VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD DECEMBER 6, 2016 AT 6:00 P.M. IN THE TAZEWELL COUNTY ADMINISTRATION BUILDING, 108 EAST MAIN STREET, TAZEWELL VIRGINIA 24651

PRESENT: D. MICHAEL HYMES, CHAIRPERSON
JOHN M. ABSher, VICE CHAIRPERSON
CHARLES A. STACY, MEMBER
MAGGIE ASBURY, MEMBER
TRAVIS HACKWORTH, MEMBER
C. ERIC YOUNG, COUNTY ATTORNEY
PATRICIA GREEN, COUNTY ADMINISTRATOR
RUTH GROSECLOSE, EXECUTIVE ASSISTANT
WHITNEY PARSONS, AUDIO/SOUND
MEMBERS OF THE PRESS: JIM TALBERT, CLINCH VALLEY NEWS/RICHLANDS NEWS PRESS; WARREN HINKLE, THE VOICE NEWSPAPER; CHARLES BOOTH, BLUEFIELD DAILY TELEGRAPH

ABSENT: NONE

D. Michael Hymes, Chairman of the Board called the regular meeting to order and presided with all members in attendance. He welcomed all those present.

Supervisor Absher gave the invocation with Supervisor Asbury leading those present in the pledge of allegiance to the United States flag.

AGENDA APPROVED AS AMENDED

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 approves the December 6, 2016 agenda as amended. Supervisor Hymes added an appointment to the AASC Board.
MINUTES APPROVED

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury 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 1, 2016 Board of Supervisors meeting minutes as written.

SPECIAL PRESENTATION -

GHS CHEER TEAM

The Chairman introduced and welcomed members of the GHS Cheer Team. The GHS Cheer Team maintained an undefeated season in cheer competition for 2016, three of which were at invitational competition, a first place ranking among eight teams in Region 2A West for the State of Virginia. Twenty eight young ladies from grade nine - twelve and two coaches lead the team to its success.

Supervisor Stacy read the resolution with the GHS Cheer Team and coaches present to accept the resolution.

Now, upon motion of Supervisor Stacy, seconded by Supervisor Hackworth 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 and presents the following resolution to members of the Graham High School Competition Cheer Team:

RESOLUTION

COMMENDING GRAHAM HIGH SCHOOL COMPETITION CHEER TEAM

WHEREAS, the 2016 Graham High Competition Cheer Team finished an outstanding season on November 5, 2016 during the 2016 Virginia High School Cheerleading Competition at the Siegel Center on the campus of the Virginia Commonwealth University in Richmond, Virginia; and
WHEREAS, the Graham High Competition Cheer Team maintained an undefeated season in cheer competitions, three of which were at invitational competitions, a first place ranking for Conference 39, and the last was a qualifier for State where they were ranked first among eight teams in Region 2A West for the State of Virginia; and

WHEREAS, the Graham High Competition Cheer Team consisted of twenty-three young ladies from grades nine through twelve and two coaches, who were honored to compete among the top eight teams in the State and to be selected in the second round as the 2A VHS State Champions in Competitive Cheerleading; and

WHEREAS, this is the first State championship in cheerleading for Graham High School and the first to be won by a school west of Roanoke area since competitive cheer began for 2A teams in 1998; and

WHEREAS, Graham High Competition Cheer Team include, seniors Halle Cook, Carson Cooper (captain), Natalya Curto, McKenzie Lester, Makenzie Novinger, Ashleigh Nunley, and Cameron Sarver (captain); juniors Sydney Bowman, Gabi Jackson, Lauren Poe, Laurel Romano, and Hannah Webb; sophomores Milan Brewster, Bethany Broyles, and Alexis Rhudy; and freshmen Laken Chronister, Isabella Edwards, Tristen Graham, Shailis Joplin, Cheyenne Osborne, Paris Sandifer, Josie Stevenson, and Kaelyn Workman, and head coach Debra Brewster and assistant coach, Tammy Cooper; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Tazewell County, Virginia hereby congratulates each team member and the coaches for their dedication and for their fine efforts during the 2016 season and applauds the determination, dedication, hard-work and perseverance leading the team to a championship performance and VICTORY! JOB WELL DONE!

COUNTY ENGINEER - MATT ANDERSON UPDATE 
FEMA FLOOD STUDY - 3 B CONSULTING SERVICES, LLC

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy 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 $27,200.00 from Account No. 23-97010-8213, Cavitts Creek Dam Permit Upgrades to pay for the FEMA Clearfork Flood Study - Professional Services, payable to 3B Consulting Services, LLC - Project No. 15-23.01,
address: 140 Hilltop Avenue, Lebanon, VA 24266. 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.

OTHER

Mr. Anderson gave a report on the increase in Building permits for 2016. This was great news.

ROAD PAVING PROJECTS APPROVED

Ebenezer Road, Yards Road, Kennedy Road

Upon motion of Supervisor Absher seconded by Supervisor Asbury 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 road paving repairs to Ebenezer Road in the amount of $2,425.00 (estimate) from the Eastern District fund; road paving repairs to Yards Road in the amount of $2,425.00 (estimate) from the Northern District fund and road paving repairs to Kennedy Road in the amount of $4,375 (estimate) from the Western District fund. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Public Hearing for Hickory Street

Upon motion of Supervisor Absher, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby request the Tazewell County Planning Commission to recommend to the Tazewell County Board of Supervisors that a Public Hearing be held to consider Hickory Street for inclusion in the County's Orphan Road system, and that a petition from landowners be solicited in reference thereto.

Additional Concerns for the County Engineer

Supervisor Absher requested that the contractor paving orphan roads needs to cut out and seam asphalt together. A list of various complaints received from citizens with regard to the way the pavement was laid as well as a list of current orphan road complaints by district and a list of non-orphan road complaints by district were made part of Mr. Anderson's report. Supervisor Hackworth and Matt Anderson will meet and look at Sundrop Lane regarding water/drainage
issues there. Supervisor Hackworth questioned the status of the Horse Riding signs in Jewell Ridge; Supervisor Hackworth complained about the garbage on Kents Ridge Road; Supervisor Hymes requested the County's Addressing Dept. check on a 911 Road Sign for Lock Street in Crocketts Cove; Supervisor Asbury questioned the new speed signs for Route 696 - there is currently too many different speed limits on Route 696.

ECONOMIC DEVELOPMENT/TOURISM UPDATE

Mike Thompson - Economic Development/Tourism reported that he attended a VEDA meeting recently in Richmond. Mr. Thompson continues to work on potential business prospects and is working diligently to market Tazewell County.

CARDINAL ASSISTANCE REVIEW - EXPENDITURES APPROVED

Upon motion of Supervisor Stacy, seconded by Supervisor Hackworth 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 expenditures in the amount of $4,000.00 for the VEDP Cardinal Assistance Review. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

TOURISM UPDATE - ANNUAL REPORT PRESENTED

DAVE WOODARD

Dave Woodard, Tazewell County Tourism Coordinator presented the 2016 Tazewell County Tourism Annual Report indicating that Tazewell County saw an increase of 16 new businesses, 6 expanded businesses with a creation of 97 new jobs with a collective private investment of 3.26 million dollars- the OP ATV Trails saw a major boost in permit sales, increasing 458 % over 2015. A complete copy of the Annual Report is on file in the office of the County Administrator, 108 East Main Street, Tazewell, VA.

In other news, Dave Woodard received top awards from the Blue Ridge Travel Association's - Tourism Person of the Year for 2016 - the award was presented by BRTA's Vice President of Marketing, Mary Jo Babbitt for his commitment to excellence in tourism. The Board congratulated Mr. Woodward for his accomplishments.
Supervisor Asbury, acknowledged Megan Brown, Tazewell County Marketing Specialist. Supervisor Asbury stated that she plays an important role with tourism and should be recognized. Ms. Brown was present and received an appreciation applause from the audience.

Mr. Woodard also gave an update on the proposed Zip-line for the Boissevain area - a game-plan is in progress, a private public partnership is being considered.

**PSA REPORT**

Dahmon Ball, PSA Director, gave an update on the Greater Water Regional Treatment Plant to Pocahontas Phases I - 4; A DHCD $1.4 M meeting in Blfd. on 12/7; Tazewell to Divides Sewer Leachate line project is within bid - tentative date for notice to proceed is December 12, 2016; An agreement is being worked out to extend natural gas in the County

**AIRPORT REPORT**

Jerry McReynolds, Manager, Tazewell County Airport Authority - gave an update on the various activities at the Airport. The FAA and Airport Engineers are in big discussion concerning the turnarounds at each end of the Airport runway. FAA is fighting the need to enlarge the turnarounds; the Airport has agreed to allow the Dept. of Forestry to construct a building on the Airport to house their bulldozer and prime mower.

**EXECUTIVE/CLOSED MEETING**

Upon motion of Supervisor Hackworth, seconded by Supervisor Asbury 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, 2.2-3711, and hereby allow other people to enter into the executive/closed meeting as may be necessary and appropriate.

- A(1) Personnel - review of Rescue 945 Personnel
- A(7) Legal Consultation regarding Leachate Disposal Agreement with the PSA and Town of Tazewell
- A (29) Contract Negotiations with Santek for Management Agreement
- A (3) Property Acquisition - involving Tazewell Visitor's Center lease and Bluefield Visitor's Center lease
- A (29) Discussion regarding Contract Modification Request for EPC
A(7) Discussion of litigation regarding the PSA Pocahontas Water Project Tank Site

RETURN/CERTIFICATION/REPORT OF ACTION

Upon motion of Supervisor Stacy, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed meeting, with Supervisor Hymes reading the following resolution of certification:

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

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

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

Ayes: Five (5) Supervisor Stacy, Asbury, Hymes, Absher and Hackworth

Nays: None (0)

Absent: None (0)

Absent during vote: (0)

ACTION FOLLOWING FIRST EXECUTIVE SESSION

TOWN OF BLUEFIELD, VIRGINIA - TAZEWELL COUNTY, VIRGINIA - VISITORS CENTER - LEASE APPROVED

Upon motion of Supervisor Stacy, seconded by Supervisor 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 LEASE AGREEMENT BY AND BETWEEN THE BLUEFIELD, VIRGINIA INDUSTRIAL DEVELOPMENT AUTHORITY created pursuant to Section 15.2-4900 et seq. of the Code of Virginia (hereinafter referred to as "Town IDA" or "the Town IDA"), Lessor, and THE COUNTY OF TAZEWELL, VIRGINIA...
(hereinafter referred to as "County" or "the County"), Lessee. The Town IDA owns property located in the Town of Bluefield, Tazewell County, Virginia, generally referred to as The Visitors Center, at Virginia Avenue and Walnut Street, Bluefield, Virginia. The County wishes to lease from the Town IDA, a portion of space of The Visitors Center for use by the County's Tourism Department. NOW, THEREFORE, WITNESSETH; that for and in consideration of the sum of One Dollar ($1.00), cash in hand paid by the County, and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the County of Tazewell and the Bluefield, Virginia IDA hereby enter into said lease agreement, and which said lease is attached hereto and incorporated herein by reference thereto.

TOWN OF TAZEWELL, VIRGINIA - TAZEWELL COUNTY - LEASE APPROVED - TAZEWELL TRAIN STATION

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enters into a LEASE AGREEMENT - TAZEWELL TRAIN STATION -- between THE TOWN OF TAZEWELL, VIRGINIA ("Town") and THE COUNTY OF TAZEWELL, VIRGINIA ("County"). The Town of Tazewell owns property located in the Town of Tazewell generally referred to as “The Tazewell Train Station,” located on the south side of the intersection of Tazewell Avenue and Depot Street in the Town and the County wishes to lease from the Town the Tazewell Train Station for use as a “Tazewell County Visitor and Information Center”, to be operated as one of multiple visitor centers in the County and that for and in consideration of the sum of One Dollar ($1.00), cash in hand paid, plus other good and valuable consideration hereby acknowledged by the parties to be sufficient at law, the Town and the County do hereby enter into said lease agreement, and which said lease is attached hereto and incorporated herein by reference thereto.

PUBLIC HEARING - PROPOSED ORDINANCE APPROVING AMENDMENTS TO THE TAZEWELL COUNTY ENTERPRISE ZONE

PUBLIC HEARING - AMENDMENTS TO THE TAZEWELL COUNTY ENTERPRISE ZONE
The Chairman, D. Michael Hymes, called to order a PUBLIC HEARING that was duly advertised in the legal section of the November 23, 2016 and November 30, 2016 edition of the Richlands News Press/Clinch Valley Newspaper entitled "A public hearing to consider approving amendments to the County's Enterprise Zone. The proposed ordinance would add certain parcels to the zone. The owners of parcels located within the zone would be eligible for local tax incentives for new and expanding businesses who invest in real property improvements and hire additional employees in Tazewell County. The incentives include but are not limited to grants equal to the businesses' increase in local real and personal property taxes resulting from their expansion. The incentives are only available to businesses located in the Enterprise Zone. The Board will consider adding the following parcels below listed with their respective owners of record:

<table>
<thead>
<tr>
<th>Tax map number</th>
<th>Tax map number</th>
<th>Owner(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>024A502260005-0018</td>
<td>PAULEY PROPERTIES, INCORPORATED</td>
<td></td>
</tr>
<tr>
<td>024A104360005-0006</td>
<td>CROCKETT, SEDWYN</td>
<td></td>
</tr>
<tr>
<td>024 A 0119</td>
<td>SOUTHERN GAS &amp; OIL, INCORPORATED</td>
<td></td>
</tr>
<tr>
<td>105A301 000C</td>
<td>SILVER SPUR INVESTMENTS, LLC</td>
<td></td>
</tr>
<tr>
<td>024 A 0126</td>
<td>PEDIGO, DANNY L.</td>
<td></td>
</tr>
<tr>
<td>024 A 0130B</td>
<td>RHUDY, JACOB LEACH &amp; NASH, MARK A. &amp; BRENDA A.</td>
<td></td>
</tr>
<tr>
<td>024 A 0097</td>
<td>SHORT, JASON G.</td>
<td></td>
</tr>
<tr>
<td>024A2A 0058</td>
<td>SANSCO PROPERTIES, LLC</td>
<td></td>
</tr>
<tr>
<td>024A104360007-0009</td>
<td>HARRISON, ROBERT M. &amp; JUDY P.</td>
<td></td>
</tr>
<tr>
<td>024 A 0121</td>
<td>BUCHANAN, BONNIE J., TRUSTEE</td>
<td></td>
</tr>
<tr>
<td>024A502260005-0018</td>
<td>PAULEY PROPERTIES, INCORPORATED</td>
<td></td>
</tr>
<tr>
<td>024A502260005-0018</td>
<td>PAULEY PROPERTIES, INCORPORATED</td>
<td></td>
</tr>
</tbody>
</table>
Now, the Chairman, D. Michael Hymes, called for public comments from the floor three times and there being none, he declared the Public Hearing closed.
Then, upon motion of Supervisor Absher, seconded by Supervisor Hackworth 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 ordinance:

**ORDINANCE TO INCLUDE ADDITIONAL PARCELS IN THE ENTERPRISE ZONE**

**WHEREAS** the Board previously enacted an ordinance creating an Enterprise Zone in Tazewell County;

**WHEREAS** to further encourage the economic development of the County the Board desires to include additional parcels within the Enterprise Zone such that businesses which may be established or expanded on such parcels will be eligible for all incentives now offered to other parcels previously included in the Enterprise Zone;

**NOW THEREFORE, BE IT ORDAINED** by the Board of Supervisors that the Code of Tazewell County pertaining to the Enterprise Zone is hereby amended to include within the boundaries of the Enterprise Zone all those certain parcels identified on the Attached Schedule A by their tax identification number and shown on the attached map as being added to the Enterprise Zone and that both the Schedule A and aforesaid map are hereby incorporated into this ordinance.

It is further Ordained that this Ordinance shall be effective upon the effective date as may be approved by the Department of Housing and Community Development.

**IT IS SO ORDAINED** this the 6th day of December, 2016.

**PUBLIC HEARING**

**AN ORDINANCE TO CREATE A LAND BANK ENTITY AND AUTHORIZE SATISFACTION OF DELIQUENT TAXES OWED AGAINST PROPERTY CONVEYED TO THE LAND BANK ENTITY**

The Chairman, D. Michael Hymes, called to order a Public Hearing that was duly advertised according to law, entitled "**AN ORDINANCE TO CREATE A LAND BANK ENTITY AND AUTHORIZE SATISFACTION OF DELIQUENT TAXES OWED AGAINST PROPERTY CONVEYED TO THE LAND BANK ENTITY.**"

Eric Young, County Attorney, explained that during the 2016 session of the General Assembly, The Land Bank Entities Act was passed approving the establishment of a land bank
entity by localities to address vacant, abandoned or tax delinquent real properties and the county must designate existing, private non-profit, 501(c)3, charitable corporations as a land bank entity. The County Attorney said that once the land bank is established and acquires property, the organization can apply for funding grants from governments, local, state and federal government, as well as private and public sources. The taxes, fines and interest will be forgiven once given to a land bank. The County Attorney said there were a lot of instances where property owners, especially during inheritance proceedings, would rather give property away rather than pay back taxes with interest and penalty. He said each land bank transaction would be done on a case by case basis.

Now, the Chairman of the Board of Supervisors, called for public comments from the floor.

Kevin Gross, Mudfork, Virginia, wanted to know who would make the decision on what property would be considered for the Land Bank, and when would the public be allowed to acquire the property and start paying taxes on the property again.

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

Supervisor Hackworth suggested that the public be made aware prior to the Board of Supervisors consideration of placing a particular property in a land bank.

Supervisor Absher suggested the properties be advertised in a local newspaper for public inspection; however, due to the costs of advertising it was suggested that other public notifications be sought. Chairman Hymes suggested that the proposed properties being considered for the Land Bank be placed on the agenda as part of the Consent Calendar and on the County's website.

Now, it was a consensus of the Board to approve each individual land bank property by resolution and the resolution(s) be placed on the agenda and posted on the County's website for public inspection.

Then, upon motion of Supervisor Hackworth, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts AN ORDINANCE TO CREATE A LAND BANK ENTITY AND AUTHORIZE SATISFACTION OF
DELIQUENT TAXES OWED AGAINST PROPERTY CONVEYED TO THE LAND BANK ENTITY, AS AMENDED.

Amendments included the language to approve each individual land bank property by resolution and the resolution(s) be placed on the agenda and posted on the County's website, prior to approval of same. The following ordinance as adopted in its amended form is set below:

AN ORDINANCE TO CREATE A LAND BANK ENTITY AND AUTHORIZE SATISFACTION OF DELIQUENT TAXES OWED AGAINST PROPERTY CONVEYED TO THE LAND BANK ENTITY

WHEREAS, the Board desires to further and facilitate the charitable purposes of Clinch Valley Community Action, Inc. a 501(C)(3) non-profit corporation organized for the purpose of providing low or no cost assistance with housing, day care, and an array of other essential services, to less affluent residents of the County;

WHEREAS, the General Assembly has authorized Counties to permit owners of properties against which delinquent taxes are owed to convey such properties to a designated Land Bank Entity for use by such entity in its charitable purposes;

WHEREAS, the General Assembly further authorized Counties to designate existing, private non-profit, 501(C)(3), charitable corporations as a Land Bank Entity;

WHEREAS, the Board, after a public hearing, hereby finds that the Articles of Incorporation, tax status designation from the Internal Revenue Service, by-laws, and governance structure of Clinch Valley Community Action, Inc. (CVCA) is sufficient to carry out the purposes of a Land Bank Entity pursuant to Section 15.2-7500 et seq. of the Code of Virginia;

WHEREAS, the Board believes that not all properties against which liens for delinquent taxes are held by the County are appropriate properties for conveyance to a Land Bank Entity;

WHEREAS, the Board desires to designate CVCA as the County's Land Bank Entity for
purposes of Section 15.2-7512 of the Code of Virginia and to establish procedures whereby the conveyance of a property to CVCA by an owner shall absolve the owner of liability for any unpaid taxes and remove all liens for such taxes as may be against such property;

NOW THEREFORE, the Tazewell County Board of Supervisors, pursuant to Sections 15.2-7500 et seq. and Section 58.1-3970.2 of the Code of Virginia, hereby ORDAINS as follows:

1. Clinch Valley Community Action, Inc. is hereby designated a Land Bank Entity (LBE) pursuant to Section 15.2-7512 of the Code of Virginia and CVCA's, by-laws, Articles of Incorporation, and written 501(C)(3) designation by the Internal Revenue Service are all made a part of the record and incorporated into the minutes of the Board's meeting held this the 6th day of December, 2016. This designation shall continue so long as CVCA continues to be a Corporation in good standing with the Commonwealth of Virginia State Corporation Commission and continues to be designated as a 501(C)(3) non-profit charitable corporation by the Internal Revenue Service. CVCA shall hereinafter be referred to as "the LBE".

2. The Board shall deem as paid in full all delinquent taxes assessed against property, including penalties, interest, and other costs, and notify credit reporting agencies that such amounts are deemed paid in full, when such property is conveyed by the owner or owners of such property to the LBE, without consideration from the LBE to such owner or owners, when the conveyance is made in accordance with the terms of this ordinance.

3. The conveyance to the LBE has been approved in writing by the Treasurer for Tazewell County. The writing shall state the assessed value of the property to be conveyed, the amount of taxes penalty and interest which are delinquent, and that such taxes are delinquent, or that the property is otherwise qualified, pursuant to Section 58.1-3970.2 (A) of the Code of
Virginia.

4. The conveyance has been approved in writing by the Chief Executive Officer of the LBE.

5. The County Attorney has certified in writing that, other than the lien for delinquent taxes, there are no other valid and enforceable liens against the property to be conveyed.

6. Prior to the Board of Supervisors approving any conveyance by resolution, said resolution shall be advertised on the regular agenda of the Board of Supervisors meeting at which said resolution is scheduled to be adopted. In addition, said resolution shall be posted on the website of Tazewell County.

7. The Board of Supervisors, upon consideration of the written approvals by the Treasurer and the Chief Executive of the LBE and the report of the County Attorney has approved the conveyance by resolution. Alternatively, if the assessed value of the property is less than TEN THOUSAND DOLLARS ($10,000.00), the County Administrator may approve the conveyance on behalf of the Board provided all other prerequisite conditions of this ordinance have been met. When the conveyance is approved by the County Administrator on the Board's behalf, the Administrator shall report such approvals to the Board on the Board's consent calendar.

8. The conveying property owner, after receiving approval from the Board of Supervisors, shall record a deed, in a form approved by the County Attorney, conveying the property to the LBE. The County Attorney shall verify the recordation of such deed and report the fact of the recording to the Treasurer.

9. If the conveyance is approved pursuant to this ordinance and the County Attorney has verified the deed of conveyance has been recorded, a certified copy of the Board of Supervisor's
resolution approving the conveyance shall be provided to the Treasurer, the LBE, and the conveying property owner.

10. Upon receipt of a certified copy of the Board's resolution, together with copies of the Treasurer and LBE's approvals, and writing from the County Attorney verifying the conveyance, the Treasurer shall deem all delinquent taxes, penalties, interest, and other fees assessed against the property conveyed to be satisfied, pursuant to Section 58.1-3970.2 of the Code of Virginia.

11. The LBE shall not be required to pay any taxes on property conveyed to the LBE under the provisions of this Ordinance pursuant to Section 15.2-7510 of the Code of Virginia (1950) as amended.

12. This ordinance shall become effective January 1, 2017.

CANCER STUDY UPDATE - HOME RADON LEVELS
IN TAZEWELL COUNTY, VIRGINIA

Susan West Marmagas, PI
Julia M. Gohlke, Co-PI

VA TECH - Department of Population Health Sciences

Dr. Susan Marmagas and Dr. Julia Gohle, VA Tech - Department of Population Health Sciences, presented results of a Cancer Study Project that was conducted in Tazewell County in 2015. The report showed a higher rate of lung cancer in the 40-59 age group compared with other parts of Virginia. Radon is the second only to smoking in causing lung cancer. The report indicated that Tazewell County's smoking rate is 21 percent.

The following Power Point presentation was presented:

• Does Tazewell have a higher incidence of cancer when compared to the rest of Virginia?
• Are there risk factors (behavioral/ environmental) that could increase the cancer risk in Tazewell County?
• Virginia Cancer Registry (2003-12) finds a statistical higher rate of lung cancer in the 40-59 year age group compared with the rest of Virginia
• Radon is the second leading cause of lung cancer after smoking
• Smoking rate in Tazewell County is 21%
• Radon is: Gas not seen, smelled or tasted but found in the lowest level in homes
• Based on geology of the region, released by the breakdown of naturally occurring uranium in soil, rock and water
• Exposure to radon may cause as many as 21,000 cases of lung cancer each year in the United States, including almost 700 cases per year in Virginia.
  - Tazewell County, Virginia, Zone 1 for EPA Radon Risk

- Methods – Radon Project 2016
- Home radon testing campaign
- Partnership between the Department of Population Health Sciences at Virginia Tech and the Virginia
Department of Health

- 301 homes recruited through random landline phone dialing (after total of 10,938 calls to 4,787 randomly selected landlines)

- Of the 301 homes mailed two test kits (and additional phone follow-up), we have received results from 176 homes

<table>
<thead>
<tr>
<th>Test results received</th>
<th>58% (176)*</th>
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<tbody>
<tr>
<td>Both test results have been received and are valid</td>
<td>69% (122)**</td>
</tr>
<tr>
<td>Both test results have been received, but only one is valid</td>
<td>13% (22)**</td>
</tr>
<tr>
<td>One or both test results received, but neither are valid</td>
<td>18% (32)**</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Test results not received</th>
<th>42% (125)*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participants with confirmation that kits were sent in, but no results yet</td>
<td>7% (9)**</td>
</tr>
<tr>
<td>Participants with confirmation that kits were set up, but no confirmation of sent in (and no results)</td>
<td>4% (5)**</td>
</tr>
<tr>
<td>Participant confirmed they no longer wanted to participate</td>
<td>22% (27)**</td>
</tr>
<tr>
<td>Participants that were never reached after initial recruitment (and no results)</td>
<td>32% (40)**</td>
</tr>
<tr>
<td>Participants indicated they were not ready to set up the kits (after at least 4 calls), but were not dropping out</td>
<td>35% (44)**</td>
</tr>
</tbody>
</table>

*Percent are of the 301 homes that were originally recruited by phone. **Percent are of those with test results received (176), or not received (125).

Data Analysis

- Addresses geocoded using the World Geocode Service provided by ArcGIS Online

- If two valid radon test results were collected from the same address and on the same floor, we calculated the average

- If the address produced two valid results that were not from the same floor, we used the lower floor
- Spatial Statistics: Trend regression analysis and hotspot analysis.
- Area-level statistics were also produced.

Map of results by EPA Action Level

<table>
<thead>
<tr>
<th>Towns</th>
<th>Radon test results (N=144)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tazewell county</td>
<td>0.15 - 0.39</td>
</tr>
<tr>
<td></td>
<td>0.40 - 1.99</td>
</tr>
<tr>
<td></td>
<td>2.00 - 4.00</td>
</tr>
<tr>
<td></td>
<td>4.01 - 124.45</td>
</tr>
</tbody>
</table>

Sources: Esri, GeBCO, NOAA, National Geographic, DeLorme, HERE, Geonames.org, and other contributors.
Results of Trend Surface Analysis
Results of Hotspot Analysis

[Map showing hotspots and confidence levels]
Results within or outside 2km of Towns in Tazewell County
Rate of recruitment was significantly higher in Tazewell and Thompson Valley and lower in Richlands, but rate of valid data and rate of high values were not significantly different.

Table 3. Rates of high radon test values (>4 pCi/L), valid data and recruitment within 2km of the centroid of main towns

<table>
<thead>
<tr>
<th>Town name</th>
<th>High test values¹</th>
<th>Valid data²</th>
<th>Participants³</th>
<th>Households⁴</th>
<th>Rate of high test values⁵</th>
<th>Rate of valid data⁶</th>
<th>Rate of recruitment⁷</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tazewell</td>
<td>4</td>
<td>14</td>
<td>31</td>
<td>1527</td>
<td>28.57%</td>
<td>45.16%</td>
<td>2.03%</td>
</tr>
<tr>
<td>Richlands</td>
<td>1</td>
<td>7</td>
<td>15</td>
<td>2362</td>
<td>14.29%</td>
<td>46.87%</td>
<td>0.64%</td>
</tr>
<tr>
<td>Bluefield</td>
<td>7</td>
<td>18</td>
<td>27</td>
<td>1571</td>
<td>38.89%</td>
<td>66.67%</td>
<td>1.72%</td>
</tr>
<tr>
<td>Thompson valley</td>
<td>2</td>
<td>3</td>
<td>5</td>
<td>140</td>
<td>66.67%</td>
<td>60.00%</td>
<td>3.57%</td>
</tr>
<tr>
<td>Others</td>
<td>32</td>
<td>100</td>
<td>197</td>
<td>15371</td>
<td>32.00%</td>
<td>50.76%</td>
<td>1.28%</td>
</tr>
<tr>
<td>Total</td>
<td>46</td>
<td>142</td>
<td>275</td>
<td>20971</td>
<td>36.08%</td>
<td>53.85%</td>
<td>1.85%</td>
</tr>
</tbody>
</table>

Note: 1: Number of test results which are > 4 pCi/L; 2: Number of valid test results; 3: Number of recruited participants; 4: Number of households within 2km of that town based on census block data; 5: Percentage of high test values among valid data; 6: Percentage of valid test results among participants; 7: Percentage of recruited participants from total households; 8: P-value of Pearson Chi Square test; **Bold number** is significant at 0.05 level using the adjusted residual.
Results Compared to SWVA

- We found the average radon level to be 5.42 \( \text{pCi/L} \)
  - Previous average from kits submitted to AirChek was 5.7 \( \text{pCi/L} \)
- This is higher than many neighboring counties
  - Buchanan: 2.2 \( \text{pCi/L} \)
  - Dickenson: 2.4 \( \text{pCi/L} \)
  - Smyth: 7.8 \( \text{pCi/L} \)
  - Roanoke: 2.8 \( \text{pCi/L} \)

For comparison, the lowest reporting county in Virginia was Sussex at 0.0 \( \text{pCi/L} \)

NEXT STEPS

- Board of Supervisors, County Administrator and Tazewell Town Manager eager to relay this information to the public
- Intend to continue to provide free test kits
- Moving forward with mitigation assistance through a third-party grant (community action) or low-income loans.

In closing, several people that were concerned about the radon levels in the County met with Dr. Marmagas, Dr. Gohlke as well as with Brian Stanley, with the Virginia Department of Health, Lebanon, Virginia.

A copy of the complete presentation is on file in the office of the County Administrator, 108 East Main Street, Tazewell, VA  24651.

CONSENT CALENDAR

Upon motion of Supervisor Hackworth seconded by Supervisor Absher 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 following items presented as "Consent Calendar". The matters requiring the issuance of warrants shall be issued by the County Administrator in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia

Approved the warrants as paid:

**November 2016**

**Payroll**

Ordered that Warrant Nos. 141996 through 142045 and direct deposits totaling $373,457.99 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending October 31, 2016, be approved.

Ordered that Warrant Nos. 142047 through 142099 and direct deposits totaling $470,178.05 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending November 15, 2016, be approved.

**Accounts Payable/Payroll Deductions**

Ordered that Warrant Nos. 476376 through 476514 for $1,466,825.31 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 2016, be approved.

Ordered that Warrant Nos. 476516 through 476527 for $146,465.23 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending October 31, 2016, be approved.

Ordered that Warrant Nos. 476529 through 476701, for $665,253.46 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 2016, be approved.

Ordered that Warrant Nos. 476703 through 476715, for $139,144.86 from the General Funds, covering payroll deductions for the various County agencies for the period ending November 15, 2016, be approved.

Ordered that Warrant Nos. 476717 through 476886, for $31,730.81 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 2016, be approved.

**Handwritten**
Ordered that Warrant No. 801974 through 801976 for $1,950.00 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of October 2016, be approved.

- Authorized to close the County Offices from 11:00 a.m. to 1:30 p.m. Wed. December 14, 2016 for the Tazewell County Annual Employee Christmas Dinner at Nuckolls Hall
- Ratified $2,500.00 from the Rescue Squad Budget, 32020-5604-2 as a loan for 11/11/2106
- Ratified a one-time stipend for County employees due to state reimbursement cuts
- Authorized the Tazewell County Department of Social Services to give a one-time stipend to DSS employees due to state reimbursement cuts
- Southern District Fund - approved $50.00 to pay Fuller Peery Rental for the THS Project Graduation event on Nov. 8.
- Southern District - transferred the amount of $3,000 from the Contingent Expenditures & Grant Account, 91050-7041 back to the Southern District Fund
- Sheriff’s Office - Approved a transfer from the Contingent Expenditures & Grant Account, 91050-7041 totaling $100.00 (two (2) $50.00 checks) from the Circuit Court Clerk as restitution on an ICAC case and transfer same to Line Item, 31020-6001.
- Approved $300 from Southern & $300 from Northern (total $600) payable to the Town of Tazewell Treasurer, PO Box 608, Tazewell, VA 24651 for the "Shop with a Cop" Program
- Ratified $3,000 from the Rescue Squad Account paid to Rescue 945 as a loan for 11/25/2016
- Approved $1,780.00 from the Northwestern District Fund to the Jewell Ridge Fire Department, 805 Jewell Main Rd. Jewell Ridge, VA 24622 for towing expense of fire apparatus from Darby Fire Company, PA to Jewell Ridge, VA on 6/23/16
- Ratified $1,500 donation/check to Labor of Love Mission (White Christmas) from Account No. 33060-4050 as a charitable donation to the Sheriff's Office from Corte Charitable Foundation
- Ratified $1,250 ($250 from each district fund) to the Tazewell County Foster Association for their annual Foster Care Christmas party.
- Approved $660 to the Crab Orchard Veterinary Services, Tazewell, VA as money received from DMV - Sterilization Program for FY2016
- Approved Coyote Claims:
the amount of $50.00 to Helen Harman, 6440 Sinking Waters Road, Bandy, VA 24602 for 1 female coyote killed with trap on November 15, 2016

the amount of $50.00 to John Wingo, 4186 Raven Nest Branch Road, Bandy, VA 24602 for 1 female coyote killed with a trap on November 2, 2016

the amount of $50.00 to Douglas Blankenship, PO Box 201, Drews Lane, Cedar Bluff, VA 24609 for 1 female coyote killed with a rifle on November 10, 2016

the amount of $50.00 to Markel Blankenship, PO Box 462, Tazewell, VA 24651 for 1 female coyote killed with a rifle on October 31, 2016

the amount of $100.00 to John Martin, Jr. 920 Goosecreek Road, North Tazewell, VA 24630 for two (2) female coyotes killed on November 15, 2016 with a rifle

the amount of $50.00 to Samuel Lively, 6074 Abbs Valley Road, Bluefield, VA 24605, for 1 female coyote killed on November 16, 2016 with a muzzle loader

the amount of $150.00 to Billy Stacy, 4826 Pounding Mill Branch, Pounding Mill, VA 24637 for 3 female coyotes killed with a rifle on November 18, 2016

the amount of $100.00 to William Travis Bandy, 231 Gillespie Road, Pounding Mill, VA 24637 for 2 female coyotes killed on Sept. 28 and November 27, 2016 with a trap.

the amount of $50.00 to Bobby Smith, Box 242, Pounding Mill, VA 24637 for 1 female coyote killed with a gun on November 22, 2016

the amount of $50.00 to Rex Allen Davis, 3326 Gratton Rd. Tazewell, VA 24651 for 1 female coyote killed with a gun on November 16, 2016

the amount of $50.00 to Jack David, 6476 Thompson Valley Rd. Tazewell, VA 24651 for 1 female coyote killed on November 23, 2016 with a gun

the amount of $150.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 3 female coyotes killed on November 23, 2016 with a snare

CITIZEN COMMENTS -

Bill Bunch, Witten Valley Road, Tazewell, VA 24651, was present and requested that the Board of Supervisors adopt a resolution "supporting state and federal legislation that strengthens responsive and responsible government by reducing the influence of unregulated campaign contributions upon elected officials and establishing limitations upon government official
transition into private sector. And, to pursue and enact measures that provide voters and a greater voice in the electoral process by encouraging increased voter participation in the funding of political campaigns.

Supervisor Stacy stated that he felt that the majority of elected officials already took measures to ensure they were transparent in their respective positions and took measures to promote responsible government that is responsive to the needs of the people. Other board members agreed with Supervisor Stacy's comments and took no action on this matter.

EXECUTIVE/CLOSED MEETING
Upon motion of Supervisor Hackworth, 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 enters into an Executive/Closed Meeting pursuant to Virginia Code Section 2.2-3711:

- A(7) Legal Consultation regarding Leachate Disposal Agreement with the PSA and Town of Tazewell
- A (29) Contract Negotiations - Discussion with Santek for Management Agreement
- A(29) Discussion regarding Contract Modification Request for EPC

RETURN/CERTIFICATION/REPORT OF ACTION
Upon motion of Supervisor Stacy seconded by Supervisor Asbury 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 Session and hereby adopts the following resolution:

RESOLUTION
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: Five (5) Supervisor Stacy, Asbury, Hymes, Absher, Hackworth
Nays: None
Absent: None
Absent during vote: None

ACTION FROM THE SECOND EXECUTIVE CLOSED SESSION

EPC AMERICA - FOR WASTE WATER TREATMENT AT CAVITTS CREEK

Upon motion of Supervisor Asbury, seconded by Supervisor Absher and adopted by a vote of 4 to 0, with Supervisor Hackworth abstaining from the vote, the Tazewell County Board of Supervisors hereby authorized the County Administrator to approve a Change Order to the Comprehensive Agreement with EPC America for waste water treatment at Cavitts Creek to include the purchase of materials for collection lines in an amount not to exceed $40,000.00; and further that we authorize the County Administrator to approve distribution of one-half of the contract payment for drain field construction, being $35,000.00, upon issuance of a permit from the Virginia Department of Health for construction of the drain field. A copy of the proposed Change Order to the Comprehensive Agreement with EPC is on file in the office of the County Administrator, 108 East Main Street, Tazewell, VA 24651.

LEACHATE DISPOSAL AGREEMENT

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof no one against the same, the Tazewell County Board of Supervisors hereby approves the Leachate discharge limits and testing protocol for the Leachate Disposal Agreement with the Tazewell County PSA and Town of Tazewell, VA as presented in executive session and which said Discharge Limits for Tazewell County Landfill into the Tazewell to Divides Collection System and the Testing Protocol for the
Leachate Disposal System is on file in the office of the County Administrator, 108 East Main Street, Tazewell, VA 24651 and incorporated herein by reference thereto.

SANTEK ENVIRONMENTAL OF VIRGINIA, LLC
- TAZEWELL COUNTY SANITARY LANDFILL OPERATION AGREEMENT
AS OF JANUARY 1, 2017

Following presentation by Cheryl L. Dunson EVP of Marketing - Santek Environmental of Virginia, LLC, a Cleaveland, Tennessee based company, that does business in nine states and manages 18 disposal facilities and is the largest privately held manager of public owned landfills presented a power point presentation regarding a proposal to enter into a Landfill Management Agreement with Tazewell County to operate all the county's convenience areas, transfer stations and the County Landfill. Santek will be allowed to take garbage from other counties at the landfill. A complete copy of the Santek presentation is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

Now, upon motion of Supervisor Hackworth, seconded by Supervisor Absher and adopted by a vote of 4 to 1, with Supervisor Hymes voting no, the Tazewell County Board of Supervisors hereby approves the Landfill Management Agreement with Santek as presented in the Executive Session this date and further hereby authorizes the Chairman to sign the agreement, and that the agreement be made part of the motion, which said agreement is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia and incorporated herein by reference thereto. Supervisor Hymes voted against the agreement because he was listening to his constituents and they were against it. He said he wasn't necessarily against the proposal, but his people did not want the landfill privatized. He also wanted the public to know that the County had always had the option to take out-of-county garbage, but never did. Also, he wanted to emphasize that the area transfer stations would remain open to the public. Supervisor Stacy said that this decision had not been an easy one, but it was an opportunity for the county to save money by handing over a small function of the county's government to a private company. He said that he was not thrilled and he had many reservations about privatization and taking out of county garbage, but it was a business and that's how they operate.
Tom Childress, Pocahontas, Virginia was present and addressed the Board from the audience. He wanted to know if the public would be charged for taking their garbage to the landfill. The County Attorney, Eric Young, stated that the citizens would not be charged, but the Board of Supervisors would be billed a monthly fee and which is part of the contract. However, a fee for tires will remain in place.

Quinto Falgiani, Landfill Director was present and addressed the Board from the audience. He wanted to know if the Landfill would still be allowed to continue using community service workers through the court system. The County Attorney said that would be Santek's decision, not the County's.

CITIZEN COMMENTS

Matt Wynn - 128 Lake Witten Road, North Tazewell, VA was present and voiced opposition to the county spending more money to concentrate on his property for the placement of a water tank as well as the county hiring an expensive attorney from Richmond. He feels the county has placed no effort to look at other properties and is disappointed that the committee of two BOS members have not contacted him as promised.

Kevin Buchanan - Chief of Pocahontas Fire Dept. voiced concern that the side-by-side they were using to respond to emergency calls was taken away from them. Board said they would find out from Barry Brooks why and where the side-by-side was taken. Ms. Green will track the side-by-side down and communicate with Chief Buchanan.

Will Adams, 2801 Governor Perry Hwy., Tazewell, VA 24651 - voiced concern about the Notice of Intent he received from the County to take his property. He said the County PSA has too much power to be an unelected body. Mr. Adams is unhappy about the PSA not having any negotiations with him or having any documentation of other sites being looked at. Mr. Adams property is in the pathway of the PSA - Tazewell to Divides Sewer Project.

APPOINTMENTS

Kathryn Mooney was reappointed to the ASAP's Policy Board; Bruce Remines was reappointed to the Airport Authority; one appointment to the Community Criminal Justice Board (call Mike Dennis for recommendation since Melonie Menefee is no longer employed with the Commonwealth Atty's office). CPPD, the TCBOS reappointed Don Buchanan; Timothy Trent;
Seth White and Don Harris; SWVA Emergency Council - Rhudy Keith was reappointed; RC&D Council, Jack Asbury was reappointed; PSA - Gregory Degray was appointed; Dept. of Social Services Board - Tony Cordle was reappointed; AASC - Irma Mitchell was reappointed

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TCBOS Liaisons Report

Planning Commission - Supervisor Asbury, nothing to report; IDA - Supervisor Hymes pursuing several opportunities for jobs; CPPD - Supervisor Stacy reported everyone is just waiting for a response from federal partners with regard to the Sunset/BVU project; RDA - Supervisor Asbury reported that one free ride day will be given per year on the Pocahontas Trail through Spearhead. David Woodward is working on getting the announcement out with regard to the free-ride day.

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RESOLUTION DECLARING EMERGENCY - RATIFIED

Upon motion of Supervisor Stacy, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell county Board of Supervisors hereby adopts a RESOLUTION DECLARING A LOCAL EMERGENCY DUE TO DRY WEATHER CONDITIONS in accordance with Sections 44-146.2; 15.2-922.1, and 15.21427(F); of the Code of Virginia and the Emergency declaration is limited to a ban on open-air burning for the County of Tazewell, Virginia - January 15, 2017 and putting on alert the response and recovery programs of all applicants local and inter-jurisdictional emergency operations plans should activation be warranted. A copy of the resolution declaring the emergency is attached hereto and incorporated herein by reference thereto.

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PUBLIC HEARING AUTHORIZED - ORDINANCE
TO EXTEND THE TIME IN WHICH VOLUNTEER FIRE FIGHTERS HAVE TO APPLY FOR PROPERTY TAX CREDITS

Upon motion of Supervisor Stacy, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator
to advertise for a public hearing to extend the time in which volunteer fire fighters have to apply for property tax credits.

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**AEP SERVICE LINE AND POLE EASEMENT ON LANDFILL PROPERTY - AGREEMENT APPROVED**

Upon motion of Supervisor Absher, seconded by Supervisor Asbury 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 AEP's request for a service line and pole easement on Tazewell County Landfill property on Lynn Hollow Road. A copy of the agreement in a form as approved and as executed is attached hereto and incorporated herein by reference thereto.

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**RESOLUTION ADOPTED - MONUMENT HONORING THE 1392 COMPANY CCC, CAMP P-54 VA**

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby adopts a resolution supporting the erection of a Monument Honoring the 1392 Company CCC, Camp P - 54- VA. A copy of the resolution in a form as hereby adopted is attached hereto and incorporated herein by reference thereto.

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**COUNTY PROJECTS/OTHER**

Patricia Green, County Administrator gave an update on the new cabins at Cavitts Creek - Lake Jack Witten. She presented pictures of its progress.

Patricia Green, County Administrator gave an update on the new Tazewell County Animal Shelter. She presented pictures of its progress.

Patricia Green, County Administrator gave an update on the VA Lottery Sales Distribution - was not approved for VACO's 2017 legislative agenda.

Patricia Green, County Administrator gave an update on the Cigarette tax and tax parity for counties - both are on VACO'S 2017 legislative agenda.
Patricia Green announced the AASC's annual meeting/luncheon; announced the Bluefield Chamber's annual meeting/luncheon; announced the annual county employee Christmas luncheon at Nuckolls Hall - invited the TCBOS to all events.

SCHOOL BOARD $268,854.00 IN CAFETERIA FUNDING - APPROVED FOR EXPENDITURES

The Tazewell County School Board's Cafeteria Fund had $268,854 more in carry-over funds from the FY16 budget than approved for in fiscal year 2017. The School Board has requested that they be allowed to expend the funds in FY17. This is a non-reverting fund and this request will not have any effect on other funds.

Now, upon motion of Supervisor Stacy, seconded by Supervisor Hackworth 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 Tazewell County Public School's request to expend the $268,854.00 in FY17.

BLUEFIELD WEST VIRGINIA - REQUEST FOR TAX EXEMPTION OF $5.50 AND $1.98 FOR PROPERTY ON ROGERS STREET IN BLUEFIELD, WEST VIRGINIA

The Board of Supervisors received a request from Brian K. Cochran, Esq., Attorney for the City of Bluefield, West Virginia asking that they obtain tax exempt status for a small parcel of property within the Bluefield City Park, 0.058 acres. The property was gifted by deed to the City by Mercer County Board of Education so the City could clear space to put bleachers behind the tennis courts for use by local colleges and schools. The amount requested for exemption amount to $7.38 in taxes ($5.50 County of Tazewell & $1.88 Town of Bluefield).

Now, it was a consensus of the Board of Supervisors to allow the County Attorney, Eric Young to respond to Mr. Cochran, Esq. by letter acknowledging the fact that the amount of the tax exemption request would not justify the costs of a public hearing by the County. Supervisor Stacy suggested that he make a $50.00 payment to cover the taxes for the a period of five years. The town of Bluefield, Virginia will have to take up the tax exemption request of $1.98 on its own. The County Attorney will give a report regarding the best way to handle the request at the January 10, 2017 organizational meeting.
LETTER BE WRITTEN SEEKING MORE FUNDING FOR SCHOOLS

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to draft a resolution to be reviewed at the January 2017 organizational meeting seeking more federal funding for schools. The resolution once approved will be sent to Congressman Griffith, Senator Kaine and Warner.

DISTRICT FUNDS APPROVED

FESTIVAL OF THE ARTS - SOUTHWEST VIRGINIA COMMUNITY COLLEGE $2,500.00 ($500 FROM EACH DISTRICT FUND)

Upon motion of Supervisor Hackworth, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of $500.00 from each District Fund for a total of $2,500.00 payable to Southwest Virginia Community College (Festival of the Arts), PO Box SVCC, Richlands, VA 24641 -1101. 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, VA 24651.

GRAHAM HIGH SCHOOL BOOSTERS - GRAHAM CHEER TEAM

$4,750.00 ($1,500 Northern District, $1,500 Eastern District, $750 Western, $750 Northwestern, $250 Southern)

Upon motion of Supervisor Asbury, 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 $4,750.00 from District Funds, i.e. ($1,500 Northern; $1,500 Eastern, $750 Western, $750 Northwestern and $250 Southern) payable to the Graham High School Cheer Team, 210 Valleydale Street, Bluefield, VA 24605, for the purchase of state championship cheerleading rings. This action is contingent
upon approval of the County Attorney. 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, VA 24651.

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GRAHAM HIGH SCHOOL WRESTLING TEAM
$1,500.00 FROM EASTERN DISTRICT FUND

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote
of 5 to 0, with all members present and voting in favor thereof and no one against the same, the
Tazewell County Board of Supervisors hereby approves the amount of $1,500.00 from the
Eastern District Fund, payable to the Graham High School Wrestling Team, attn: Tim
Woodward, Wrestling Coach, 210 Valleydale Street, Bluefield, VA 24605. 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, VA 24651.

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DUDLEY PRIMARY PTO -
$250.00 FROM EASTERN DISTRICT FUND

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote
of 5 to 0, with all members present and voting in favor thereof and no one against the same, the
Tazewell County Board of Supervisors hereby approves the amount of $250.00 from the Eastern
District Fund, payable to the Dudley Primary PTO, 1840 Tazewell Avenue, Bluefield, VA
24605 Attn: Stephanie Goins. This money will be used to assist to reimburse the school with its
2016 Thanksgiving Meals at Bob Evans for the less fortunate children at Dudley Elementary.
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, VA 24651.
REVISE NOVEMBER 1, 2016 FINANCIAL ORDERS
- POCAHONTAS STATE PRISION CHRISTMAS FOR ABBS VALLEY
ELEMENTARY SCHOOL - CHANGE PAYMENT TO PURE IN HEART MINISTRIES

Upon motion of Supervisor Asbury, 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 revises the November 1, 2016 funding allocation for the Pocahontas State Prison - Christmas funding for Abbs Valley Elementary - $1,000.00 ($500.00 Northern District and $500.00 Western District) payable to read "Pure In Heart Ministries", 1767 Lake Witten Road, North Tazewell, VA 24630 attn. Doug Bowman, Pastor. The Pocahontas Prison cannot accept the check from the County. 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, VA 24651.

Now, following the December 6, 2016 meeting, the County Attorney, Eric Young, determined that the Pure In Heart Ministries was not a 501(c) 3 organization. Therefore, the Center for Christian Action in Pocahontas, VA is a 501(c)3 entity. Sally Rash, Center for Christian Action and the Prison personnel have talked and agreed that the check could be written to the Center for Christian Action for distribution for the Christmas program at Abbs Valley Elementary School. Following a TCBOS poll, the Board agreed to change the payee to the Center for Christian Action. This change will be ratified at the January 10, 2016 organizational meeting. 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, VA 24651.

NORTH TAZEWELL ELEMENTARY SCHOOL - 3RD GRADE FIELD TRIP TO MONTICELLO ; $1,000.00 FROM 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 Funds, payable to the North Tazewell Elementary School - 3rd Grade Field Trip to Monticello, 300 West Riverside Drive, North Tazewell, VA 24630. The County
Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA 24651.

NOVEMBER 1, 2016 TCBOS MINUTES AMENDED - REGARDING $2,000.00 DONATION TO RAVEN ELEMENTARY SCHOOL

Upon motion of Supervisor Hackworth, 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 amends the November 1, 2016 BOS meeting minutes to reflect the $2,000.00 donation to the Raven Elementary School to be used for "clothing for underprivileged children" instead of "coat drive."

FEEDING AMERICA

Supervisor Hymes requested that Eric Young review a funding request from a local food bank associated with Feeding America and his findings be placed on the January 10, 2017 agenda.

RESOLUTION - SUPPORTING THE EXTENSION TO CONTINUE COAL SEVERANCE TAXES

Upon motion of Supervisor Stacy, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a resolution requesting that the Legislature enact a statute extending authorization for the severance taxes the County is authorized to impose pursuant to Section 58.1-3713 of the Code of Virginia, and that a copy of same be forwarded to our Senator and Delegate representing Tazewell County in the General Assembly.

Supervisor Hymes - Cedar Bluff Annexation update - requested Cedar Bluff to send annexation requests to the Chairman of the BOS or to the County Administrator

Lead 2017 - Ginger Branton - Chamber request for sponsorship be placed on the January 10, 2017 meeting
ADJOURN

Now, there being no further business to be transacted 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 set the organizational meeting for January 10, 2017 at 6:00 p.m.

D. Michael Hymes, Chair

by: RG

11:15 p.m.