

**VIRGINIA: AT THE ANNUAL/ORGANIZATIONAL MEETING OF THE
TAZEWELL COUNTY BOARD OF SUPERVISORS HELD JANUARY
14, 2015 AT 6:00 P.M. IN THE TAZEWELL COUNTY
ADMINISTRATION BUILDING, 108 EAST MAIN STREET, TAZEWELL
VIRGINIA 24651**

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

ABSENT: JAMES H. SPENCER, III – COUNTY ADMINISTRATOR

MINUTES

Presiding Chairman, Charles A. Stacy, called the annual/organizational meeting to order. All members were in attendance. Supervisor Absher gave the invocation with Supervisor White leading those present in the Pledge of Allegiance to the United States Flag. He then welcomed all those present and welcomed home the delegation of County officials who recently visited Poland and Israel on behalf of Tazewell County. He voiced his appreciation to each of them for taking time from their families and their busy schedules to travel such a long distance to seek business opportunities for growth and prosperity in Southwest Virginia.

AGENDA APPROVED

Upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the January 14, 2015 agenda as amended.

MINUTES APPROVED AS WRITTEN

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 minutes as written.

ORGANIZATIONAL STRUCTURING 2015

Presiding Chairman Stacy thanked members of the Board of Supervisors for their confidence and for allowing him to serve the citizens of Tazewell County in 2014 as Chairman. He said it was a very educational and challenging year. He also thanked County staff for their help and guidance. Supervisor Stacy said the Chairman's position was not easy and a lot of responsibility was required as Chairman. He suggested that the County's Budget Committee consider additional compensation for the Chairman, as the Code of Virginia permits this. He said additional compensation would help with the additional duties while serving as Chairman.

He then gave the floor to the County Attorney who called for nominations for a Chairman of the Board of Supervisors for a term of one-year or until his successor is duly elected. The name of Seth R. White was placed in nomination by Supervisor Roberts, with Supervisor Stacy seconding the foregoing. The County Attorney then called for additional nominations of a Chairman of the Board of Supervisors, and there being none he declared nominations closed. Then, 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 elects Seth R. White as Chairman of the Tazewell County Board of Supervisors for calendar year 2015 or until his successor is duly elected. The following vote is hereby recorded:

Supervisor Roberts: Aye Supervisor White: Aye
Supervisor Stacy: Aye Supervisor Absher: Aye
Supervisor Hymes: Aye

ELECTION OF A VICE CHAIRMAN

The newly elected Chairman, Seth R. White, then proceeded with the election of a Vice Chairman of the Board of Supervisors for calendar year 2015.

The name of Garland Roberts was placed in nomination by Supervisor Absher with Supervisor Stacy seconding the foregoing. Chairman White sought further nominations from the floor for Vice Chairman and there being none he declared the nominations closed with Supervisor Absher moving and with Supervisor Stacy seconding the foregoing and by a vote of 4 to 0 with Supervisor Hymes abstaining to close nominations. Now, upon motion of Supervisor Absher, seconded by Supervisor Stacy seconding the foregoing, the Tazewell County Board of Supervisors hereby elects Garland Roberts, Jr. as Vice Chairman of the Tazewell County Board of Supervisors for calendar year 2015 or until his successor is duly elected. The following roll call vote is hereby recorded:

Supervisor Stacy: Aye Supervisor Roberts: Aye
Supervisor White: Aye Supervisor Hymes: Abstained
Supervisor Absher: Aye

Supervisor Hymes said he thought the Board of Supervisors had a gentlemen's agreement that the two parties would rotate the Chair and Vice-Chair seats, however with this way he said the rotation method appeared to be off.

Supervisor Absher disagreed and said in his opinion the rotation was still on because the Northern District Supervisor had never been appointed as Vice-Chairman since he was elected to the Board and felt that it was time for it to happen. Supervisor Absher told Supervisor Hymes that he would serve as Vice Chair next year with Mr. Hymes at variance with Supervisor Absher's remarks.

REGULAR MEETINGS, DATE, PLACE AND TIME

Upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby designates the 1st Tuesday of each month

beginning at 6:00 p.m. in the Tazewell County Administration Building, 108 East Main Street, Tazewell, Virginia 24651 as the regular meeting date, place, time and location for regular meetings of the Tazewell County Board of Supervisors for calendar year 2015.

ROBERTS RULES OF ORDER ADOPTED

Upon motion of Supervisor Stacy seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts Robert's Rules of Order as the official rules of procedure for conducting meetings/business of the Tazewell County Board of Supervisors for calendar year 2015.

CLERK OF THE BOARD OF SUPERVISORS

Upon motion of Supervisor Stacy seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Patricia Green, Deputy County Administrator as Clerk to the Board of Supervisors for calendar year 2015 or until her successor is duly appointed.

DIRECTOR OF EMERGENCY SERVICES FOR TAZEWEILL COUNTY

Upon motion of Supervisor Absher seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints the Deputy County Administrator, Patricia Green as the Director of Emergency Services for Tazewell County for calendar year 2015 or until her successor is duly elected. The position of Emergency Services Coordinator is delegated to David White.

LEGISLATIVE CONTACT TO WORK WITH VACo- 2015

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Charles A. Stacy to serve as

Tazewell County's legislative contact to work with VACo during the upcoming 2015 General Assembly. The County Attorney, Eric Young will advise and assist in this endeavor.

TAZEWELL COUNTY BUDGET COMMITTEE FY15-16

Upon motion of Supervisor Absher seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Supervisor Stacy and Supervisor Roberts to the Tazewell County Budget Committee for Fiscal Year 15-16, with the three remaining Supervisors appointed as an alternate members, to serve as needed in the absence of Members Stacy and Roberts.

**SPECIAL PRESENTATION -
TO CHARLES A. STACY FOR OBTAINING
BOARD OF SUPERVISOR CERTIFICATION STATUS FROM VACo**

Now, the Chairman, Seth R. White, recognized Board of Supervisor Member, Charles A. Stacy for completing and graduating with the ninth class - County Supervisor - 18 Month Board of Supervisor Certification Program on November 9, 2014 during the VACo Annual Conference in Bath County, Virginia. The certification program consisted of five (5) core courses in both classroom instruction and self directed learning on leadership and development duties and responsibilities of public officials, community planning, local government finance and collaborative governance.

Member Stacy thanked the Board for acknowledging him. He encouraged all Board Members to consider taking the class, even though it required a lot of home study as well as several out-of- town classes on weekends through-out the year.

**COUNTY ENGINEER DEPARTMENT UPDATE
MATT ANDERSON
CLINIC ROAD**

The engineering proposals on Clinic Road have been received by the Engineering Department. Now, upon request of Matt Anderson, County Engineer, it was a consensus of the Clinic Road Selection Committee, i.e. Travis Hackworth, John Absher and Seth White to hold a

remote meeting as soon as possible to consider short listing the firms that provided proposals for the Clinic Road - VDOT local administered project.

POCAHONTAS WALKING TRAIL

Upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the County Engineer to advertise for proposals regarding professional testing services per VDOT requirements for the Pocahontas Walking Trail.

LANDFILL - SOLID WASTE MANAGEMENT CONSULTING SERVICES

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 \$18,200.00 for professional consulting services with Joyce Engineering, Inc. to provide an aerial survey of the landfill for the Tazewell County Landfill and to determine remaining capacity and life of the County Landfill. A copy of the Professional Services Agreement, JOYCE Addendum No. 1525-01, once executed will be attached hereto and incorporated herein by reference thereto.

BRIDGE INSPECTIONS - COUNTY MAINTAINED ROADS

The County Engineer reported that it was time again for inspections of bridges along roads in the County's Orphan Road Program. This will be completed in the near future and the Board will obtain a copy of the final agreement prior to authorization.

FEMA FLOOD STUDY

The Engineering Department will advertise for professional services regarding a Flood Study - more particularly, Clearfork across from the Fire Dept and in the Lynn Hollow.

COMMONWEALTH ATTORNEY ANNEX - CHANGE ORDER NO. 8

Upon motion of Supervisor Absher, seconded by Supervisor Roberts and adopted by a vote of 4 to 0, with Supervisor Stacy abstaining from the vote, the Tazewell County Board of Supervisors hereby approves CHANGE ORDER NO. 8, WITH NICKLES, INC., PO BOX 347, TAZEWELL, VIRGINIA 24651 for the TAZEWELL COUNTY COMMONWEALTH ATTORNEY - ANNEX BUILDING CONTRACT CHANGE - "CONTRACT COMPLETION DATE WAS DELAYED 11 DAYS - 12/2 TO 1/1/15 DUE TO INCLEMENT WEATHER AND

HOLIDAYS." Therefore, the contract time will increase 11 days. A copy of the Change Order in a form as hereby approved is attached hereto and incorporated herby by reference thereto.

ECONOMIC DEVELOPMENT DEPARTMENT UPDATE

MIKE THOMPSON

Mike Thompson, Economic Development Director reported that he submitted each Board Member a copy of his update, via email. He said he would be accompanying Supervisor Stacy to Richmond on January 15 to meet with the Secretary of Commerce.

Mr. Thompson said he would work to finalize the Enterprise Zone Ordinance application once the ordinance amendments were approved as scheduled for public hearing this date.

DAHMON BALL - PSA ADMINISTRATOR

Dahmon Ball, PSA Administrator, updated the Board on various PSA activities. The Claypool Hill Project is 50 percent design complete and 45 % in value.

A Natural Gas Project group met December 16, 2014. The Town of Tazewell agreed to pay 1/2 of the \$7,500.00 for the Study.

COUNTY TCBOS APPROVAL TO PAY \$3,750.00

TOWARDS GAS STUDY FOR PSA

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by 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 \$3,750.00 from Account No. 91050-7023 Contingency Fund to the Tazewell County PSA as 1/2 of the cost associated with the Bluefield to Tazewell Natural Gas Study. The Town of Tazewell agreed to pay for the other half of the study, for a total cost of \$7,500.00. The Deputy County Administrator is hereby authorized and directed to issue said warrant to the PSA in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Other PSA information included an update on a proposed Abbs Valley Sewer Project as well as an update on the Tazewell to Divides Leachate project and the Boissevain Trail Head Sewer Project. The County Attorney is working with the Town on the Tazewell Divides Leachate MOU between PSA, BOS & the Town of Tazewell. The Town's Sewer Use Ordinance may need to be updated.

Member Stacy mentioned the Pocahontas Town Council being short of two (2) council members, left empty by the November 2014 Town Election. The Board suggested the County Attorney look into the vacancies and see how the seats could be filled.

911 UPGRADE - LEFT OVER MONIES FROM RESCUE SQUAD ASSISTANCE FUND (RSAF) GRANT APPROVED FOR UPGRADE FOR COMMUNICATIONS IN NORTHERN DISTRICT

Upon request of Derrick Ruble, 911 Director, and upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves that the remaining funds available in Rescue Squad Assistance Fund (RSAF) as local match funding in the amount of \$42,500.00 approved during the September 2, 2014 regular TCBOS meeting be used to cover the non-allowable project costs to facilitate the initial infrastructure needs for the Pocahontas Communications tower.

Mr. Ruble then provided the Board with a summary on the upgrades to various radio systems and tower sights in the County. A copy of the summary is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia.

EXECUTIVE/CLOSED MEETING

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 enters into an executive/closed meeting, pursuant to Virginia Code Section 2.2-3711:

- A-7 Legal Consultation regarding collection of firefighting costs for forest fire in Clearfork in May 2014

- A-7 Legal Consultation involving the Gratton Convenience Area

- A-1 Personnel Matter involving annual performance evaluation for County Attorney

- A-5 Prospective Industry involving Project Jonah

- A-3 Property Acquisition involving Morris Knob

RETURN FROM EXECUTIVE/CLOSED MEETING

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 returns from the Executive/Closed Session and hereby adopts the following resolution with Supervisor Hymes reading same.

**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: 5 - Supervisor Stacy, Roberts, White, Hymes and Absher

Nays: None

Absent: None

Absent during vote: None

REPORT OF ACTION

MORRIS KNOB TOWER

Upon motion of Supervisor Roberts, seconded by Supervisor Stacy and adopted by a vote of 4 to 1, with Supervisor Hymes voting no, the Tazewell County Board of Supervisors hereby authorizes and directs the County Attorney to take by eminent domain the necessary easements over the Armentrout property in order to have access over Morris Knob within the parameters discussed in executive session dated as of February 1, 2015. Supervisor Hymes stated he hoped an agreement could be reached because the Armentrout's have always been cooperative and have never restricted the County from accessing the property before.

PUBLIC HEARING (S)

FOUR (4)

PUBLIC HEARING

ENTERPRISE ZONE ORDINANCE AMENDED ORDINANCE

The Chairman, Seth R. White 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.

There were no comments from the floor.

The County Attorney explained that the Ordinance proposed this date for adoption included parcels that were inadvertently left off located in the Northwestern District, to wit:

Tax Parcel No. 104A0053; 104A0056A; 10510031 and 105A0034.

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 Roberts, 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 amendments to the Maps to include additional parcels within the Northwestern District/Doran area. A copy of the Tazewell County Enterprise Zone Changes/Parcel Numbers as advertised and a copy of the Additional Parcels Numbers included at attached to the Amended Ordinance adopted this date 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 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 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 December 31, 2014 and January 7, 2015 to wit:

AT AN ORGANIZATIONAL/ANNUAL MEETING OF THE BOARD OF SUPERVISORS OF TAZEWELL COUNTY, VIRGINIA HELD AT THE COUNTY ADMINISTRATION BUILDING IN THE TOWN OF TAZEWELL, VIRGINIA, ON THE 14 JANUARY 2015 THE FOLLOWING ORDINANCE WAS ADOPTED, FOLLOWING A MOTION AND SECOND:

Date: January 14, 2015

**“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

PUBLIC HEARING - LAND USE ORDINANCE

The Chairman, Seth R. White, called the Public Hearing to order that was duly advertised according to law entitled a public hearing "**TO HEAR CONCERNS REGARDING A PROPOSED ORDINANCE WHICH PROVIDES FOR TAXPAYERS TO APPLY FOR A 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 IF THE APPLICANT PAYS A LATE FEE.**"

A complete copy of the Ordinance in a form as hereby proposed for adoption was posted at the front door of the County Courthouse and on file in the County Administrator's Office, 108 East Main Street, Tazewell, Virginia 24651.

The Chairman called for public comments from the floor with regard to the Public Hearing.

David Anderson, Commissioner of Revenue, Tazewell County, VA explained the proposed Ordinance as advertised. The ordinance provides for taxpayers to apply for a real estate assessment reductions based on agricultural 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 if the applicant pays a late fee. He said the ordinance as proposed allows an exception to the filing deadline and fee for late filing for land preservation special assessment. He said the Board would need to set a late fee (grace period) for filings of no more than \$100.00. The Board of Supervisors agreed to a late filing fee of \$10.00 per application after the deadline of November 1, but not later than December 5 of each year.

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

Then, upon motion of Supervisor Stacy, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts the Ordinance as proposed and sets a late filing fee of \$10.00 per application after the filing deadline of November 1, but not later than December 5 - yearly.

The Ordinance in the form as adopted is set forth below:

Date: January 14, 2015

AN ORDINANCE TO AMEND THE EXISTING AGRICULTURAL LAND USE ORDINANCE TO ALLOW FOR AN EXCEPTION TO THE FILING DEADLINE AND FEE FOR LATE FILING FOR LAND PRESERVATION SPECIAL ASSESSMENT:

WHEREAS, the Tazewell County Board of Supervisors wish to assist citizens who meet the criteria to receive the agricultural land use preservation special assessment;

WHEREAS, the Tazewell County Board of Supervisors did on January 14, 2015, hold a public hearing in accordance with notice duly and lawfully published pursuant the Code of Virginia (1950), as amended; and,

WHEREAS, after due consideration of the amendment,

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF TAZEWELL COUNTY, VIRGINIA, FINDS AND ORDAINS THAT Section 18-102 IS AMENDED AS FOLLOWS:

Sec. 18-101. - Applicability.

The county finds that the preservation of real estate devoted to agricultural, horticultural, forest and open space uses within its boundaries is in the public interest and has adopted a land use plan. Such real estate shall be taxed in accordance with the provisions of Code of Virginia, tit. 58.1, ch. 32, art. 4 (§ 58.1-3229 et seq.) and of this article.

(Ord. of 6-14-78, § 1)

Sec. 18-102. - Application for special assessment.

- (a) The owner of any real estate meeting the criteria set forth in Code of Virginia, §§ 58.1-3230 and 58.1-3233(2) may, within the time specified by Code of Virginia, § 58.1-3234, subject to the exception set forth in part (c), apply to the commissioner of the revenue for the classification, assessment and taxation of such property for the next succeeding tax year on the basis of its use, under the procedures set forth in Code of Virginia, § 58.1-3236. Such applications shall be on forms provided by the county and shall be supplied by the commissioner of the revenue and shall include such additional schedules, photographs and drawings as may be required by the commissioner of the revenue. An individual who is the owner of an undivided interest in a parcel may apply on behalf of himself and the other owners of such parcel upon submitting an affidavit that such other owners are minors or cannot be located. An application shall be submitted whenever the use or acreage of such land previously approved changes; however, no application fee may be required when a change in acreage occurs solely as a result of a conveyance necessitated by governmental action or condemnation of a portion of any land previously approved for taxation on the basis of use assessment. Further, the commissioner of the revenue shall review all applications previously approved by him. An application fee of ten dollars (\$10.00), plus fifty cents (\$0.50) per tract shown on individual lines of the tax book, shall accompany each application.
- (b) A separate application shall be filed for each parcel on the land book.
- (c) An application may be filed after the specified annual filing deadline of November 1, but not later than December 5, upon payment of the application fee set forth and a late filing fee of no more than one hundred dollars (\$100.00) per parcel sought to be classified, assessed and taxed under this chapter. Said late filing fee shall be set by resolution of the Board of Supervisors.

(Ord. of 6-14-78, § 2; Ord. of 5-20-97, § 3)

State law reference— Similar provisions, Code of Virginia, § 58.1-3234.

Sec. 18-103. - Determination of eligibility.

- (a) Promptly upon receipt of any application under this article, the commissioner of the revenue shall determine whether the subject property meets the criteria for taxation under this article. If the commissioner of the revenue determines that the subject property does meet such criteria, he shall determine the value of such property for its qualifying use, as well as its fair market value.
- (b) In determining whether the subject property meets the criteria set forth in Code of Virginia, § 58.1-3230, the commissioner of the revenue may request an opinion from the director of

the state department of conservation and recreation, the state forester or the state commissioner of agriculture and consumer services. Upon the refusal of any of such person to issue an opinion, or in the event of an unfavorable opinion which does not comport with standards set forth by him, the party aggrieved may seek relief from any court of record wherein the real estate in question is located. If the court finds in his favor, it may issue an order which shall serve in lieu of an opinion for the purposes of this article.

(Ord. of 6-14-78, § 3; Ord. of 5-20-97, § 2)

The Deputy County Administrator for Tazewell County, Virginia, is hereby authorized, empowered and directed to forward an attested copy of this Ordinance to the Commissioner of the Revenue of Tazewell County, Virginia.

This Ordinance shall be effective as of January 14, 2015.

PUBLIC HEARING -

**DEED OF CORRECTION SAM WARD BISHOP FARM
PROPERTY**

The Chairman, Seth R. White, called to order a public hearing that was duly advertised according to law entitled, "**A PUBLIC HEARING TO CONSIDER APPROVING A DEED OF CORRECTION - CONVEYING APPROXIMATELY 246.18 SQUARE FEET OF CERTAIN REAL PROPERTY LOCATED IN THOMPSON VALLEY, VA ADJACENT TO THE THOMPSON VALLEY VOLUNTEER FIRE DEPARTMENT TO SAM WARD BISHOP FARM, LLLP, SUCCESSOR IN TITLE TO ANNE ADAMS BISHOP AND CHARLES WHITING BISHOP.**" A copy of the proposed Deed of Correction as proposed for adoption is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia and posted at the front door of the County Courthouse on Main Street in Tazewell, Virginia.

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

Then, 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 **A DEED OF CORRECTION - CONVEYING APPROXIMATELY 246.18 SQUARE FEET OF CERTAIN REAL PROPERTY LOCATED IN THOMPSON VALLEY, VA ADJACENT**

TO THE THOMPSON VALLEY VOLUNTEER FIRE DEPARTMENT TO SAM WARD BISHOP FARM, LLLP, SUCCESSOR IN TITLE TO ANNE ADAMS BISHOP AND CHARLES WHITING BISHOP.

A copy of the Deed of Correction in a form as hereby adopted is attached hereto and incorporated herein by reference thereto.

PUBLIC HEARING - TO HEAR CONCERNS REGARDING THE PROPOSED INCLUSION OF SAGE HILL ROAD LOCATED IN THE WESTERN DISTRICT OF TAZEWELL COUNTY INTO THE COUNTY'S ORPHAN ROAD PROGRAM

The Chairman, Seth R. White, called to order a public hearing that was duly advertised according to law entitled " **PUBLIC HEARING - TO HEAR CONCERNS REGARDING THE PROPOSED INCLUSION OF SAGE HILL ROAD LOCATED IN THE WESTERN DISTRICT OF TAZEWELL COUNTY INTO THE COUNTY'S ORPHAN ROAD PROGRAM**" The Board of Supervisors propose to accept Sage Hill Road into the County's Road System. Sage Hill Road extends approximately 5885 feet from Ascue Road, in Cedar Bluff, Virginia. The Board will consider accepting newly dedicated right of way and including the road into the county's system for improvement. The Road may be improved such that it will be conveyed to V-DOT for future maintenance. The property owners affected are: Crystal L. Rife & Frederick R. Keen (156 07 0004); Arnold Deel & Tama Deel (156 07 0002); Charles L. Grantham (156 07 0003); Cathy McClanahan (141 A 0042, 0042C); Christopher D. Whitt & Melonie D. Whitt (141 A 0042B); Thomas E. Short & Kimberly D. Short (141 A 0042D); Donald Whitt & Deborah Viars (141 A 0039B); Cathy M. Ashby (141 A 0042A, 141 A 0041); Robert Ralph Hagy & Pauline Hagy (141 A 000D); Jerry E. Ratliff & Christol C. Ratliff (141 A 000B); Johny Mack Hagerman & Penny Hagerman (141 A 000A). Any person wishing to comment on the Board's decision accepting the road into the County system may appear and speak at the public hearing. A copy of the proposed ordinance accepting the road and a Plat of the course of the road were posted at the County Administrator's Office, 108 East Main Street in Tazewell, Virginia, and posted at the Tazewell County Circuit Court Clerk's Office in the Tazewell County Courthouse.

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

The following persons spoke regarding Board of Supervisors intent to make improvements to Sage Hill Road and later convey same to the Virginia Department of Transportation. A petition has

been signed by residents on Sage Hill Road that states they will retain the bridge and not hold the County responsible for the bridge if the road is repaired.

- Pauline Hagy - said she and her husband were the first property owners on Sage Hill Road. She said they purchased property there in 1976 and moved there in 1978. Ms. Hagy said they have paid their County taxes, and have very little public service, no water, no sewer, no garbage and no regular law enforcement. She disagreed with the Planning Commission's action to turn down a project that would take their road into the County's Orphan Road Program. Ms. Hagy said the County paved part of the Sage Hill road in the 1990's and again in 2005.
- Joseph Ratliff - said the Sage Hill Road has approximately 30 residents living there and he felt they deserved a road that is maintained and gets equal treatment with everyone else in the County.
- Eric Young , County Attorney and Matt Anderson, County Engineer reiterated the bridge inspection report that shows the bridge in bad condition. Mr. Anderson said the main reason the Planning Commission denied the Sage Hill into the County Road System was the wetlands and no outlet. The length of the road would average \$10,000 each year for stone only. He estimated the bridge repairs at around \$250,000.00.
- Supervisor Absher said that a previous Board of Supervisors paved a lot of roads, some not even eligible for repairs, without easements or right of ways. And, he said in 2008 a portion of Sage Hill was paved and taken into the Orphan Road System. He presented documentation showing the Board of Supervisors acceptance of the portion of road. Supervisor Absher said he was concerned that the only way to get to the road was by crossing the bridge.
- Bruce Arrington said he would be glad to give a right of way so the road could be fixed
- Robert Leonard, 816 Deer Meadow questioned the amount of right-of-way that Ms. Crystal Rife would give and the amount needed. He also discussed the bridge weight, noting the bridge supported heavy cement trucks. He answered flooding concerns from Supervisor Absher. Mr. Leonard said the bridge had never flooded however , some ponding has occurred at the head of the bridge during heavy rain.

Now, the Chairman called for further comments from the floor three (3) times and there being none, he declared the hearing closed. Chairman White said the Board would not take any action on the public hearing at this time, but it would be addressed during the February 3, 2015 meeting. The County Attorney and the County Engineer was requested to begin seeing if the easements/right of ways could be obtained as well as asking the County Engineer to bring costs for a new bridge to them as well. Supervisor Absher said he was going to do everything he could to help bring the road into the County's Road System.

The Sage Hill Road matter will be placed on the Feb. 3, 2015 agenda for discussion.

FIVE (5) MINUTE RECESS

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

PAWN SHOP REGULATIONS ADDRESSED

Ben Bailey, Bluefield, Virginia 24605, said him and his wife have been in the Pawn Shop business for the last six (6) years in Tazewell County. He said his business helps doctors, nurses, lawyers, police officers, and helps parents send their children on field trips and to participate in other activities. He said his shop abides by all rules and regulations as well as fire arm laws and all his employees go through a back-ground check. Mr. Bailey voiced dismay in the County's requirements to reapply each year for a license and to pay a \$100 fee to operate his business.

Supervisor Stacy referred to Section 5 of the Resolution whereby the License shall be renewed annually thereafter by re-applying each year no later than Nov. 5. He suggested the renewal process be made more business friendly and requested that the County Attorney review the Code of Virginia and the resolution be revisited at the Feb. 3, 2015 meeting of the Board of Supervisors.

COYOTE BOUNTY CONCERNS

RAY HOWELL

Ray Howell, 1477 Rosenbaum Road, Bluefield, Virginia 24605 thanked the Board for continuing the Coyote Bounty funding. He requested the Board to revisit the County Coyote

Bounty Ordinance and start the bounty in January of each year because the highest percentage of a coyote's diet was deer meat. He presented a summary of Virginia Counties with Coyote Bounties, which was 17 total with 11 funding coyote bounties. Mr. Howell also presented a summary from the US Fish and Wildlife Service showing the amount of money spent in Virginia by residents and non-residents with regard to fishing, hunting and wildlife - Associated Recreation Virginia.

CITIZEN COMMENTS UNSCHEDULED

Bobby Raines. Vice President of the Tazewell Livestock Market requested that the Board of Supervisors write a letter to the Virginia Tobacco Commission about the proposed Livestock Market in Russell County with a \$ 1 million grant from the Commission. He said the business would be direct competition with Tazewell County businesses that are already established and doing well without government assistance. Mr. Raines said that area stock markets have always done well with their own money and he disagrees with a new market coming into the area with such a huge advantage.

Rhudy Keith, an employee at the Tazewell Livestock Market as well as Mark Bailey, owner/operator of the Tazewell Livestock Market also spoke against the Russell County proposal. Mr. Raines, Mr. Keith and Mr. Bailey all reiterated the Tazewell Livestock Market was a vital part of Tazewell County providing part-time jobs and a large flea market that brings business to Tazewell County each week with Market customers buying gas here as well as shopping locally. Mr. Bailey suggested the Board contact Virginia Agriculture Business Council and they would approach the Virginia Tobacco Commission. He said they were successful in getting the funding matter tabled to the May 2015 meeting.

The Board suggested that the County Attorney draft a letter /resolution to the Tobacco Commission for their review regarding the application to build a livestock market in Russell County. The Board of Supervisors indicated their support of business/industry, but not direct competition to Tazewell County.

CONSENT CALENDAR APPROVED

Upon motion of Supervisor Roberts seconded by Supervisor Stacy 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

December 2014

Payroll

Ordered that Warrant Nos. 139560 through 139607 and direct deposits totaling \$370,519.06 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending November 30, 2014, be approved.

Ordered that Warrant Nos. 139609 through 139658 and direct deposits totaling \$374,415.78 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending December 15, 2014 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 468192 through 468390, for \$464,786.97 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. 468392 through 468406, for \$150,595.22 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending November 30, 2014 be approved.

Ordered that Warrant Nos. 468408 through 468577, for \$664,641.65 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of December 2014, be approved.

Ordered that Warrant Nos. 468579 through 468592, for \$134,851.50 from the General Funds, covering payroll deductions for the various County agencies for the period ending December 15, 2014, be approved.

Handwritten

Ordered that Warrant No. 801869 through 801870 for \$216.00 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of November 2014, be approved.

- Approved a resolution updating the County's Emergency Operations Plan (EOP)
- Sheriff's Department - Approved an appropriation as a donation in the amount of \$200.00 to Project Lifesaver, Account No. 035600-8109-19 to purchase tracking bracelets and operating supplies
- Sheriff's Department - Approved a transfer in the amount of \$48.00 from the Contingent Expenditures & Grant Account to Account No. 31020-6009-Vehicle Supplies. This is a check from VH Holmes - scrap metal
- Sheriff's Department - Approved a transfer in the amount of \$1,500.00 from the Contingent Expenditures & Grant Account to Account No. 31020-6021 for DARE Christmas Dinner (donation from Wal-Mart)
- Sheriff's Department - Approved a transfer in the amount of \$3,780.00 from the Contingent Expenditures & Grant Account to Account No. 31020-8105 for two checks, \$2,265.00 and \$1,515.00 for the sale of two vehicles for the Sheriff's Office.
- Sheriff's Department - Approved to surplus the following vehicles - the proceeds from the sale of these two vehicles will be put towards the purchase of a new and fully equipped 2014 Ford Taurus that Sheehy Ford offered the Sheriff's Dept. at a drastically discounted price. The two vehicles requested to be auctioned are two older fleet vehicles. This request is in an attempt to take advantage of the pricing in anticipation of a reduced budget in the upcoming fiscal year.
 - 2007 Dodge Charger 2B3LA43G27H875162 it has 102,000 miles
 - 2005 Chevrolet Impala 2G1WF52E859117278 it has 134,000 miles
- Library - Approved transfers in various amounts from the Contingent Expenditure & Grant Account to Library Accounts as donations received:
 - \$316.80 check from Verizon to Account 7301-5230
 - \$4,223.04 check from Time Warner to Account 7301-3120
 - \$1,000.00 check from Stephen Rinehart to Account 7301-6012

- Library - Approved transfers from the Contingent Expenditure & Grant Account to Library Accounts as donations received:
 - \$250.00 check from Lawn Ranger to Account 7301-3099
 - \$1,500.00 check from Town of Bluefield, VA 7301-3099
- Northern District - Ratified \$1,600.00 paid to Rescue 945 as compensation commitment to the State
- Southern & Northern District - Approved \$1,500.00 to help purchase team cleats for THS Baseball team (\$750 S & \$750 N)
- Surplus Property - Declared 2 brochure racks located at the Tourism Dept./Sanders House as surplus property and donated same to the Tazewell Chamber of Commerce.
- Southern District - approved funds to pay rental fee and deposit for Nuckolls Hall event March 28, 2015 i.e. Coach Bill Mitchell Scholarship Drive.
- Approved Coyote Claims:
 - \$75.00 to Dewey Brooks, 264 Barbarosa Lane, North Tazewell, VA 24630 for 1 female coyote killed with a rifle.
 - \$50.00 to Jarrod Monk, 100 Finview Street, Tazewell, VA 24651 for 1 coyote killed with a rifle on Nov. 20, 2014 (turned in prior to BOS changing amount)
 - \$50.00 to Jarrod Monk, 100 Finview Street, Tazewell, VA 24651 for 1 coyote killed with a muzzle loader on Nov. 11, 2014 (turned in prior to BOS changing amount)
 - \$50.00 to James Campbell, 205 Blake Lane, North Tazewell, VA 24630 for 1 coyote killed with a rifle on Nov. 22, 2014 (turned in prior to BOS changing amount)
 - \$75.00 to Clinton Bell, 1987 Cove Road, Tazewell, VA 24651 for 1 female coyote killed on Dec. 27, 2014 with a snare.
 - \$25.00 to Lisa Rasnick, 1498 Mundytown Road, North Tazewell, VA 24630 for 1 male coyote killed on Dec. 20, 2014 with a snare.
 - \$100.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, VA 24605 for 2 coyotes, 1 male, \$25.00 and 1 female \$75.00 killed with a snare on November 20, 2014.

- \$175.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, VA 24605 for 3 coyotes, 1 male, \$25.00 and 2 female \$150.00 killed on December 13, 2014 with a snare.
- \$75.00 to Ray Howell, 1477 Rosenbaum Road, Bluefield, VA 24605 for 1 coyote, female killed on December 20, 2014 with a snare
- \$175.00 to Makala Childress, 170 Sweetbrier Lane, Tazewell, VA 24651 for 3 coyotes killed (2 female, 1 male on January 14, 2015, 2 with a snare
- \$25.00 to MaKala Childress, 170 Sweetbrier Lane, Tazewell, VA 24651 for 1 male coyote killed with a snare on December 29, 2014.
- \$25.00 to Earl White, 166 Comstock Ln. Bluefield, VA 24065 for 1 male coyote killed on Dec. 12, 2014 with snare.
- \$75.00 to Earl White, 166 Comstock Ln. Bluefield, VA 24605 for 1 female coyote killed on Dec. 29, 2014 with a gun.

BOARD OF SUPERVISORS LIAISONS REPORT

Planning Commission –Supervisor Stacy reported the proposed Zoning Ordinance for the Eastern District was still being developed and hopefully a draft would be available within the next few weeks. An informal meeting with representatives from the Tazewell Farm Bureau was held to go over various agriculture aspects of the proposed ordinance. A time-line for a public hearing will possibly be April, 2015 according to the County Attorney.

Emergency Services Committee - Supervisor Hymes had nothing to report except that he was working on something for Supervisor Roberts for the Northern District.

Industrial Development Authority - Supervisor White had nothing new to report for the IDA, but the IDA continues to move forward with various projects for the County.

School Board - Supervisor Absher - had nothing to report on behalf of the School Board

RDA - Supervisor Roberts said the Recreation Development Authority did not meet in January.

APPOINTMENTS

Airport Authority – Upon motion of Supervisor Hymes, seconded by Supervisor Abhser and adopted by a vote of 5 to 0, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Jim Honaker,

6882 Dryfork Road, North Tazewell, VA 24630 to the Tazewell County Airport Authority with a term commencing immediately and expiring December 31, 2017 (three (3) year term).

Building Code of Appeals – Upon motion of Supervisor White, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Absher abstaining, the Tazewell County Board of Supervisors hereby appoints J.R. Absher, PO Box 190, Cedar Bluff, VA 24609 as a member of the Local Building Code of Appeals, with at term commencing immediately and expiring May 31, 2017. This appointment fills the unexpired term of Roscoe Lester who resigned.

Library Board of Trustees – 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 reappoints Veronica Daugherty, 6047 Abbs Valley Road, Bluefield, VA 24605 to the Library Board of Trustees, with a term commencing immediately and expiring January 31, 2018.

One appointment to fill an unexpired term of Ms. Karel Ryan who resigned was deferred to the February 3, 2015 regular meeting.

Social Services Board – Upon motion of Supervisor White, 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 appoints Amanda Buskill, 208 Sandy Lane, Richlands, Virginia 24614 to the Tazewell County Department of Social Services Board, with a term effective January 1, 2015 and expiring December 31, 2018 (Four (4) year term).

Tourism Committee – One ad-hoc member to fill the unexpired term of Larry Hypes who resigned was deferred to the February 3, 2015 meeting.

COMMITTEE RESIGNATIONS REQUESTED

Upon motion of Supervisor Roberts, seconded by Supervisor Stacy and adopted by a vote of 4 to 0, with Supervisor Absher abstaining, the Tazewell County Board of Supervisors hereby authorizes and directs the County Attorney to request by letter, resignations of any member of Tazewell County Boards/Authorities/Commissions who have missed 75 percent or more of any regularly scheduled meeting and request that they resign due to their continuous absences.

**DENTAL SCHOOL -
SETTLEMENT AND MUTUAL RELEASE**

Upon motion of Supervisor Stacy, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves a SETTLEMENT AND MUTUAL RELEASE with regard to efforts to establish a School of Dental Medicine in Tazewell County, Virginia, including but not limited to any claims or causes of action, sounding in contract or otherwise, arising from the MOU, collectively being the Memoranda of Understanding dated September 14, 2012, the Memorandum of Understanding dated May 10, 2013, and the May 14, 2014 Amendment 1 to the May 10, 2013 Memorandum of Understanding. A copy of the Dental School Settlement and Mutual Release is on file in the office of the County Administrator, 108 East Main Street, Tazewell, VA 24651.

**TIM HASS –
TIP TOP**

Tim Hass, a resident of the Tip Top community, North Tazewell, VA spoke and voiced his interest in county government. His interests and questions included the proposed dental school as well as economic development and growth in Tazewell County, and more particularly politics in general. He said he would like to start attending various government meetings in the County to learn about the variety of systems in local government. The Board welcomed and thanked him for his interest and urged his attendance and involvement in local government issues.

**COAL AND GAS SEVERANCE TAX LEGISLATION -
RESOLUTION SUPPORTING THE EXTENSION**

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 adopts a resolution supporting the extension of Coal and Gas Severance Tax, a BILL to amend and reenact Section 58.1-3713 of the Code of Virginia, relating to the local gas severance tax - coal tax credit, expiration date (2018) as introduced by Patrons - Chafin and Ruff.

A copy of the resolution in a form as adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

RESOLUTION - OPPOSING EPA REGULATIONS THAT UNREASONABLY IMPEDE COAL PRODUCTION

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 RESOLVES - that the Board believes that the current direction of U.S. Energy Policy - exemplified by EPA's proposed standards for new and existing electric generating units - should be reversed and reconsidered and FURTHER, the Board opposes these and other recent EPA regulations that unreasonably impede coal production and direct the County Administrator to forward a copy of same to the President of the United States and to Federal and State Elected representatives.

A copy of the resolution in a form as adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

LEASE AGREEMENT- HOLMES AND TAZEWELL COUNTY BOARD OF SUPERVISORS FOR THE TANNERSVILLE - SOLID WASTE DISPOSAL CONVENIENCE AREA

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 LEASE AGREEMENT by and between William Holmes and Nancy Holmes and the Board of Supervisors of Tazewell County Board of Supervisors with regard to Tazewell County's lease of property for utilization as a solid waste disposal convenience area, parcel of land, containing 0.20 (1/5) acre of land lying and being in Tazewell County bordered on the east side by Tumbling Creek and bordered on the north by State Secondary Route No. 604 and being adjacent to Route 604, and being a portion of the property acquired by the Lessors by deed dated August 25th 1999, from Arthur L. Nutter, which deed is recorded in the Tazewell County Circuit Court Clerk's Office in Deed Book 780 Page 818. A copy of the LEASE AGREEMENT is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

THOMPSON VALLEY FIRE TRUCK -

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 rejects all bids and authorizes the re-advertisement for a 2014 - 2000 gallon freightliner fire truck for the Thompson Valley Fire Truck. The specs that were advertised did not include certain equipment needed on the truck. The USDA will give an the department an extension on the grant.

ISO Report- Patricia Green, Deputy County Administrator, gave an ISO Report for the County.

The report showed that countywide Tazewell County is a 6 in the ISO ratings. The average in USA for counties is a 5 or 6 rating. Our score is a 48.35, a score of 50 will move us to the next category, down to a 5. Ms. Green met with Dave White and Sam Wolford to review the areas where Tazewell County could improve. Most of the areas are operational, not equipment related. **Training** is an area for improvement, only scoring a 1.48 out of 9 points. **Deployment Analysis** was a 1.54 out of 10. This measurement is for the placement of fire departments in relation to the built-upon areas of the county. In other words, Tazewell County has gaps in coverage or it takes too long for the response to a fire. **Community Risk Reduction** is another area for improvement (1.43 out of 5.5). This is fire prevention and public education.

These areas were also defined in the fire study Tazewell County had done 2 years ago. Improvements in these areas should help with the insurance ratings in the county.

LEGISLATIVE MEETING JANUARY 21-23, 2015

The delegation attending the Annual Legislative Meeting in Richmond will leave on Wednesday January 21. The itinerary is set to include group meetings with various State officials to discuss Economic Development, Transportation and other important topics.

POLAND - ISRAEL TRIP

Patricia Green, Deputy County Administrator said the recent trip to Poland and Israel was very informative and said that she now has a better understanding of the people there and their cultures. She reported that the group met with several companies that were informative and very

interested in starting or expanding a company here. However, many aspects of the trip were still confidential. Eric Young, County Attorney said the trip was very good and that the County group met with six to eight businesses in a day who have an interest and who are looking to locate or to establish a business in the United States. Supervisor Absher said he was impressed with the irrigation systems that allows the Israeli people to turn desert into farmable land - the water comes from the Sea of Galilee. He spoke of the richness of the county and said he was very excited to see what the trip could mean for Tazewell County. Supervisor White said the country was very similar to ours and their farming background was amazing. He acknowledged the many people who have questioned the groups trip to Israel and said in many ways they are light years ahead of Tazewell County and he believes Tazewell County will see some fruit from the trip.

POLAND AND ISRAEL EXPENSE REPORT TO BE PROVIDED

FEBRUARY 3, 2015

Supervisor Hymes requested that an expense report for the Poland and Israel trip be made available during the February 3, 2015 meeting.

ESC MATTERS

Supervisor Hymes requested Ginny Dawson be notified to place the ISO Rating matter on the next ESC agenda. The County needs improvements in areas of gaps in coverage as well as taking too long to respond to fires and training improvements are needed.

The ESC will also be requested to consider emergency equipment needs for Bluefield, Virginia from the Tazewell County Fire Rescue. Ms. Green received a letter on this topic and she was requested to send the letter to Ginny Dawson so each member of the ESC would have a copy for discussion at their next regular meeting.

EASTERN DISTRICT FUND

- \$2,000.00 TO GRAHAM HIGH SCHOOL

BASEBALL TEAM EQUIPMENT APPROVED

Upon motion of Supervisor Stacy, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,000.00 from the

Eastern District Fund, Account 91500-5699-24, Graham High School for equipment needs to GHS Baseball, 210 Valleydale Street, Bluefield VA 24605, memo: Baseball team equipment. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

EASTERN DISTRICT FUND

\$1,000.00 TO BLUEFIELD VIRGINIA LITTLE LEAGUE

Upon motion of Supervisor Stacy, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,000.00 from the Eastern District Fund, Account No. 91500 -5699-8, payable to the Bluefield Virginia Little League , Attn: Tom Wimmer, PO Box 661, Bluefield, VA 24605. This will be used for uniforms and equipment. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

EASTERN DISTRICT FUND

\$1,500.00 TO GHS PROJECT GRADUATION

Upon motion of Supervisor Stacy, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,500.00 from the Eastern District Fund, Account No. 915000-5699-24, payable to Graham High School Project Graduation 2015, 210 Valley Dale Street, Bluefield, VA 24605. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA

TAZEWELL C OUNTY FAIR ASSOCIATION

SCRIPPS SPELLING BEE

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 Supervisor hereby approves the amount of \$100.00 from each District

fund (\$500.00) payable to the Tazewell County Fair Association, Inc., Scripps Regional Spelling Bee, 515 Fairground Road, Tazewell, VA 24651. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

**PROPANE GAS SERVICES FOR TAZEWELL COUNTY -
CENTRALIZED VENDOR SUGGESTED**

Supervisor Roberts suggested a centralized vendor be used for propane gas services for all fire departments in Tazewell County. He suggested that Dave White, Emergency Services Coordinator, obtain a list of county fire departments that use gas and get a quote/bid for propane use accordingly and to report same to the Board of Supervisors for consideration.

GAS SERVICE CONCERNS

Supervisors Roberts questioned how he could get gas service from the transmission line in Abbs Valley to the Department of Corrections facility. The County Attorney and Supervisor White said this is something that needs to be addressed because the Pocahontas area does have a resource of gas that should be accessible to the prison.

**SOUTHERN & NORTHERN DISTRICT FUNDS
NORTH TAZEWELL ELEMENTARY - FIELD TRIP
TOTAL \$1,000.00 (\$500 Southern & \$500 Northern)**

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 \$500.00 from the Southern District Account No. 91800-5699-34 and the amount of \$500.00 from the Northern District Account No. 91600-5699-34 North Tazewell Elementary School Account (\$1000.00 total) payable to the North Tazewell Elementary School to help fund a field trip for children who cannot afford to pay. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

SOUTHERN & NORTHERN DISTRICT

TROOP 93 - BOY SCOUTS OF AMERICA

TOTAL \$800.00 (\$500 Southern & \$300 Northern)

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 \$500.00 from the Southern District and \$300.00 from the Northern District (\$800.00 total) payable to the TROOP 93, Boy Scouts of America, attn: Hal Keene, Assistant Scoutmaster, Troop 93, PO Box 27, Tazewell, VA 24651. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

KIDS FISH DAY

\$2,000.00 (\$400.00 FROM EACH DISTRICT FUND)

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 approves the amount of \$2,000.00 (\$400.00 from each District Fund), payable to Kids Fish Day, Attn. Elizabeth Bennett, 117 Dial Rock Road, North Tazewell, VA 24630 to help offset expenses for the Kids Fish Day event scheduled for 2015. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

NORTHWESTERN DISTRICT

RAVEN ELEMENTARY \$2,000.00

GATLINBURG, TN - FIFTH GRADE TRIP

Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,000.00 from the Northwestern District Fund, Account no. 91700-5699-39, payable to Raven Elementary, 5th Grade - Gatlinburg, TN, Field Trip, Attn: Brittany Sparks, Kristen Sullivan. The Deputy

County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

AMERICAN VETERANS HONOR GUARD ASSOCIATION

\$500.00 (\$250 Western & \$250 Northwestern)

Upon motion of Supervisor Absher, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$500.00 (\$250.00 Western District & \$250.00 Northwestern District), payable to the American Veterans Honor Guard Association, c/o Raleigh D. Shortt, Commander, PO Box 13, Raven, Virginia 24639. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

COUNTY BUILDINGS - BACK ON TAX ROLLS

Supervisor Hymes requested that the Industrial Development Authority (IDA) prepare a list all County Buildings in order for the Board of Supervisors to consider the possibility of selling same in order to place the property back on the County's tax rolls. He said the County could lease the property back at an acceptable price and would alleviate maintenance costs and other liabilities for the County.

This matter will be addressed at the February 3, 2015 regular meeting.

USDA COMMUNITY CONNECT GRANT

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 authorizes and directs the County Information Technology Department to reapply for a USDA Community Connect Grant by the February 17, 2015 deadline.

THOMPSON VALLEY FIRE DEPARTMENT

Supervisor Hymes requested the Sheriff to realign the coverage responsibility of the Thompson Valley Fire Department with regard to them moving back to the Fairgrounds.

OLD UNION HALL BUILDING LOCATED IN BOISSEVAIN

Supervisor Hymes requested that the person interested in the old Union Hall Building in Boissevain be notified so they can present a proposal to the Recreation Development Authority (RDA) at their next meeting. The County (RDA) recently solicited RFP's on the building, but no one submitted a proposal.

ROYAL OAK ROAD

Supervisor Hymes requested the status of the easements of the Royal Oak Road. The County Attorney said he continues to work with the Bailey's on the matter in hopes to finalize the matter within the week.

TAZEWELL LITTLE LEAGUE BASEBALL, INC.

SOUTHERN DISTRICT FUND \$3,300.00

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 \$3,300.00 from the Southern District Fund, Acct. No. 91800-5699-56, payable to the Tazewell Little League Baseball, Inc. PO Box 988, North Tazewell, Virginia 24630 as his annual support of the Program. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

TAZEWELL WRESTLING CLUB - \$300.00

SOUTHERN DISTRICT

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$300.00 from the

Southern District Fund, payable to the Tazewell Wrestling Club, Attn: Phil Bevins, 511 East Tower Street, Tazewell, Virginia 24651. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA

FOUR SEASONS YMCA

\$4,500.00 APPROVED (\$1,000 Northwestern; \$2,500 Western; \$1,000 Eastern)

Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$4,500.00 (\$1,000 Northwestern; \$2,500 Western; \$1,000 Eastern) payable to the Four Seasons YMCA, 106 Gratton Road, Tazewell, Virginia 24651 to be used for the YMCA's Sliding Scale Membership fee program. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which warrant will be converted to negotiable check by the Treasurer of Tazewell County, VA.

SPEED/SAFETY STUDY - BAILEY SWITCH ROAD

Upon motion of Supervisor Stacy, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a RESOLUTION requesting the Virginia Department of Transportation to complete a safety study for the placement of speed reduction signs on the following route due to reports of motorists traveling at high rates of speed posing a threat to residents who reside there and children who play nearby. The Board of Supervisors feels this is an urgent situation that needs immediate attention:

Beginning termini: On Route 656 from Route 19/460 to Route 650 Bailey Switch Road, Bluefield, Virginia - Eastern District.

Further, that the Virginia Department of Transportation provide a result from such findings to the Board of Supervisors as soon as possible.

PERSONNEL COMMITTEE

Supervisor Hymes requested that the County's personnel committee meet soon to discuss filling a position.

BURKES GARDEN TELEPHONE COMPANY

RELEASE OF BOND

Upon request of the County Attorney, and upon motion of Supervisor Hymes seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the County Attorney to write a letter to National Bank authorizing the release of bond for the Burkes Garden Telephone Company to First Community Bank within 30 days.

ADJOURN

Now, there being no further business to be transacted and upon motion of Supervisor Roberts, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adjourn this meeting.

The next meeting is scheduled for February 3, 2015 at 6:00 p.m.

Seth R. White, Its Chairman

by: RG

Adjourn time 11:10 p.m.