way granted by Deeds of Easement to be recorded in the Tazewell County Circuit Court Clerk's Office over and upon the properties shown on the attached plat and authorizes the County Attorney to record the same.

The Board further resolves to abandon any and all other rights of way across the aforementioned properties along the existing Clinic Drive, if any, which may have previously established by dedication, implication, or prescription pursuant to § 15.2-2006 of the VA Code (1950), as amended.

IT IS SO RESOLVED this the 5th day of August, 2014.

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**PUBLIC HEARING -**

**911 ADDRESSING ORDINANCE ADOPTED AS AMENDED**

The Chairman called to order a public hearing that was duly advertised according to law to amend the existing Ordinance relating to 911 Addressing within the County.

Erwin Earnest, the County's 911 Addressing Coordinator, explained the existing Ordinance proposed to be changed is Tazewell County Code of Ordinances Sec. 13-71 through 13-110. The Board previously adopted an ordinance to implement an initial Emergency 911 (E911) uniform addressing system and the Ordinance contemplated many streets and roads being named and structures being numbered simultaneously; the Ordinance further took into account that the public would require time to acclimate to the addressing system; the addressing system now has been implemented throughout the County and the Board now desires to reform the addressing process in consideration of the fact that the public now is familiar with the system and that roads now will be named only as they are developed and structures will be numbered only as they are constructed.

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

And, 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 adopts the 911 ADDRESSING ORDINANCE AS AMENDED, TO WIT:

**AN ORDINANCE TO AMEND THE  
COUNTY'S 911 ADDRESSING ORDINANCE**

WHEREAS, the Board previously adopted an ordinance to implement an initial Emergency 911 (E911) uniform addressing system;

WHEREAS, said Ordinance contemplated many streets and roads being named and structures being numbered simultaneously;

WHEREAS, the Ordinance further took into account that the public would require time to acclimate to the addressing system;

WHEREAS, the addressing system now has been implemented throughout the County;

WHEREAS, the Board now desires to reform the addressing process in consideration of the fact that the public now is familiar with the system and that roads now will be named only as they are developed and structures will be numbered only as they are constructed;

NOW THEREFORE,

The Tazewell County Board of Supervisors hereby does repeal Section 13-71 through 13-110 of the Code of Tazewell County and does hereby reenact said sections as hereinafter set forth:

“ARTICLE III. STREETS

DIVISION 1. GENERALLY  
Secs. 13-61--13-70. Reserved.

DIVISION 2. STREET NAMING POLICY

Sec. 13-71. Street names.

(a) *Choice of names.* Names should be pleasant sounding, appropriate, easy to read (so that the public, and children in particular, can handle the name in an emergency situation), and should add to the pride of ownership. The following criteria should be considered when assigning street names:

- (1) *Common nickname.* If a street has a common nickname but does not have an official name, every effort should be made to make the nickname the official name.
- (2) *Historical value.* If an area is associated with an historic event, person, or landmark, every attempt should be made to assign a street name reflecting the status.
- (3) *Geographical value.* If neither method above can be used to name the street, an attempt should be made to assign a name that reflects the geographical location or the geographical characteristics of the street.
- (4) *Names.* Names of local residents shall not be used unless the resident is a significant figure in the history of the area or an individual designated by the board of supervisors as such. The use of first names should be discouraged, unless the first name is needed to distinguish that individual from other persons with the same last name.
  - (b) *Avoidance of duplication.* Similar sounding names are considered to be duplication regardless of spelling. No duplication of names is permitted within the projected service area .
  - (c) *Affixes.* Unnecessary affixes are to be avoided. Terms such as "E.", "East", "W.", "West", etc., should be used sparingly, since they are easily dropped during stressful situations, causing confusion and a delay in response to emergency services.
  - (d) *Avoidance of numbers.* Numbers shall not be used for street names. This includes numbers that are spelled out, such as "First Street."
  - (e) *Continuity.* A continuous street, or one proposed to be continuous, should bear the same name throughout, even though it changes directions. If it is interrupted by a stream, freeway, railroad, etc., and eventual connection is not probable, the segments shall bear different names.
  - (f) *Future streets.* All new streets must be named in accordance with the regulation set forth in this division, no matter who the naming party may be.
  - (g) *Private driveways.* Driveways or access easements serving three (3) or more habitable structures shall be assigned a street name. Individuals living in these areas may name their own driveways/easements if the name conforms to the regulations stated above, the individuals purchase the street sign through the Addressing Coordinator's office and there is no conflict with the other residents of the driveway/easement.

(Ord. of 9-16-97, § 1)

(Ord. of 9-16-97, § 2)

Secs. 13-74--13-84. Reserved.

### DIVISION 3. STREET NAMING SYSTEM

Sec. 13-85. Findings.

The Tazewell County Board of Supervisors has determined that the adequate provision of public health and safety services to the residents of the county, and to other public bodies, including such services as police, fire, emergency and medical services, requires the establishment of a uniform street naming and numbering system for buildings and property located in the unincorporated portion of the county. The board of supervisors further feels that the provisions enacted herein will secure the public safety and deliver the aforementioned public services in a more efficient and effective manner

(Ord. of 9-16-97, § 1)

Sec. 13-86. Preamble.

There is hereby established a uniform system for street naming and for numbering habitable structures and buildings on all roads, streets and public ways in the unincorporated areas of the county. All buildings shall be numbered in accordance with the provisions set forth herein. In consideration of which the Board of Supervisors hereby authorizes and directs the County Administrator to designate an Addressing Coordinator, who may also be employed by the County for other purposes, to perform such as set forth in this ordinance, including but not limited to assigning street names for new streets in the County and assigning address numbers for new structures in the County. Such Addressing Coordinator shall establish such street names and address numbers consistent with this ordinance.

(Ord. of 9-16-97, § 2)

Sec. 13-87. Street names

(a) No new street name assigned by the Addressing Coordinator shall be a duplicate of or be so similar, either when read audibly or by appearance when written, as to be easily confused with any existing street name in the unincorporated areas of the county.

(b) After street names have been officially approved by Addressing Coordinator he shall provide the residents whose addresses are affected notice of the new name. Such notice shall include notice of their rights to appeal the Coordinator's decision to the Board of Supervisors as herein provided. Any resident, whether residing on the street or not, may within sixty (60) days thereafter request the Board of supervisors to change the name and upon receipt of such request the Board of Supervisors shall hold a public hearing and notice thereof shall be provided to the affected residents. Should no request be made within sixty (60) days or should the Board refuse to overrule the decision of the Addressing Coordinator, the name may not be changed for a period of two (2) years. Thereafter, citizens who wish to rename a street may petition the Board of Supervisors to rename said street. If such petition includes the signatures of approval of at least sixty (60) percent of the residents along that street, the Board shall hold a public hearing to consider renaming said street. The Board of Supervisors, upon a motion of a member of the Board and after a public hearing, upon notice to the affected residents, may change the name of any street at any time.

(Ord. of 9-16-97, § 3; Ord. of 8-20-2002, § 3)

Sec. 13-88. Numbering.

(a) The Addressing Coordinator shall number buildings and structures in a uniform, consistent manner. A copy of the current numbering protocol is attached to this ordinance as an exhibit and hereby is incorporated herein.

(b) All numbers for the property shall be assigned in a manner mutually agreed upon by the Addressing Coordinator and the U.S. Postal Service.

(c) Each house, building or other occupiable structure shall be assigned a separate number. A number or alphabetical letter shall be assigned for each separate occupant (i.e., apartment, company, etc.) within a building or other occupiable structure.

- (d) Existing numbers shall be changed only as necessary to ensure the effectiveness and efficiency of the enhanced 911 system in the county, as determined in the judgment of the board of supervisors, under the advisement of the Addressing Coordinator.
- (e) The board of supervisors, through the Addressing Coordinator shall submit to the addressing information center at the appropriate post office, copies of all subdivisions plats which shall have the uniform numbering system detail thereon. Upon receiving the approval of the postal authorities, a copy of these plats shall be sent to the codes department.
- (f) Written notification of the proper address of each house, building, or structure shall be given to its owner, occupant or agent in all instances where a new number has been assigned under the terms of this division.
- (g) Numbering protocol is based on the measurement of the intervals between the beginning of a road and the structures along the road (see exhibit), therefore, if the entrance to a structure is changed and is greater than 50 feet, the address numeric shall be corrected to match the protocol. (Ord. of 9-16-97, § 4)

Sec. 13-89. Placement of numbers.

- (a) Except as set forth in section 13-90 and 13-91 herein below, the owner, occupant or agent of each house, building or other structure assigned a number under the uniform numbering system provided in this division shall place or cause to be placed such number on the house, building or other structure within twenty-one (21) days after receiving notification of a property number assignment.
- (b) Cost and installation of the numbers shall be paid for by the property owner or the occupant. Residential numbers shall be not less than four (4) inches in height with a one-half-inch stroke. The four (4) inch requirement for residential numbering shall apply to any structures assigned numbers or reassigned numbers subsequent to the passage of this Ordinance. . All numbers shall be made of durable, clearly visible material and shall contrast with the color of the house, building or other structure.
- (c) All numbers shall be conspicuously placed immediately above, on or at the side of the appropriate door so that the number is clearly visible and readable from the street. In cases where the building is situated more than fifty (50) feet from the street, the building number shall be placed near the walk, driveway, or common entrance to the building, gate post, fence or other appropriate place so as to be clearly visible from the street. (Ord. of 9-16-97, § 5)

Sec. 13-90. Administration and implementation.

- (a) After each street has been officially named and addressed, no certificate of occupancy shall be issued for any house, building, or other structure to be erected, repaired, altered or modified along that street until the owner has obtained the assigned number from the Addressing Coordinator.
- (b) It shall be the duty of the owner to attach the assigned number to said house, building or other structure as provided for herein.
- (c) Once each street has been officially named and each resident notified of their new address and house number, final approval of any house, building or other structure erected, repaired, altered or modified shall be withheld by the building official's office until permanent and proper numbers have been attached to said structure. (Ord. of 9-16-97, § 6)

Sec. 13-91. Existing structures.

The board of supervisors shall require owners of existing structures to post the assigned numbers to their structures in accordance herewith within twenty-one (21) days from the date each resident is notified of the new address and house number.

(Ord. of 9-16-97, § 7)

Sec. 13-92. Signs

(a) Any person who intentionally defaces, covers, removes, or destroys street signs erected or authorized to be erected by the Addressing Coordinator shall be in violation of this ordinance.

Such violation shall be a Class I Misdemeanor.

(b) All signs nine inches (9 ") in width or less, affixed upon roadways with a green background and white lettering that use street, road, avenue, or any other commonly used street affixations as part of their names must be approved by the Addressing Coordinator. Any signs without such authorization shall be deemed a counterfeit of approved address signs. Any person who erects a counterfeit sign shall be in violation of this ordinance. upon failure of any person to remove such counterfeit sign within three (3) days of receiving notice of the violation.

Sec. 13-93. Failure to comply

Unless otherwise indicated a first or second violation of this ordinance shall be a Class IV Misdemeanor: a first violation of this ordinance shall be punishable by a fine not to exceed \$50.00 and a second violation shall be punishable by a fine not to exceed \$100.00. A third violation of this Ordinance shall be punishable as a Class I misdemeanor.

Sec. 13-94--13-110. Reserved.

It is so ORDAINED by the Board on this the 5th day of August 2014.

RECORDED VOTE: 5 to 0

**Exhibit - Address Numbering Protocol**

The address numbering protocol is based on the measurement of the intervals between the beginning of a road and the structures along the road. The system follows an interval of 5.28 feet per increment, which yields 2,000 possible address numbers per mile. Address numbering along a roadway begins at 100 from west to east and south to north (where possible) and is measured to the center of the driveway of a structure. Addresses ending with even numbers will be assigned to the right side of the road and odd numbers for the left, from the point of the beginning of the road.

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## **PUBLIC HEARING**

### **RICHLANDS - WHITEWOOD 138 KV TRANSMISSION LINE PROJECT**

The Chairman of the Board of Supervisors called to order a Public Hearing that was duly advertised according to law entitled A PUBLIC HEARING to hear concerns regarding an Application of Appalachian Power Company for Approval and Certification of the Richlands - Whitewood 138 kV Transmission Line Project under Title 56 of the Code of Virginia; SCC Case No. PUE-2014-00040 - AEP's proposal to construct certain improvements and additions to AEP's high voltage transmission facilities, to be located partly in Tazewell County, Virginia and partly in Buchanan County, Virginia, such improvements and additions collectively, the Richlands - Whitewood 138 kV Transmission Line Project. The proposed improvements consists generally of a new 7.5 mile Richlands-Whitewood 138 kV Transmission Line to be located in a 100-foot right-of-way (ROW), a new 0.5 mile 138 kV circuit to be collocated on an existing transmission line in an existing 100 - foot ROW, a new approximately 1.0 acre Whitewood Switchyard, a new 0.4 mile Whitewood 138 kV Extension Transmission Line to be located in a 200 - foot ROW, and associated improvements at APCO's existing Richlands Substation. "

Now, the Chairman called for public hearing from the floor three (3) times and there being none he declared the public hearing closed.

The County Attorney, Eric Young explained that the County received notice from the State Corporation Commission (SCC) that AEP filed for an Application for Approval and certification of electrical transmission line - The Richlands-Whitewood 138 kV Transmission Line Project and at the June 26, 2014 recessed meeting the Board of Supervisors requested a public hearing be held to hear concerns regarding the proposed AEP Project.

There was no action required from the Board of Supervisors with regard to the Public Hearing.

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## **CITIZEN COMMENTS**

Molly Campbell, Executive Director, for the Clinch Independent Living Services was introduced. Clinch Independent Living Services, Grundy, Virginia, is a non-profit, community based non-residential organization that is run by and for people with disabilities, serving Buchanan, Dickenson, Russell, and Tazewell Counties in Southwest Virginia. The Board welcomed Ms. Campbell and congratulated her and wished well in her new role.

**TOWN OF TAZEWELL - TODD DAY**

**RESOLUTION PERTAINING TO THE VDOT MAINTENANCE LOT LOCATED IN THE TOWN OF TAZEWELL, VIRGINIA**

Todd Day, Town of Tazewell Town Manager, presented a resolution asking for the Board of Supervisors support with regard to the Town of Tazewell's efforts to acquire the Virginia Department of Transportation property located in the Four-Way Section of the Town of Tazewell for economic development opportunities, more particularly business expansion. The property in question has approximately four acres of prime land and is a heavily traveled shopping business zone in the Town. The Town would like to enter into a cooperative agreement with the VDOT and to begin negotiations as soon as possible and to consider allowing the County's Industrial Development Authority to consider accepting the Town's proposal as well.

Now, 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 adopts the Resolution supporting the efforts of the Town of Tazewell, Virginia with regard to the VDOT Maintenance Lot Located in the Town of Tazewell, Virginia. 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.

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**VDOT - RESOLUTION CONCURRING TO THE CLOSURE PLAN OF BUSINESS ROUTE 19/460 TO THROUGH TRAFFIC AT THE INTERSECTION OF STRUCTURE NO. 1025**

Following presentation and a request from Conrad Hill, Transportation Residency Administrator, VDOT, and 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 adopts the following resolution:

**RESOLUTION**

At a meeting of the Board of Supervisors of Tazewell County held in Tazewell, Virginia this 5<sup>th</sup> day of August, 2014 it was duly moved and seconded that:

**WHEREAS**, on Route 19/460 Business, at the intersection of Route 91, the complete Structure Number 1025 is to be replaced by contract for the Virginia Department of Transportation as part of Project Number 0019-092-835, B646, and is to be advertised in early Spring 2015, and;

**WHEREAS**, replacing this structure by constructing it in half segments would require lane be restricted to 10 feet wide, thereby restricting use, and requiring approximately 12 months for completion, and;

**WHEREAS**, by closing Business Route 19/460 at this location, anticipated June 2015, for approximately six months, and detouring traffic to Route 16 to enter the Town of Tazewell, the project can be completed earlier with less disruption;

**NOW, THEREFORE, BE IT RESOLVED** that in order to facilitate the needed replacement of this structure, the Board of Supervisors hereby concur that with the closure plan of Business Route 19/460 to through traffic at the intersection of Structure Number 1025, being approximately six months.

**RESOLVED** this 5th day of August, 2014.

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**VDOT - REVENUE SHARING GUARDRAIL**

**LEFT OVER FUNDING TRANSFERRED**

**\$82,923.00**

Following a request from of Conrad Hill, Transportation Residency Administrator, VDOT and upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5to 0, with all members present and voting in favor thereof and no one against the same. the Tazewell County Board of Supervisors hereby approves the transfer of \$82,923.00 from last year's old UPC/VDOT guardrail left over funding to this year's UPC account and to incorporate additional guardrail projects with the left over funding.

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**ROAD SALT CONCERN**

**VDOT PLACEMENT VS. HOMEOWNERS ASSOCIATION**

Supervisor Stacy requested Conrad Hill be notified to contact Neil Parcell - a resident of the Davidson Drive / Deerfield Subdivision to determine the legality of placement of salt by VDOT or by a Homeowners Association's private contractor.

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**PLUM CREEK WINERY -**

**\$10,000.00**

Upon request of Brian Allison, Thompson Valley, Virginia regarding the upcoming Wine Festival at the County Fairgrounds, September 6, 2014 and 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 amounts from district funds as set payable to the Plum Creek Winery, attn: Brian Allison, subject to the execution of a Sponsorship Agreement between the Board of Supervisors and Mr. Allison. The County Administrator is hereby authorized and directed to issue said warrant which will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651:

- Southern District      \$ 5,000.00
  - Western District        1,250.00
  - Northwestern District   1,250.00
  - Northern District        1,250.00
  - Eastern District         1,250.00
- Total      \$10,000.00

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**CITIZEN COMMENTS UNSCHEDULED**

Sally Rash, Center for Christian Action, thanked the Board of Supervisors for their support of the Center noting she didn't know what would happen if the Board did not support it. She mentioned the Town and its struggles and stated the Board of Supervisors have been a tremendous help. Supervisor Absher thanked Ms. Rash for all her help and diligence as well.

Jerry Blackburn, 1260 Burton Hollow Road, Tazewell, Virginia 24651 requested that the County continue to post quarterly district/discretionary expenditures of \$1000 or more on the

County's Website. Mr. Blackburn said he was a huge supporter of transparency and clarity in County government.

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## **RECREATION DEVELOPMENT AUTHORITY (RDA)**

### **UPDATE**

#### **ATV-SPEARHEAD TRAIL**

Supervisor Roberts stated 31 miles of the Spearhead trail is proposed for construction. The project is moving forward. A Spearhead Lodging LLC representative will most likely visit the trail in the next few weeks.

The paving for the parking area of the Boissevain Coal Miner's Park was advertised for bid by the RDA. The County Administrator said the bids for paving 5 lots at the Park came in low and the RDA will go over their budget to make sure funding is available for the paving - the bids will be held for 90 days.

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## **SCHOOL BOARD UPDATE**

Supervisor Absher said there was nothing new to report regarding the School Board budget.

### **PSA UPDATE**

Dahmon Ball, PSA Administrator updated the Board on various PSA Projects/Activities.

The Greater Tazewell Water Treatment Plant with the Town of Tazewell. The PSA is working on the funding aspects with VDH. Tazewell Divides Sewer Leachate Project is ongoing; waiting on funding terms in November. Headwork's Analysis Study should be completed in November. Claypool Hill Waste Water Treatment Plant; ground breaking ceremony was held on July 24 with various dignitaries on hand. Abbs Valley Sewer Project - very preliminary discussion taking place.

### **PSA - FALLS MILLS STP RBC (Rotating Biological Contactor)**

#### **\$50,000.00 APPROVED**

Now, upon request of Dahmon Ball, PSA Administrator, and 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 \$50,000.00 from Account No. 82040-5604 PSA

Donations/Contingency - to be used for emergency funding towards the Falls Mills STP RBC (Rotating Biological Contactor). The total amount of the Falls Mills STP RBC equipment is \$153,413.00. 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.

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## **TAZEWELL COUNTY AIRPORT AUTHORITY UPDATE**

### **2014 MAJOR PROJECTS:**

Jerry McReynolds, Airport Manager was present and reported on various activities taking place at the Tazewell County Airport.

A. West End Drainage Project: The Pre-Bid conference was held on June 18, 2014 with 14 in attendance. Bid opening date was July 9, 2014 @ 9:00 A.M. Actual start-up is not anticipated until late fall and may be delayed until next year. This is a 75 day project involving a substantial amount of earth moving and winter weather may not be favorable for the contractor. The winner of the bid was Baker's Construction & Excavation from Bluff City, TN @\$441,501.40.

B. Sink Hole: This project has been placed on hold as far as repairs are concerned. Temporary fence has been placed around the "holes" and no trespassing signs have been erected. Three (3) companies presented fencing quotes of the site and one local company has inspected the site and submitted a bid to install fencing around the actual sink hole, including the drainage ditch to the West. This bid came in at \$13,584.00. A second company has promised a bid and should be received this week.. The Board of Supervisors requested at a minimum, one or the other, the placement of warning signs and temporary fencing to caution people about the sink hole dangers. The BOS will address additional solutions and costs during their September 2, 2014 regular meeting.

C. Town Visits. Cedar Bluff Officials, Town of Tazewell Officials, Bluefield Town Officials and Richlands Town Officials have visited the Airport and were treated to a power point presentation, tour of the facilities and a very excellent array of refreshments. They seemed to enjoy the visit and showed a lot of interest by asking plenty of questions. These visits will continue for the month of August as we still have the Town of Pocahontas to be scheduled and some of the Service organizations have expressed an interest in visiting the Airport. It is Mr.

McReynolds noted that it was a pleasure to show the Airport because of its important link to economic development within the County.

D. The Airport's pre-audit was conducted on July 31, 2014 by Mr. David Brown of Hicok, Fern, Brown & Garcia from Abingdon with the full audit being scheduled on August 27, 2014.

E. Plans are underway for the Annual Fly-In/Open House, which is set for August 16, 2014. No aerobatics will be held this year. It will be a family event with plenty of activities for the children with some "up close action" of remote control aircraft. Airplane and Helicopter rides will be offered. This event is designed to give the public an opportunity to visit the Airport and to enjoy a family fun day with a variety of entertainment and food.

F. The Airport continues to host educational visits for local Pre- Schools to introduce Aviation to young minds. The groups usually have about 30-40 persons as many parents come along to assist with crowd control. Two visits were scheduled in July.

G. The rehab paving project for the parking lot and behind the T-Hangars cannot be done as a "maintenance" project. The work requires engineering design which will require Virginia Aviation Board approval. The next opportunity to present this project will be the November Aviation Board meeting. Mr. McReynolds will be working with the Aviation Engineer on the details necessary for submitting this project. The monies allocated for this project by the BOS at last month's meeting should not be issued and will need to be revisited at a later date. Mr. McReynolds will talk to the County Engineer, Matt Anderson with regard to the paving project and same will be addressed during the September 2, 2014 BOS meeting.

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#### **FIVE (5) MINUTE RECESS CALLED**

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

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#### **APPOINTMENTS**

##### **Airport Authority**

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 appoints William "Pete" Vance, 119 E.

Hillcrest Drive, Cedar Bluff, VA 24609 as a member of the Tazewell County Airport Authority, with a term commencing immediately and expiring December 31, 2017 (three (3) year term). This appointment fills the expired term of Wayne Thompson.

**Appalachian Agency for Senior Citizens (AASC)**

Upon motion of Supervisor Absher, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Ginger Branton, 1413 Front Street, Richlands, VA 24641 as a member of the Appalachian Agency for Senior Citizens (AASC), with a term commencing July 1, 2014 and expiring June 30, 2016 (two (2) year term).

**CPPD - Regional Housing Authority**

One appointment to fill the expiring term of Eli Jones was deferred to the September 2, 2014 regular meeting. Supervisor Hymes said he would speak to Mr. Jones about the appointment to determine if he would like to be reappointed to the Regional Housing Authority for another term.

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**EMS WORKERS - EXEMPTION FROM PERSONAL PROPERTY TAXES**

**PUBLIC HEARING TO BE HELD SEPTEMBER 2, 2014**

The County Attorney, Eric Young presented information to the Board of Supervisors regarding a proposal to consider holding a public hearing regarding tax exemptions for members of volunteer fire and rescue departments within Tazewell County. The County Attorney explained that the volunteers would have to meet certain requirements including training as well as not being delinquent on tax payments to the County. The proposal would include the Board of Supervisors designating a certain amount of funding each year for the number of qualified volunteer fire-fighters and EMS members with each getting an equal amount reduction in their personal property taxes. Supervisors Absher brought up a concern he received from a volunteer who worked in another agency stating the individual felt all volunteers should be considered for the tax exemption. The exemption was initially meant to help those who risk their lives fighting fires or helping others in emergency situations.

Now, 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 authorizes and directs that a public hearing be scheduled September 2, 2014 on this subject.

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**e-SUMMONS SYSTEMS PUBLIC HEARING**

The County Attorney, Eric Young explained a proposal that would implement additional fees in criminal and traffic courts - i.e. Electronic Summons Systems. The fee would be an additional five dollars (\$5.00) added to each criminal or traffic court case in the County. The new law went into effect this spring following a bill that was signed by Governor McAuliffe. An ordinance would have to be adopted by each governing body. The new electronic system reduces the amount of paperwork for law enforcement as well as the time it takes before drivers can pay their ticket. The Board of Supervisors felt more information was needed on this topic prior to holding a public hearing, therefore the matter was deferred to the September 2, 2014 regular meeting.

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**WARDELL - PRECINCT**

**PUBLIC HEARING AUTHORIZED TO CHANGE POLLING PLACE**

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 authorizes a Public Hearing to be held September 2, 2014 to consider moving the Wardell voting precinct from SWCC to the Community Heights Baptist Church Fellowship Hall, located at 210 Community Heights, Cedar Bluff, VA 24609.

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**PIGGY BANK CAFE**

The County Attorney mentioned the IDA's solicitation of bids to sell the Piggy Bank Building located on Main Street in the Town of Tazewell. The County received one bid and made a counter offer but the bidder withdrew his bid, and since that time, another bid has been received and the County Attorney stated he would discuss same at the next IDA meeting.

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**CAFETERIA PLAN ADOPTED**

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 adopts **A RESOLUTION ADOPTING THE COUNTY OF TAZEWELL, VIRGINIA CAFETERIA PLAN - FLEXIBLE BENEFITS PLAN. RESOLUTION OF THE COUNTY OF TAZEWELL BOARD OF SUPERVISORS FOR THE ADOPTION OF THE COUNTY OF TAZEWELL CAFETERIA PLAN**

On this date, the Tazewell County Board of Supervisors did meet to discuss the implementation of the amended County of Tazewell Flexible Benefits Plan to be effective, July 01, 2014. Let it be known that the following resolutions were duly adopted by the Tazewell County Board of Supervisors and that such resolutions have not been modified or rescinded as of the date hereof.

RESOLVED, that the form of Cafeteria Plan, as authorized under Section 125 of the Internal Revenue Code of 1986, presented to this meeting is hereby adopted and approved and that the proper officers of the Employer are hereby authorized and directed to execute and deliver to the Plan Administrator one or more copies of the Plan.

RESOLVED, that the Plan Year shall be for a period beginning on July 1st and ending on June 30th.

RESOLVED, that the Employer shall contribute to the Plan amounts sufficient to meet its obligation under the Cafeteria Plan, in accordance with the terms of the Plan Document and shall notify the Plan Administrator to which periods said contributions shall be applied.

RESOLVED, that the proper officers of the Employer shall notify employees of the adoption of the Cafeteria Plan by advising each Employee they can obtain a copy of the Summary Plan Description presented and approved during this meeting, by contacting the Benefits Coordinator of Tazewell County.

The undersigned certifies that attached hereto as Exhibits A and B respectively are true copies of the Plan Document, and Summary Plan Description for County of Tazewell's Flexible Benefits Plan approved and adopted in the foregoing resolutions.

The undersigned further certifies and attests that the above resolutions were made with the consent of the Tazewell County Board of Supervisors who were in attendance on this date.

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**WELCOME TO TAZEWELL COUNTY SIGNS SELECTED  
MOUNTAINS OF ADVENTURE**

Oh behalf of the Tazewell County Tourism Committee, the County Administrator presented a sample of the Tazewell County Welcome sign "Mountains of Adventure." The signs will be placed at the entrances of Tazewell County and the placement of same, rights of ways etc. will be coordinated with the Virginia Department of Transportation and the cost will be approximately \$6,000.00 each.

Now, 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 authorizes and directs the County Administrator to advertise for bids - follow procurement for the purchase of the Welcome to Tazewell County signs, at an approximate cost of \$6,000.00 each, and to coordinate the placement of the signs, rights of ways, etc. with the Virginia Department of Transportation. Once all matters are resolved and approved by legal counsel, the County Administrator will issue said warrants for the purchase of same, and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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**ADULT CARE FACILITY - FALLS MILLS, VA**

The Assistant County Administrator, Patricia Green updated the Board on the proposed Falls Mills Adult Day Care Facility through the Appalachian Agency for Senior Citizens with grant funds from the DHCD. A \$25,000 grant will help with required studies. Management meetings are being held and a feasibility study for "need" will be advertised with another meeting scheduled for September.

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**DEFACED STRUCTURES IN JEWELL RIDGE**

Supervisor White will identify the defaced structures in Jewell Ridge and discuss same with Shane Farmer, CPPD. This matter will be addressed September 2, 2014.

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**TREE IN BLUESTONE**

The County Administrator reported that a situation involving a tree in the Bluestone in Falls Mills area has been resolved.

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## **BOARD CONCERNS**

### **CANCER STUDY GROUP MEETINGS**

Supervisor Hymes reported that the group meetings for the Cancer Study have been suspended until later in the fall. He said because of summer vacations and other activities the group meetings were not as productive as he had hoped for and he felt more residents would be available to work with the study in the fall.

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### **BAPTIST VALLEY FIRE DEPARTMENT \$20,000.00 ESCROW**

Supervisor Hymes requested Patricia Green and Arlene Matney to determine the County's previous action with regard to the location of the \$20,000.00 the Baptist Valley Fire Department was allocated to them several years ago. The department is in need of new turn-out gear and they would like the money to be re-appropriated for this cause.

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### **TOWN DECAL PROPOSAL**

Supervisor White suggested the County Treasurer consider a new method of collecting town taxes in order to eliminate decals for town vehicles.

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### **PEERY STREET - OFF 460 - SUPERVISOR HYMES**

Supervisor Hymes requested the County Attorney look into the possibility of vacating Perry Street, located off 460. The contact person is Robert Kinder, 180 Woodall Road, Fox Subdivision, West of Pisgah. Supervisor Hymes gave the County Attorney a tract/plat to review.

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### **POCAHONTAS HIGH SCHOOL - RENTAL**

Supervisor Stacy mentioned a request from the Bluefield Virginia Little league with regard to using the Pocahontas High School Gym 3 or 4 nights per week for practice, etc. - The IDA's policy will need to be reviewed. Fees for same were requested to be waived. Thomas Wimmer will contact the County Administrator's office to discuss usage, fees, etc. This will be placed on the September 2 agenda for discussion.

Supervisor White discussed the possibility of putting out to bid the sale of the Pocahontas High School Building to be developed in conjunction with the ATV Trail.

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**CAREER AND TECHNICAL CENTER \$600.00**

**MASONRY CONTEST - VIRGINIA STATE FAIR**

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 \$300.00 from Southern District and \$300.00 from the Northern District (5699-55) payable to the Tazewell County Career and Technical Center for the Masonry Contest Event to be held at the Virginia State Fair, attn: Spot Steele. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

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**AIR SOFT - TAZEWELL COUNTY FAIRGROUNDS**

**RENTAL FEES TO BE PAID FROM SOUTHERN DISTRICT FUNDS**

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves an amount up to \$1,150.00 from the Southern District Fund as monies to pay the Tazewell County Fairgrounds Rental & Deposit Fees for the Theta Air Soft Group, October 18, 2014. Attn: Beth Phillips, 979-6702. 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.

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**THS CHEERLEADERS -**

**\$2,500.00 SOUTHERN DISTRICT**

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,500.00 from the Southern District Fund, payable to the THS Cheerleaders, attn: Chelsa Steele, 167 Cosby Blvd. 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 24651.

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**TOWN OF POCAHONTAS, VIRGINIA FOR**

**POCAHONTAS CEMETERY, \$1,400.00 (\$700 Western & \$700 Southern)**

Upon motion of Supervisor Absher, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$700.00 Western District and the amount of \$700.00 from the Southern District Funds (\$1,400.00) payable to the Town of Pocahontas, Attn. Jerry Gravely, to assist with mowing of the Pocahontas Cemetery. 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.

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**BAPTIST VALLEY FIRE DEPARTMENT \$20,000.00 ESCROW**

Supervisor Hymes requested Pat Green and Arlene Matney to determine the status of the \$20,000.00 held in escrow that was allocated to the Baptist Valley Fire Department to use as an additional bay or to acquire a new building to house a Rescue Squad. The \$20,000.00 should have been returned to the County in or around 2009 to be set aside in a special building fund for the BVF/Rescue Volunteer Department, contact person (Mr. Stilwell) re: turn -out gear is needed. A report will be given to the Board of Supervisors once the status is determined.

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**\$2,500.00 NORTHWESTERN DISTRICT**

**RAILROAD HOUSE COMMITTEE**

Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,500.00 from the Northwestern District Fund payable to the Railroad Foreman's Section House Committee. Attn: Rod Cury, 276-971-5188. 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.

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**RICHLANDS MIDDLE SCHOOL 8TH GRADE BOYS FOOTBALL**

**\$1,500.00 - \$750.00 NORTHWESTERN & \$750.00 WESTERN**

Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,500.00 (\$750.00 Northwestern & \$750.00 Western) payable to the Richlands Middle School - 8th Grade Boys Football to assist in the purchase of uniforms, attn: Bobby Adkins, telephone 276-210-4269. 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

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**RICHLANDS FESTIVAL COMMITTEE**

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 request the County Administrator to send a letter to the Town of Richlands asking that the monies allocated to the Richlands Small Business Grants Account be transferred and reallocated to the Richlands Festival Committee to develop business brochures, etc. for the Richlands Festival.

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**DISTRICT FUNDS**

**GMS; POCAHONTAS FOOD BANK**

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 following amounts from the Northern District fund payable as set forth below. 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:

- Northern - 5699-24 \$500.00 to Graham Middle School Football
  - Northern - 5699-12 \$1,000.00 to Pocahontas Baptist Church, PO Box 153, Poca. VA 24635 Attn: Tabitha Dillon - defray costs of food purchase for food bank
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**HISTORIC POCAHONTAS**

**C/O BLUEFIELD STATE COLLEGE**

**\$6,000.00 (\$3,000 EASTERN, \$1,500 WESTERN, \$1,500 SOUTHERN)**

Upon motion of Supervisor Stacy, seconded by Supervisor Absher and adopted by a vote of 3 to 2, with Supervisors White and Supervisor Roberts voting no, the Tazewell County Board of Supervisors hereby approves the amount of \$6,000.00 (\$3,000 Eastern District, \$1,500 Western District and \$1,500 Southern District) payable to Historic Pocahontas, Virginia c/o Bluefield State College and subject to legal review. 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.

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**GRAHAM HIGH SCHOOL FOOTBALL BOOSTERS**

**\$5,000.00 FROM EASTERN DISTRICT FUND**

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 approves the amount of \$5,000.00 from the Eastern District Fund, payable to the Graham High School Boosters, for the purchase of football helmets, attn: Angela Meade. 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.

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**FULL-TIME SHERIFF - 911 DISPATCHERS**

**APPROVED**

Following presentation by Major Harold Heatley, Tazewell County Sheriff's Office, and 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 Sheriff's Department, 911-Dispatch, to move two (2) part-time positions to two(2) full-time positions. Additional funding for this will be addressed later in the fiscal year.

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### **LOCAL EMS ISSUES - DAVE WHITE**

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 grants Dave White, Emergency Services Coordinator permission to sign off on Local EMS Response Plans. A law went into effect October 2013 requiring each EMS locality to have a Local Response Plan. The Plan must be presented during inspections by each department and must be signed off by the governing body or their appointee.

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### **ROYAL OAK ROAD**

Supervisor Stacy mentioned repairs to Royal Oak Road. This road was approved for inclusion as an add alternate to the Orphan Road paving list. If easements can be obtained the road will be considered for repairs in the Spring.

### **BEVERLY PROFITT - 333 TRADE WINDS ROAD**

Supervisor Stacy stated Ms. Beverly Profitt 333 Trade Winds Road , 326-2836 Bluefield VA. questioned the Orphan Road Policy. Ms. Groseclose recently emailed Ms. Profitt a copy of the County's Road Policy.

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### **COURTHOUSE & ADMINISTRATION PARKING STRIPED**

Supervisor Stacy requested the County Administrator to contact the County Judges to see if they agree with striping the Courthouse and Administration Parking lots. Estimates are being received. This will be discussed at September 2 BOS meeting.

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### **NATIONAL MOTTO- IN GOD WE TRUST**

Supervisor White requested that a request regarding the National Motto -In God We Trust be placed on September 2 BOS Agenda for discussion.

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### **CELL SERVICE -NORTHERN DISTRICT**

Supervisor Roberts mentioned the need for cell towers in the Pocahontas, Abbs Valley, and Bishop areas. Sam Wolford will check on the placement of portable towers in that area.

There is no cell service on ATV Trail and the Board of Supervisor have a concern about this should an emergency arise.

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**EXECUTIVE/CLOSED SESSION**

Upon motion of Supervisor White, 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 2.2-3711 A-1 Personnel Matter involving the County Administrator.

Now, upon motion of Supervisor Hymes, 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 adopts the following RESOLUTION:

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***CERTIFICATION***

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***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: Five (5) Supervisor Roberts, White, Stacy, Absher, Hymes

Nays: None

Absent: None

Absent during vote: None

**REPORT OF ACTION:**

**COUNTY ADMINISTRATOR LEAVE OF ABSENCE**

Supervisor White announced that the County Administrator, Jim Spencer, would be on extended Family Medical Leave over the next several months and Patricia Green appointed as Deputy County Administrator to act in his place and stead during Mr. Spencer's absence. The Board of Supervisors expressed its appreciation of Mr. Spencer's concern for his family and stated they would be in the Board's thoughts and prayers.

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 Ms. Patricia Green as Deputy County Administrator to act in Mr. Spencer's place and stead in his absence.

**RENEGOTIATED CONTRACT APPROVED FOR COUNTY ADMINISTRATOR**

Further, upon motion of Supervisor White, seconded by Supervisor Roberts and adopted by a vote of 3 to 2, with Supervisor Hymes and Supervisor Stacy voting no, the Tazewell County Board of Supervisors hereby approves the renegotiated contract for the County Administrator, Jim Spencer.

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**TAZEWELL MIDDLE SCHOOL - FOOTBALL PROGRAM**

**\$4,500.00 (\$3,500.00 Southern, \$500.00 Western, \$500.00 Northern)**

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following amounts from District Funds as set forth below, payable to Tazewell Middle School - Football Program, attn: Marty Honaker. 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:

- Southern \$3,500.00
  - Northern 500.00 (5699-56)
  - Western 500.00 \_\_\_\_\_ \$4,500.00 (Total)
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**LEAVE OF ABSENCE PRESS RELEASE - MR. SPENCER**

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 to release the Press Release regarding Mr. Spencer's leave of absence.

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**HORTON RESOLUTION ADOPTED**

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 ratifies and adopts a resolution commemorating the life of Reverend Ralph S. Horton, presented August 3, 2014 at a community event held in Richlands. A copy of the resolution in a form as presented is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

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**ADJOURN**

Now, there being no further business to be transacted 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 meeting was adjourned.

The next regular meeting is scheduled for September 2, 2014 at 6:00 p.m.

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Charles A. Stacy, Chair

by: RG

11:55p.m.