

VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD DECEMBER 2, 2014 AT 6:00 P.M. IN THE TAZEWELL COUNTY ADMINISTRATION BUILDING, 108 EAST MAIN STREET, TAZEWELL VIRGINIA 24651

**PRESENT: CHARLES A. STACY, CHAIR
SETH R. WHITE, VICE CHAIR
JOHN ABSHER, MEMBER
D. MICHAEL HYMES, MEMBER
J. GARLAND ROBERTS, 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**

ABSENT: JAMES H. SPENCER, III – COUNTY ADMINISTRATOR

The Chairman, Charles A. Stacy called the regular meeting to order and presided with all members in attendance.

Supervisor Roberts gave the invocation with Supervisor White leading those present in the Pledge of Allegiance to the United States Flag.

The Chairman then welcomed those in the audience.

AGENDA FORMAT APPROVED

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 December 2, 2014 meeting agenda as revised.

MINUTES APPROVED

Upon motion of Supervisor Roberts, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the November 6, 2014 regular meeting minutes as written.

TAZEWELL COUNTY ENGINEER'S REPORT

Matt Anderson, County Engineer, presented an update on the activities in the County Engineer's Department. He presented an update on the Clinic Road - VDOT locally administered project. A report was given on construction/building activities in each of the five districts. Mr. Anderson stated that he was waiting permission from VDOT/Richmond to advertise the Pocahontas Walking Trail project for Bid. Mr. Anderson provided an update on orphan road projects, a Landfill & Cedar Bluff and Transfer Station Repairs; Staff is working with Joyce Engineering to develop a series of priorities for the landfill to gather and send necessary information to Joyce. A complete copy of Mr. Anderson's report is on file in the office of the County Engineer's Office and in the office of the County Administrator, Tazewell, VA.

CLINIC ROAD - VDOT LOCALLY ADMINISTERED PROJECT

SELECTION COMMITTEE

Upon motion of Supervisor Roberts seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints John Absher, Seth White, Travis Hackworth to serve as the Selection Committee to review the proposals for services from qualified engineering consultants for professional services relating to Clinic Road in Claypool Hill, VA. These services will be utilized to make improvements to the road for inclusion in the VDOT Secondary Highway System.

ECONOMIC DEVELOPMENT/TOURISM REPORT

Mike Thompson, Interim Economic Development Director reported he submitted his monthly update to the Board via email. The update included the various activities taking place with Economic Development and Tourism. He said he would also be available during the Enterprise Zone Ordinance Public Hearing scheduled this evening. The Enterprise Zone designation entitles the owners of certain properties within the zone to certain tax incentives for commercial investments in the property.

EXECUTIVE/CLOSED MEETING

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 2.2-3711:

- A (7) Legal Matter - Involving the discussion of retaining Independent Counsel for FOIA request.
- A(5) Prospective Business - Involving the discussion of the location of a business or industry where no announcement has been made regarding Project "VTAC".
- A (3) Property Disposition - Involving part of the Idea Park

Now, upon motion of Supervisor Roberts, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed Meeting. Supervisor Hymes read the following resolution which was adopted by a unanimous roll call vote:

CERTIFICATION OF EXECUTIVE/CLOSED MEETING

TAZEWELL COUNTY BOARD OF SUPERVISORS

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: Roberts, White, Stacy, Absher, Hymes

Nays: None

Absent: None

Absent during vote: None

Report of Action: None

**ROBERTS RULES OF ORDER SUSPENDED -
SPECIAL PRESENTATIONS**

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 suspends Roberts Rules of Order with regard to the agenda format.

Chairman Stacy announced that due to the upcoming new year this would be his last official meeting as Chairman. He said that he has enjoyed the position as Chair and stated that most citizens do not realize the amount of administrative functions involved as Chair. He said there are a lot of things to do to administratively and he wanted to take an opportunity to thank two particular people for helping him during his term as Chairman.

Now, Chairman Stacy then surprisingly recognized and presented Ms. Ruth Groseclose, Board of Supervisors Administrative Assistant and Ms. Patricia Green, Deputy County Administrator each with a resolution thanking them for their assistance to him throughout his tenure as Chairman. He said their assistance made his duties as Chairman a lot more easier and he certainly appreciated their help and dedication to their professions.

HAPPY BIRTHDAY

He then acknowledged Press Member, Jim Talbert with the Clinch Valley News/Richlands News Press in recognition of his 60th birthday on this day. The Board serenaded Mr. Talbert with the Happy Birthday song with the audience joining in.

CONSENT CALENDAR APPROVED

Upon motion of Supervisor Hymes seconded by Supervisor Absher 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 in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

WARRANTS

November 2014

Payroll

Ordered that Warrant Nos. 139463 through 139509 and direct deposits totaling \$465,220.10 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending October 31, 2014, be approved.

Ordered that Warrant Nos. 139511 through 139558 and direct deposits totaling \$373,961.24 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending November 15, 2014 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 467733 through 467894, for \$331,497.04 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of October 2014, be approved.

Ordered that Warrant Nos. 467896 through 467910, for \$143,680.05 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending October 31, 2014 be approved.

Ordered that Warrant Nos. 467912 through 468022, for \$115,795.07 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of November 2014, be approved.

Ordered that Warrant Nos. 468024 through 468039, for \$136,356.63 from the General Funds, covering payroll deductions for the various County agencies for the period ending November 15, 2014, be approved.

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Ordered that Warrant No. 801866 through 801868 for \$850,362.50 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of October 2014, be approved.

➤ Approved Coyote Claims in the amount of \$850.00:

- the amount of \$50.00 to James Stevens, 151 Kiser Rd., Tazewell, VA 24651, for 1 coyote killed on Nov. 15, 2014 with a rifle
- the amount of \$50.00 to Mark A. Smith, 110 Gerald Rd. Bandy, VA 24602, for 1 coyote killed on Nov. 8, 2014 with a muzzleloader
- the amount of \$50.00 to Jerry Edwards, 1269 Adria Rd. North Tazewell, VA 24630 for 1 coyote killed on Nov. 10, 2014 with a rifle
- the amount of \$50.00 to Lewis Gates, PO Box 1006e, North Tazewell, VA 24630 for 1 coyote killed on Nov. 10, 2014 with a rifle
- the amount of \$50.00 to Jack Hagerman, PO Box 223, Horsepen, VA 24619 for 1 coyote killed on Nov. 7, 2014 with a snare
- the amount of \$100.00 to Jack Hagerman, PO Box 223, Horsepen, VA 24619 for 2 coyotes killed on Nov. 14, 2014 with a snare
- the amount of \$50.00 to Jack Hagerman, PO Box 223, Horsepen, VA 24619 for 1 coyote killed on Nov. 11, 2014 with a snare
- the amount of \$50.00 to Jack Hagerman, PO Box 223, Horsepen, VA 24619 for 1 coyote killed on Nov. 17, 2014 with a rifle

- the amount of \$50.00 to Timothy Jess Sparks, PO Box 223, Horsepen, VA 24619 for 1 coyote killed on Nov. 3, 2014 with a snare
- the amount of \$50.00 to Darrell Wess, 4956 Pounding Mill Branch Road, Pounding Mill, VA 24637 for 1 coyote killed on Oct. 29, 2014 with a rifle
- the amount of \$50.00 to Darrell Wess, 4956 Pounding Mill Branch Road, Pounding Mill, VA 24637 for 1 coyote killed on Nov. 13, 2014 with a rifle
- the amount of \$50.00 to Billy Asbury, Jr. 6180 Abbs Valley Rd., Bluefield, VA 24605 for 1 coyote killed on Nov. 15, 2014 with a rifle
- the amount of \$50.00 to Scottie Dwayne Maxfield, 1230 Cavitts Creek Road, North Tazewell, VA 24630 for 1 coyote killed on Nov. 15, 2014 with a gun
- the amount of \$50.00 to Scottie Dwayne Maxfield, 1230 Cavitts Creek Road, North Tazewell, VA 24630 for 1 coyote killed on Nov. 5, 2014 with a gun
- the amount of \$50.00 to James Stevens, 151 Kiser Rd. Tazewell, VA for 1 coyote killed with a gun on Nov. 19, 2014.
- the amount of \$50.00 to Lonnie Sparks, 146 Sparks Hollow Rd. North Tazewell, VA 24630 for 1 coyote killed with a rifle on November 20, 2014.
 - Sheriff's Department - approved a transfer in the amount of \$80.00 from Acct. No. 91050-7041 to Acct. No. 31020-6010 as pay out for restitution
 - Sheriff's Department - appropriated the amount of \$2,400.00 from the general fund to Line Item 035600-8109-19 (Project Lifesaver Program)
 - Sheriff's Department - appropriated the amount of \$600.00 from the general fund to Line Item 034600-8109-19 (Project Lifesaver Program)
 - Sheriff's Department - appropriated the amount of \$50.00 from the general fund to Line Item 034600-8109-19 (Project Lifesaver Program)
 - Library Account - approved a transfer in the amount of \$5,760.32 from Acct. No. 91050-7041 to Library Accounts as follows as a result of donations/reimbursements received:
 - \$252.73 National Bank to Acct. 7301-3099
 - \$ 50.00 Golden Age Club, Inc. 7301-3099
 - \$3,638.40 Verizon (E-rate Reimbursement) 7301-5230

- \$1,027.20 Comcast (E-rate Reimbursement) 7301-5230
- \$150.00 Tazewell Lions Club 7301-8101
- \$286.00 Bluefield VA Lions Club Acct. 7301-8101
- \$ 50.00 Brookshire, Diana L. Acct. 7301-8101
- \$305.99 Richlands Lions Club 7301-8101
- Eastern District Road Fund - approved \$2,400.00 for Viking Street Road Repairs
- Northern District Fund - to Abbs Valley Fire Dept. approved \$1,500.00 for warranty maintenance on new truck and maintenance on Unit 4-12
- Northern District Fund - approved \$750.00 to Tazewell High School Basketball Boosters for warm-ups and shoes
- Northern District Fund - approved \$500.00 Festival of the Arts - SWCC
- Northern District Fund - approved \$1,000.00 Labor of Love Mission for White Christmas
- Northern District Fund - approved \$2,000.00 to Falls Mills Fish Club - to stock trout for a free fish day as Christmas gift to all of Tazewell County
- Southern District Fund - approved \$750.00 to Tazewell High School Basketball Boosters for warm-ups and shoes
- Southern District Fund - approved \$500.00 to Labor of Love Mission for White Christmas
- Southern District Fund - approved \$500.00 Festival of the Arts - SWCC
- Ratified Tazewell Depot , Nov. 13, 2014 Letter of Support
- Approved to close County Offices on December 17, 2014 from 11:30 a.m. to 2:00 p.m. for Employee Annual Christmas Luncheon at Nuckolls Hall
- Declared two old vehicles, 2005 Buick and a 2002 Ford Explorer as surplus property and allow the Sheriff to auction and the

proceeds from same be placed in the Sheriff's Vehicle Fund to be used for other vehicle repairs.

- VIN. Nos. 2005 BUICK 2G4WS52J651111165 and 2002 FORD EXPLOR. VIN. No. 1FMZU72E12UBO4680

PUBLIC SERVICE AUTHORITY UPDATE

Dahmon Ball, PSA Administrator was present and gave an update on the various PSA activities taking place in Tazewell County. He said the Claypool Hill Wastewater Treatment Plant Project was on track, 40% complete. He gave an update on the last natural gas distribution project meeting for the proposed natural gas line. Appalachian Natural Gas hopes to bring gas to Tazewell from either Bluefield or Richlands by constructing a pipeline along U.S. 460. The PSA Board members are hopeful that funding for the large capital expense can be funded from grants and other public funding sources. The next Natural Gas meeting was announced for December 16, 2014 at 12 noon at the KFC Restaurant.

TAZEWELL YMCA ANNUAL SUPPORT CAMPAIGN

Tammy Parham, Four Seasons YMCA, Executive Director, and Shawn Durham, YMCA Program Director at SWCC were present to update the Board on the various functions of the YMCA. The Four Seasons YMCA serves Tazewell and Russell Counties through three branches spaced about 20 miles apart on the 19/460 corridor. Mr. Durham reported on the development of the partnership with the SWCC Four Seasons YMCA and the many amenities available at the SWCC YMCA, a fitness center; exercise studio, gymnasium, kids club, tennis courts, soccer field, walking/running track and other activities. The YMCA offers an income-based rate membership scale, in which monthly membership dues are based on total annual household income. Supervisor Hymes encouraged other BOS members to support the YMCA's Annual Funding Campaign because the YMCA serves more than just the Southern District. Board members requested each member be sent a copy of a summary/list of YMCA participants by community.

\$10,000.00 Southern

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 approves the amount of \$10,000.00 from the Southern District Fund, payable to the Four Seasons YMCA, 106 Gratton Road, Tazewell, VA 24651 to be used to help with the YMCA's Sliding Scale membership fee program. A check will be issued in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

\$1,000.00 Northern

Then, 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 the amount of \$1,000.00 from the Northern District Fund, payable to the Four Seasons YMCA, 106 Gratton Road, Tazewell, VA 24651 to be used to help with the YMCA's Sliding Scale membership fee program. A check will be issued in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

PUBLIC HEARING

ENTERPRISE ZONE ORDINANCE AMENDED ORDINANCE

The Chairman, Charles A. Stacy, called to order a public hearing that was duly advertised according to law, entitled, A PUBLIC HEARING to consider public comments regarding the Tazewell County Board of Supervisors intent to add certain real property located in Tazewell County to the Virginia Enterprise Zone as shown on a certain map below referenced and may take action to amend the boundaries of the Enterprise Zone to include other properties within the zone and to amend the incentives included with the enterprise zone designation, and hereby gives its intent to adopt an Ordinance to Adjust the Boundaries of the Enterprise Zone for Tazewell County, Virginia, as amended. The Enterprise Zone designation entitles the owners of properties within the zone to certain tax incentives for commercial investment in the property. The Ordinance as proposed for adoption as well as the Maps showing the proposed properties to be zoned were posted at the front door of the County Courthouse on Main Street, Tazewell, Virginia and copies were made available for public inspection in the County Administration Building, 108 East Main Street, Tazewell, Virginia.

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

The following individuals spoke in favor or against the proposed ordinance as set forth below:

1. Tony Roop, 231 Cherry Hills Drive, Tazewell, VA 24651 (Gratton community) - voiced support of including Main Street Tazewell into the Enterprise Zone. He said when you look at the potential for the incentives for redevelopment and revitalization efforts for the Tazewell Historic District, the Enterprise Zone designation would be a very powerful tool when applying for federal and state rehab grants for historic districts.

2. Ramona Simmons, 127 Dirt Digger Road, Cedar Bluff, VA 24609 - Realtor/Agent Fortune Realty, Richlands, Virginia requested that the Board consider including five (5) acres of commercial property located behind the Timberline Lodge, Claypool Hill, VA 24609 in the Enterprise Zone. Supervisor White encouraged Ms. Simmons to contact Mike Thompson, Interim Economic Development who has the information necessary to help educate her on the benefits and incentives of the Enterprise Zone.

3. Fred Harman, 201 Main Street, Tazewell, VA 24651 (resident of Witten Valley, VA), was enthused and very happy to see the Town of Tazewell considered for inclusion in the Enterprise Zone. He encouraged and challenged the Boards approval and support to include the Town of Tazewell in the Enterprise Zone without delay. Mr. Harman said there were two new property owners on Main Street who were ready to go to work and if the ordinance was adopted the Board would be sending a very clear message to them that the County supports them.

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

MAPS ADOPTED AS AMENDED

Upon motion of Supervisor Absher, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amendments to the Maps to include additional parcels within the Towns of Richlands and Cedar Bluff, Virginia and additional parcels within the Town of Tazewell, Virginia. A copy of the Tazewell County Enterprise Zone Changes/Parcel Numbers as advertised and a copy of the Additional Parcels Numbers included by the December 2, 2014 Amendment are attached hereto and incorporated herein by reference thereto.

ENTERPRISE ZONE ORDINANCE - ADOPTED AS AMENDED

Now, following a public hearing held on this date and 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 adopts "AN ORDINANCE TO ADJUST THE BOUNDARIES OF THE ENTERPRISE ZONE FOR TAZEWELL COUNTY, VIRGINIA" as set forth below, and as duly advertised in a local newspaper having general circulation throughout Tazewell County, Virginia on November 19, 2014 and November 26, 2014 to wit:

***AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF TAZEWELL COUNTY, VIRGINIA HELD AT THE COUNTY ADMINISTRATION BUILDING IN THE TOWN OF TAZEWELL, VIRGINIA, ON THE 2ND DAY OF DECEMBER, 2014 THE FOLLOWING ORDINANCE WAS ADOPTED, FOLLOWING A MOTION AND SECOND:
Date: 12/2/2014***

**“AN ORDINANCE TO ADJUST THE BOUNDARIES OF
THE ENTERPRISE ZONE FOR TAZEWELL COUNTY”**

WHEREAS the Board has established by previous ordinance an Enterprise Zone for Tazewell County with all the rights and privileges thereunto appertaining;

WHEREAS to further encourage the economic development of the County the Board desires to expand and modify the Boundaries of the Enterprise Zone to include certain real property as shown on the attached map and to remove certain other properties also as shown on the attached map which either have not developed or have developed into other uses;

NOW THEREFORE, BE IT ORDAINED, that in accordance with Section 59.1-538 *et seq* of the Code of Virginia (1950) as amended and Section 15-64 of the Code of Tazewell County, Virginia, that the Board of Supervisors for Tazewell County, Virginia (Board) approves the relocation and adjustment of the Enterprise Zone as shown on the attached map herein incorporated.

BE IT FURTHER ORDAINED that the Map hereto attached shall supersede the map previously incorporated into Section 15-64 of the Code of Tazewell County.

RECORDED VOTE: 5 to 0

MEMBERS PRESENT: Roberts, White, Stacy, Absher, Hymes

MEMBERS ABSENT: 0

AYES: 5
NAYS: 0
ABSTENTIONS: 0

CITIZEN COMMENTS UNSCHEDULED

1. John Dyer, 183 Woolsey St. Cedar Bluff, VA 24609, thanked the 4-Seasons YMCA representatives, Mr. Parham and Mr. Durham. He said he was a member of the facility and it was a great place. He mentioned his previous health conditions and noted that having the YMCA facility has played an important role in his recovery from 3 heart attacks and his continuing to stay healthy. He said recently completed a 64 mile bike ride. Mr. Dyer received a round of applause.

In other concerns Mr. Dyer questioned why the County does not have a glass recycling center at their transfer stations. Ms. Green said the County does not have a market for glass and the company who does the County's recycling bins would not take glass. Supervisor Hymes said the closest glass recycling center was in the Christiansburg/Blacksburg. The Board thanked Mr. Dyer for his concerns and suggested he work with the County's Recycling Committee to see if a glass recycling center could be located here. A list of the County's Recycling Committee members will be emailed to Mr. Dyer.

2. Jerry Blackburn, 1260 Burton Hollow Road, Tazewell, Virginia 24651 - wanted to know if Pyott Boone was in the Enterprise Zone and questioned the status of its new ownership as well as Pyott Boone's \$600,000.00 debt to Tazewell County and wanted to know if it would be paid.

3. John McCracken, 99 Main Jewell Road, Jewell Ridge, VA - spoke about the dilapidated housing situation in Jewell Ridge; the run-down houses in the community as well as a probable Meth House there. Supervisor White requested Ms. Green to send Dave White an email on Dec. 3 and have him call Mr. McCracken to possibly set up a meeting with him to hopefully go over the status of the nuisance/abandoned houses in Jewell Ridge. Mr. McCracken thanked the Board for getting Red Ash cleaned up this summer.

BOARD OF SUPERVISORS LIAISONS REPORTS

- Emergency Services Update - A list of emergency equipment is being reviewed and worked on by Dave White.
- Planning Commission - Supervisor Stacy had nothing to report with regard to the Planning Commission
- IDA - Supervisor White had nothing to report with regard to the IDA
- Industrial Development Authority (IDA) - Supervisor White had nothing to report with regard to the IDA
- Cumberland Plateau Planning District (CPPD) - Supervisor White did not have anything new to report on behalf of the CPPD
- School Board - Supervisor Absher had nothing to report on behalf of the School Board
- RDA - Supervisor Roberts reported that water installation at the Boissevain Trail-head would begin 12/3/2014 with in-house forces; scope of the new ATV Trail is 25 miles this winter with 131 miles of trail to hopefully be completed by 2019.
- RDA Appointment - Now, due to the resignation of Jim Spencer as a member of the IDA and upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all member present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Patricia Green, Deputy County Administrator, as a member of the Tazewell County Recreation and Parks Facilities Authority with a term commencing immediately and expiring June 30, 2015.
- Airport Authority - Jerry McReynolds, Airport Manager, previously submitted a written report to the Board of Supervisors via email. There was nothing new to report.

APPOINTMENTS

AIRPORT AUTHORITY

Upon motion of Supervisor Hymes, seconded by Supervisor Absher with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby reappoints the following individuals to serve as member of the Tazewell

County Airport Authority with new terms commencing January 1, 2015 and expiring December 31, 2017 (3 year term):

- Ms. Cleo Hagerman Sargent, 1318 2nd Street, Richlands, VA 24641
- James Pruitt, 1533 Red Root Ridge Road, Raven, VA 24639
- Ms. Vernon Barber, 607 Marion Avenue, Tazewell, VA 24651
- Greg Smith (Town of Richlands, VA), PO Box 1446, Richlands, VA 24641

CUMBERLAND MOUNTAIN COMMUNITY SERVICES

Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all member present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Bobby Mullins, Jr. 319 Tazewell Avenue, Richlands, Virginia 24641 as a member of the Cumberland Mountain Community Services Board with a term effective January 1, 2015 and expiring December 31, 2017.

CUMBERLAND PLATEAU PLANNING DISTRICT COMMISSION (CPPD)

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all member present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Don Buchanan, PO Box 1144, North Tazewell, VA 24630 as a member of the Cumberland Plateau Planning District Commission (Town of Tazewell, VA - elected official), with a term effective January 1, 2015 and expiring December 31, 2015, One-1 year term. And, further 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 reappoints Thomas Lester, 194 East Hillcrest Drive, Cedar Bluff, VA 24609, as a member of the Cumberland Plateau Planning District Commission, with a term effective January 1, 2015 and expiring December 31, 2015 (one-1 year term).

PUBLIC SERVICE AUTHORITY (PSA)

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 reappoints Rhudy R. Keith, 5759 Baptist Valley Road, North Tazewell, VA 24630 as a member of the Tazewell County PSA, effective January 1, 2015 and expiring December 31, 2018 (4-year term).

EMERGENCY SERVICES COMMITTEE (ESC)

Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Mr. Keith Reynolds, (Richlands Fire Dept. Fire Cheif), contingent upon his acceptance of said appointment to the Emergency Services Committee, due to the resignation of Roy Darrell McGlothlin. If accepted, the term will be effective immediately and expire June 30, 2016.

TAZEWELL COUNTY SOCIAL SERVICES BOARD

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 reappoints Ms. Chris Thompson, 515 Cedar Street, Tazewell, VA 24651 to the Tazewell County Social Services Board, with a term effective January 1, 2015 and expiring December 31, 2018 (four year term).

One (1) appointment to fill Mr. Darrell Addison's expiring term on the DSS Board was deferred to the January 14, 2015 organizational meeting.

NEW RIVER HIGHLANDS RC & D COUNCIL

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 reappoints Mr. Jack Asbury, PO Box 139, Bluefield, VA 24605 to the New River Highlands RC & D Council for a term of one (1) year effective January 1, 2015 ending December 31, 2015.

BLUEFIELD VIRGINIA RESCUE SQUAD - EXECUTIVE COMMITTEE

Upon motion of Supervisor Stacy, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Patricia Green, Deputy County Administrator to serve as a member of the Bluefield Virginia Rescue Squad's Executive Committee, effective immediately due to the resignation of Jim Spencer.

COMMUNITY CRIMINAL JUSTICE BOARD OF SOUTHWEST VIRGINIA

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 reappoints Melanie Menefee, PO Box 946,

Tazewell, Virginia 24651 (Assistant Commonwealth's Attorney) to the Southwest Virginia Community Corrections Board, effective immediately and expiring December 31, 2016 (two (2) year term).

TOURISM COMMITTEE

Upon motion of Supervisor Stacy, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby appoints Michael A. Brown, 410 Mountain Lane, Bluefield, VA 24605, to the Tazewell County Tourism Development Committee, effective immediately and expiring June 30, 2015. This appointment fills the unexpired term of Mike Davidson who resigned.

And further upon motion of Supervisor Stacy, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby appoints David Bower, 119 Pleasant View Drive, Bluefield, VA 24605 as an ad-hoc member of the Tazewell County Tourism Development Committee, effective immediately and expiring June 30, 2015.

BOARDS/AUTHORITIES/COMMISSIONS

Upon motion of Supervisor Roberts, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby request that an attendees list (absent/present) be developed for all BOS Authorities and report same to the Board of Supervisors.

NACO MEMBERSHIP ANNUAL FEE - \$920.00 APPROVED (\$180.40 FROM EACH OF THE FIVE DISTRICT FUNDS)

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 approves the amount of \$920.00 (\$180.40 from each district fund) payable to NACO - National Association of Counties, PO Box 79007, Baltimore, MD 21279-0007, for Tazewell County Virginia Membership Period 12/1/2014 to 12/31/2015. The Board further pledged their support of the membership fee in the upcoming County Budget, FY15-16. A check will be issued in the amount of \$920.00 in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

REDUCTION IN FUNDING - STATE AID TO LOCAL GOVERNMENTS

The Deputy County Administrator, Patricia Green updated the Board with regard to a letter she received from the Commonwealth of Virginia - Department of Planning and Budget about the reduction in State Aid voted on by legislatures during a November 10 meeting in Richmond. Tazewell County's share of a \$30 M reduction was \$96,770.00 which the County will pay from the FY14-15 Contingency fund because the amount was not budgeted as a payment in this year's budget. The Regional Jail was also cut approximately \$400,000.00 and the County share of the \$400 K is approximately \$85,000.00. Ms. Green said the Regional Jail agreed to pay the State back and will bill Tazewell County for its share in July 2015.

With regard to upcoming budget concerns, the Board requested that a representative from Richmond attend a future BOS meeting to discuss reductions in state aid during the next fiscal year budget. Supervisor White requested that each county department be made aware of potential funding that will not be available in the next budget cycle due to reductions in State Aid.

FESTIVAL OF THE ARTS

\$1,500.00 (\$500 W; \$500 NW; \$500 E) An additional \$1,000 (\$500 S & \$500 N is part of the 12/2/2014 Consent Calendar)

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 approves the amount of \$1,500.00 (\$500 Western, \$500 Northwestern & \$500 Eastern) payable to Southwest Virginia Community College, Educational Foundation, Inc. Festival of the Arts, PO Box SVCC, Richlands, VA 24641 -1101, attention Mary Lawson. An additional \$1,000.00 (\$500 Southern & \$500 Northern) was approved this date in the Consent Calendar for a total of \$2,500.00 to the Festival of the Arts Program. A warrant will be issued in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

SAGE HILL ROAD - PUBLIC HEARING AUTHORIZED

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 authorizes and directs the advertisement of a public hearing to hear concerns regarding the Board of Supervisors intent to include Sage Hill Road into the County's Orphan Road Program. The public hearing will be held at the January 2015 Annual Meeting.

BOND CLOSING - APPOINTMENT OF AUTHORIZED REPRESENTATIVE PATRICIA GREEN AUTHORIZED TO EXECUTE DOCUMENTS

Now, 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 authorizes and directs the Deputy County Administrator to execute any and all documents with regard to the Bond Closing - refinancing of the Courthouse Bonds that was approved by the Board of Supervisors at a meeting held October 7, 2014.

POCAHONTAS MEMORABILIA STATUS

With regard to the old memorabilia in the Pocahontas High School that needs to be dispersed of accordingly, the County Attorney stated the Attorney for the School Board notified him that the School Board would not accept the County's offer of \$10.00 for the memorabilia and that the School Board suggested the memorabilia be appraised. The Board decided the best solution to the situation would be for the County Attorney to inform the IDA of the circumstances and let them handle it, i.e. request that the School Board turn the memorabilia over to the IDA.

POCAHONTAS WALKING TRAIL

The Deputy County Administrator reported the County is waiting permission from VDOT to advertise the Pocahontas Walking Trail project for bid. It should be approved within the next few weeks.

ANNUAL LEGISLATIVE MEETING - JANUARY 21 - 23, 2015

The Deputy County Administrator said the Annual Legislative Meeting in Richmond is scheduled for January 21 - 23, 2015. Mr. Green said in addition to the regular meetings for the entire group several smaller meetings would be held in groups to discuss economic development projects with certain agencies while in Richmond. She will also be asking 2 BOS members and 2 IDA members to attend the smaller meetings that would not be held for the general public because the projects are only in discussion stage. The Board also requested that Ms. Green set up meetings with VDOT and DEQ while in Richmond to address various topics of concern.

GYPSY MOTH TREATMENT

The Deputy County Administrator reported that the County is taking part in the Department of Agriculture's State quarantine area for gypsy moth. The spraying will take place in Tazewell County in May or June 2015. She said he sent the Board of Supervisors information on the program as well as informing Major Heatley to alert the County's 911 Department about potential low fly-over's during the treatment program.

LAND USE ORDINANCE - PUBLIC HEARING SLATED FOR JANUARY 2015 ANNUAL MEETING

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 authorizes the advertisement of a public hearing to hear concerns regarding a Proposed Ordinance which provides that applications for taxpayers to apply for an real estate assessment reductions based on agriculture use be made less than sixty days before the beginning of the tax year, but less than thirty days after the beginning of the tax year may still be considered if the applicant still pays a late filing fee. The public hearing will be held during the January 2015 Annual Meeting.

DEED OF CORRECTION- SAM WARD BISHOP FARM PROPERTY

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 a DEED OF CORRECTION by and

between THE TAZEWELL COUNTY BOARD OF SUPERVISORS, GRANTOR, AND SAM WARD BISHOP FARM, LLLP, A VIRGINIA LIMITED LIABILITY LIMITED PARTNERSHIP, GRANTEE, to correct an piece of property conveyed to Tazewell County dated October 10, 1994, Deed Book 684, Pg. 769, Anne Adams Bishop and Charles Whiting Bishop donated land to Tazewell County for the construction and establishment of a Fire Department and Rescue Squad in Thompson Valley, Virginia - the DEED OF CORRECTION will correct a portion of the property which included the main gate into the Bishop Farm which was not intended to be conveyed to Tazewell County, but inadvertently included in the description contained in the deed. Once executed the Deed of Correction will be incorporated herein by reference and made of record in the office of the Circuit Court -Tazewell County Courthouse, Tazewell, Virginia 24651.

**COYOTE CLAIMS -
FUNDING INCREASED**

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 Other Obligations, Contingency Fund, Account No. 91050-7023, to Account No. 35010-5803 as additional funding for the FY2014-15 Coyote Payments and further that the bounty payment for female coyotes be \$75.00 and the bounty payment for male coyotes be \$25.00, effective immediately, and until such further action by the Tazewell County Board of Supervisors.

**BURKES GARDEN COMMUNITY CENTER
\$1,000.00 SOUTHERN DISTRICT FUND**

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,000.00 from the Southern District Fund, payable to the Burkes Garden Community Association to use as funding to purchase a marquee for the Community Center so events can be announced. A warrant in the amount of \$1,000.00 will be issued in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

TAZEWELL COUNTY FIRE RESCUE -

AMBULANCES TO BE LOANED TO JEFFERSONVILLE RESCUE

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 authorizes and directs the Tazewell County Fire Rescue to loan ambulances titled and insured by Tazewell County to the Jeffersonville Rescue Squad, and further that a meeting be set up between Todd Day, Eric Young, and other County or Town Officials as may be necessary and appropriate to discuss matters relative to same.

US ENERGY POLICY

RESOLUTION TO BE DRAFTED

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 authorizes and directs the County Attorney to prepare a resolution opposing recent EPA regulations that unfairly hinder the production of coal and further request the County Attorney forward the Resolution to the US President and to Federal and State elected representatives. A copy of same will be attached hereto and incorporated herein by reference thereto.

VDOT -

PYOTT BOONE AREA TO BE HIGHER - SNOW PLOWED STATUS

Supervisor Hymes requested the Deputy County Administrator to contact VDOT and request that the roads to Pyott Boone Electronics be given a higher priority snow plow status to accommodate the large number of employees traversing the road. Mr. Ray Howell was present and said he would bring this matter to VDOT's during the next Transportation Safety Meeting.

WESTERN DISTRICT FUNDS

MOVE \$7,100.00 TO COVER DEFICIENT FUNDINGS

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 against the same, the

Tazewell County Board of Supervisors hereby authorizes and directs Ms. Patricia Green to move monies around in the Western District Account to cover any deficient funding in the Western District categories.

CEDAR BLUFF FIRE DEPARTMENT

**\$5,000.00 FROM THE WESTERN DISTRICT FUND TO PURCHASE
EQUIPMENT**

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 \$5,000.00 from the Western District Fund payable to the Cedar Bluff Fire Department, attn: Jim McGlothlin, to purchase equipment for the fire department. A warrant in the amount of \$5,000.00 will be issued in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

COURTHOUSE PARKING/STRIPING STATUS

Supervisor Stacy questioned the status of the County Administration/Courthouse Parking lot paving/stripping/sealing project. The Deputy County Administrator reported that the inclement weather, i.e. cold, snow and rain had put the project on hold for a while, but she would contact the contractors for an approximate schedule.

Jerry Blackburn, 1260 Burton Hollow Road, Tazewell, Virginia - spoke again asking the status of the list of discretionary funds on the County's Website. The list is placed quarterly and a new list will be placed after January 1. He also questioned the recent beer and wine festival at the Fairgrounds and wanted to know if the group would be required to give the County a list of expenditures relative to the \$10,000 County donation for the event.

Supervisor Stacy mentioned the circuit court employee issue and wanted to make sure the matter was addressed with the personnel committee because it would come up again. The Deputy County Administrator said the personnel committee discussed the matter earlier today.

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 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 Attorney's Annual Evaluation.

Now, upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed Meeting and hereby certifies the following read by Supervisor Roberts:

EXECUTIVE/CLOSED MEETING

TAZEWELL COUNTY BOARD OF SUPERVISORS

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: Supervisor Roberts, White, Stacy, Absher and Hymes

Nays: None

Absent: None

Absent during vote: None

Report of Action: None to Report

IDA RETURN OF FUNDING

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 Tazewell County Industrial Development Authority (IDA) to return to the Board the \$250,000.00 on the Simmons Project that was not needed with regard to their loan.

SET ANNUAL MEETING

JANUARY 14, 2015

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 adjourns its meeting to Wednesday, January 14, 2015 at 6:00 p.m. to hold the Organizational Structuring and to take any other action and to discuss other business as may properly come before the Board of Supervisors.

It's Chair

Charles A. Stacy

By: RG

10:55 p.m.