

VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD MAY 5, 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: NONE

Seth R. White, Chairman of the Board called the regular meeting to order and presided with all members in attendance.

Supervisor Hymes gave the invocation with Supervisor Stacy leading those in the Pledge of Allegiance to the United States flag.

AGENDA APPROVED AS AMENDED

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 agenda as amended. Supervisor

Hymes requested that Dr. Amy Smith, Virginia Tech, be added to the agenda format to address the Tazewell County Cancer Study Project.

MINUTES APPROVED

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 April 7, 2015 meeting minutes as approved.

CANCER STUDY PROJECT

Following a presentation on the Tazewell County Cancer project by Amy H. Smith, PhD, Virginia Tech, and Shellie Rasnake, researcher, Masters of Public Health at Virginia Tech, and upon motion of Supervisor Hymes, 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 a no-cost extension of the BOS grant funding period until September 30, 2015 to complete the sample collections and analysis, with a final report and presentation by November 30, 2015 and further the Board of Supervisors will diligently work to find resources for mitigation and remediation if environmental testing finds it necessary.

Ms. Rasnake said the researchers would concentrate primarily on environmental testing with regard to radon and water and would collect and process radon and water samples from approximately 200 locations throughout the County and all the individuals/businesses selected for the testing would be notified of the results of the studies. Supervisor White said he would also talk to Jim Baldwin, Cumberland Plateau Planning District to see if CPPD could possibly advise or assist the County with additional resources available for mitigation.

ECONOMIC DEVELOPMENT REPORT**ENTERPRISE ZONE - PUBLIC HEARING AUTHORIZED**

Mike Thompson, Interim Economic Development Director gave a brief update on economic development and tourism activities in Tazewell County. He told the Board he was diligently working on the Enterprise Zone renewal process. A consultant has been budgeted and competitive bids will be placed pursuant to the County's procurement process.

Now, upon request of Mike Thompson, Interim Economic Development Director, and upon motion of Supervisor White, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the Interim County Administrator to advertise for a public hearing in June 2015 for the Enterprise Zone Ordinance - Renewal application (local incentives and new boundary application). The application deadline is June 30, 2015.

Mr. Thompson then presented to the Board an Analysis update with regard to the Southwest Virginia Workforce Investment Board - Workforce Skills. He will continue to update the Board with planning ideas and implementing strategies with ways to develop a competitive workforce in Tazewell County.

EXECUTIVE/CLOSED MEETING

Upon motion of Supervisor Stacy, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present 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:

- A-7 Legal Consultation regarding Greater Tazewell Water Agreement with the Town of Pocahontas
- A-5 Prospective Business involving Project Jonah
- A-5 Prospective Business involving Advanced Manufacturing Center of Excellence
- A-5 Prospective Business involving E.P.C.
- A-1 Personnel Matter involving the I.T. Department

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

RESOLUTION

CERTIFICATION OF EXECUTIVE/CLOSED MEETING

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

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

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

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

Nays: None (0)

Absent: None (0)

Absent during vote: None (0)

CONSENT CALENDAR APPROVED

Upon motion of Supervisor Hymes seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following items presented as "Consent Calendar". The matters requiring the issuance of warrants

shall be issued by the County Administrator in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

Approved warrants for the month of April 2015

➤ **Payroll**

- Ordered that Warrant Nos. 139992 through 140042 and direct deposits totaling \$365,754.09 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending March 31, 2015, be approved.
- Ordered that Warrant Nos. 140044 through 140094 and direct deposits totaling \$389,434.56 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending April 15, 2015, be approved.

➤ **Accounts Payable/Payroll Deduction**

- Ordered that Warrant Nos. 469561 through 469718, for \$406,412.86 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of March 2015, be approved.
- Ordered that Warrant Nos. 469720 through 469735, for \$152,379.44 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending March 31, 2015, be approved.
- Ordered that Warrant Nos. 469737 through 469908, for \$1,805,487.08 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of April 2015, be approved.
- Ordered that Warrant Nos. 469910 through 469925, for \$159,832.78 from the General Funds, covering payroll deductions for the various County agencies for the period ending April 15, 2015, be approved.

➤ **Handwritten**

- Ordered that Warrant No. 801881 through 801882 for \$64,629.68 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of March 2015, be approved.

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- Authorized and direct the Interim County Administrator to transfer monies between County funds and departments as may be necessary through June 30, 2015.
 - Declared the old box truck used by Emergency Services as surplus property and donate same to the School Board to use for transporting books, paper, computers, etc. (the box truck is housed at the Rescue 945 building)
 - Ratified \$1,000.00 from the Western District fund paid to the Richlands Middle School for 7th Grade Field Trip.
 - Approved \$250.00 from Southern District to Tazewell Football Boosters for Business Sign Fundraiser
 - Approved \$2,160.00 from the Northern District Fund to Abbs Valley Elementary School for a new sound system
 - Approved \$1,400.00 from the Northern District Fund for mowing of the Pocahontas Cemetery
 - Approved \$250.00 from the Northern District Fund to the Clinch Mountain Long Beards Chapter - National Wild Turkey Federation
 - Commissioner of Revenue - approved \$100.00 from the Contingent Expenditures & Grant Account No. 91050-7041 to the Commissioner of Revenues Acct. No. 12090-6001 for supplies utilized to respond to business requests.
 - Erroneous Assessments for Commissioner of Revenue -approved refund in the amount \$1,045.38 payable to Salvation Army, PO Box 818, Bluefield, WV 24701, for 2012 RE ; approved a refund in the amount of \$1,045.38 payable to Salvation Army, PO Box 818, Bluefield, WV 24701, for 2013 RE; approve refund in the amount of \$1,008.70 payable to Salvation Army, PO Box 818, Bluefield, WV 24701 for 2014 RE
 - Library - Approved the amount of \$210.00 from the Contingent Expenditures & Grant Account No. 91050-7041 to Library Account No. 7301-3099 as donations received, \$10.00 Rodney Abrahams, DDS; \$100.00 Richlands Funeral Co./Hurst Scott; \$100.00 United Country Riverside Realty

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- Tourism - Approved the amount of \$2,400.00 from the Contingent Expenditures & Grant Account No. 91050-7041 to the Tourism Advertising Account No. 12060-3600 - a check in this account was received from SRRA dated 3/11/15 No. 1562 for shared costs of a billboard for advertising the trails.

 - Approved Coyote Claims:
 - The amount of \$575.00 payable to Russell Daugherty, 5834 Slate Creek Road, Grundy, VA 24614 for 11 coyotes (6 were female) killed on 4/13 to 4/23/2015 with a rifle (Mr. Daugherty owns property in Willow Springs)
 - The amount of \$525.00 payable to Raymond Howell, 1477 Rosenbaum Road, Bluefield, VA 24605 for 9 coyotes (6 were female) killed on 4/18/15 with a snare
 - The amount of \$75.00 payable to John W. Blankenship, 150 Desert Rose Dr. Tazewell, VA 24651 for 1 coyote killed with a pistol on 4/8/2015.
 - The amount of \$75.00 payable to Jimmy Cornett Jr. 764 Daniels Road, Bandy, VA 24602 for 1 coyote killed with a snare on 4/10/2015.
 - The amount of \$25.00 payable to Willie Randal Newberry, PO Box 100, Doran, VA 24612 for 1 coyote killed with a gun on 2/11/2015.
 - The amount of \$25.00 payable to Jimmy Cornett, 744 Daniels Road, Bandy, VA 24602 for 1 coyote killed with a gun on 4/18/2015
 - The amount of \$75.00 payable to Lawrence Whitt, Jr. 4163 Mudfork Road, Bluefield, VA 24605 for 1 coyote killed with a gun on 4/23/15.
 - The amount of \$250.00 payable to Teresa Dickens, PO Box 15, Horsepen, VA 24619 for 4 coyotes killed on 4/10/2015.

 - Sheriff's Department:
 - Approved the amount of \$897.43 from the Contingent Expenditures & Grant Account No. 9105-7041 to the Sheriff's Account No. 3120-6609 Vehicle Supply and Repair (check received from VML Insurance for damages to a 2011 Ford Crown Vic)

- Approved the amount of \$8,138.25 from the Contingent Expenditures & Grant Account No. 9105-7041 to the Sheriff's Account No. 31020-6010 Police Supplies (check received from Regency Real Estate & Auction Comp. Inc. as auction proceeds of 3/28/15)
 - Declared a 2004 Ford Crown Vic. VIN No. 2FAHP71W84X120202 as surplus property and auction for proceeds
- **PROCLAMATIONS**
- Proclaimed May 2015 as Older Americans Month in Tazewell County, VA
 - Proclaimed May 13, 2015 as Clinch Valley Community Action Day in honor its 50th Anniversary

INTERMUNICIPAL AGREEMENT TO PURCHASE MUNICIPAL WATER DISTRIBUTION SYSTEM - APPROVED AS AMENDED

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 approve the amended/revised Inter-municipal Agreement To Purchase Municipal Water Distribution System to provide for the Tazewell County PSA to purchase the Town's Water Distribution System such that the TCPSA may continue to serve the system's customers after the Town ceases to operate its water system. A copy of the amended agreement in a form as hereby adopted is attached to these minutes and incorporated herein by reference thereto.

ROBERTS RULES OF ORDER SUSPENDED

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 suspends Roberts Rules of Order for the purposes of moving some agenda items around due to the schedule being a few minutes ahead of time.

**HEART OF APPALACHIA EXECUTIVE DIRECTOR -
ERIN RIEDHAMMER**

Erin Riedhammer, Executive Director, Heart of Appalachia, addressed Tourism Marketing Incentives in Southwest Virginia. She provided the Board with new brochures, "Fish to your Heart's Content in the Heart of Appalachia", "RELAX Your Heart-rate" and "Motorcycle Touring & Travel Map - Fun on 2 Wheels or 4". Ms. Riedhammer gave a brief update on how she was working with Dave Woodward, Tazewell County Tourism Director on ways to market, promote, expand and develop tourism opportunities in Tazewell County. She said her and Mr. Woodward had two trade-shows in Washington DC and Cleveland, Ohio in January. She said Tazewell County was well represented in the Southwest Virginia and was one of the leaders in tourism. The Heart of Appalachia continuously works with businesses and entrepreneurs to make sure they have all at the resources they have to be successful. Supervisor Hymes reiterated the County's support of the Heart of Appalachia stating the County has budgeted \$2,500.00 in FY15-16 for HOA to help expand marketing initiatives.

**JOINT PUBLIC HEARING - TAZEWELL COUNTY BOARD OF SUPERVISORS
AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

The Chairman, Seth R. White, called to order a joint public hearing with the Virginia Department of Transportation that had been duly advertised according to law. Mr. Conrad Hill Transportation Residency Administrator presented a list of Secondary System Construction Road Projects for 2014-16 through 2020-21.

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

Now, following the joint public hearing held this date with the Virginia Department of Transportation with regard to the proposed Secondary Six-Year Plan for Fiscal Years 2105-16 through 2020/21 in Tazewell County and on the Secondary System Construction Budget for Fiscal Year 2015/16 and as presented by Conrad Hill, VDOT, Residency Administrator and upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5 to 0,

with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts the following resolution:

RESOLUTION

**APPROVAL OF SECONDARY HIGHWAY SIX-YEAR PLAN (2015/16 THROUGH
2020/21)**

AND CONSTRUCTION PRIORITY LIST (2015/16)

TAZEWELL COUNTY, VIRGINIA

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan, and

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2015/16 through 2020/21) as well as the Construction Priority List (2015/16) on May 5, 2015, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List, and

WHEREAS, Conrad L. Hill, Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2015/16 through 2020/21) and the Construction Priority List (2015/16) for Tazewell County, Virginia.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Tazewell County, Virginia that since said Plan appears to be in the best interests of the Secondary Road System in Tazewell County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2015/16 through 2020/21) and Construction Priority List (2015/16) are hereby approved as presented at the public hearing.

RESOLUTION**ROUTE 726 - CLOSURE OF PORTION FOR NEW BRIDGE DECK TO BE COMPLETED**

Then, upon motion of Supervisor Stacy, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a resolution concurring with the Virginia Department of Transportation's decision to close a portion of Route 726 (Bridge Street) at the Russell County Line, to replace an existing steel bridge with a new pre-fabricated concrete bridge deck. Traffic will be closed for approximately one day in the week of May 27, 2015 for the installation of the new bridge deck to be completed. A copy of the Resolution in a form as hereby adopted is attached hereto and incorporated herein by reference thereto.

ROAD REQUESTS

Supervisor Hymes requested VDOT's assistance to pave/patch Burkes Garden Mountain and to correct drainage issues on 411 Myrtle Road, Byrchel Poskas, Jr. The Interim County Administrator was also request to look for monies in the budget for paving on Route 16 (Clinch Mountain).

Supervisor Absher requested that the Planning Commission determine if Cordelia Street (Claypool Hill - contact Melvin Sparks, 964-2884) and Glenwood Street (contact Doug Lawson) are eligible for the County's Orphan Road Program.

Clinch Mountain Road - Route 16. The Interim County Administrator was requested to look for \$30,000.00 in the County's budget for paving/curbing of Route 16.

Route 644- Supervisor Roberts thanked Conrad Hill and VDOT staff for their hard work to repair Route 644 due to flooding in March 2015.

Conrad Hill updated the Board with regard to the paving taking place on the right sides of 19-460. Mr. Hill said VDOT received federal funding to construct rumble strips on 19-460 from the Russell County line to Tazewell. The rumble strips eventually will extend to the Eastern part of Tazewell County to the WV line County line on 19-460.

**ROYAL OAK ROAD -
ORDINANCE ADOPTED**

The Chairman, Seth R. White called to order a public hearing held this date as duly advertised according to law, entitled "An Ordinance accepting a portion of Royal Oak Road into the County's Road system." Royal Oak Road extends approximately 561 feet South of U.S. Highway Route 19/460, at or near the Divides in Tazewell County, Virginia.

Now, the Chairman called for public comments from the floor three times and contingent up legal review and approval. He called for public comments from the floor three times and there being no comments from the floor other than the County Attorney, Eric Young, explaining that the property owners have agreed to give the ROW's/Easement, contingent upon the County installing the two (2) entrances to the road with a cost of approximately \$3,000.00, he called the Public Hearing closed.

Now, upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts an Ordinance accepting a portion of Royal Oak Road into the County's Road system, contingent up legal review and approval. Royal Oak Road extends approximately 561 feet South of U.S. Highway Route 19/460, at or near the Divides in Tazewell County, 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 VDOT for future maintenance. The property owners affected are Charles J. Stone and Virginia Sue Stone (057 A 0074A); Kendall C. Harry (057 A 0071 & 057 A 0074); Dawn Michelle Lanter Williams and Chad Wade Lanter. (057 A 0072 & 057 A 0074); and Ronald Lee Bailey and Bettie June Cuddyer, a/k/a Betty June Bailey Earnhardt (057 A 0079). A copy of the Ordinance in a form as hereby adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, VA 24651.

BARN AVENUE -**ORDINANCE ADOPTED**

The Chairman called to order a public hearing, entitled "An Ordinance accepting Barn Avenue into the County's Road system." He called for public comments from the floor.

Mr. Michael Patton, 231 Barn Ave. spoke and thanked the Board of Supervisors for their consideration of taking the road into the County Road Program.

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

Now, following a public hearing held this date as duly advertised according to law, and 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 adopts an Ordinance accepting Barn Avenue into the County's Road system. Barn Avenue extends approximately 197 feet from Baptist Valley Road, at or near Baptist Valley in Tazewell County, Virginia (contingent upon accuracy of the 197 feet). The Road may be improved such that it will be conveyed to VDOT for future maintenance. The Ordinance also will vacate any previously existing public rights of way established by prescription or otherwise over the same properties, along the course of the existing road, pursuant to § 15.2-2006 of the Code of Virginia (1950), as amended. The property owners affected are William C. Dunford; Arland L. Childress; Susan A. Keene and Tracie M. Keene; Michael A. Elkins and Robin B. Elkins; Michael E. Hodge and Debra S. Hodge; Wilma Jean Harman and Lindsey Walter Harman; and Calvin Douglas Patton and Anna Pauletta Patton. A copy of the Ordinance in a form as hereby adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, VA 24651.

SPRINGVILLE AND GRAHAM -**ORDINANCE ADJUSTING THE PRECINCT BOUNDARIES****BETWEEN SPRINGVILLE AND GRAHAM**

The Chairman, Seth R. White called to order a public hearing, entitled "**AN ORDINANCE TO ADJUST THE PRECINCT BOUNDARIES BETWEEN**

SPRINGVILLE AND GRAHAM PRECINCTS TO INCLUDE ALL OF THE RESIDENCES LOCATED IN THE TOWN OF BLUEFIELD CORPORATE LIMITS IN THE GRAHAM PRECINCT."

The Chairman then called for public comments from the floor with regard to the public hearing.

The County Attorney, Eric Young, gave a brief synopsis of the changes in the precinct so that the boundary between Springville and Graham Precincts be adjusted to include all of the residences located in the Town of Bluefield Corporate limits in the Graham Precinct.

Brian Earls, County Registrar explained that this came about when it was noticed that there were only four people living on Barnwood Drive who did not vote in the Town of Bluefield. New voter cards will be issued noting the change.

Now, the Chairman called for additional 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 following ordinance:

AN ORDINANCE TO ADJUST THE PRECINCT BOUNDARIES BETWEEN SPRINGVILLE AND GRAHAM PRECINCTS TO INCLUDE ALL OF THE RESIDENCES LOCATED IN THE TOWN OF BLUEFIELD CORPORATE LIMITS IN THE GRAHAM PRECINCT.

WHEREAS, the Board of Supervisors desires to make Tazewell County's polling places accessible to residents;

WHEREAS, the Board also desires to adjust precinct and election district boundaries to be more convenient for all voters;

NOW THEREFORE, BE IT ORDAINED,

pursuant to Virginia Code § 15.2-1211 and § 24.2-304.1 et seq. (1950), as amended, that: That the boundary between Springville and Graham Precincts be adjusted to include all of the residences

located in the Town of Bluefield Corporate Limits in the Graham Precinct, as set forth in the attached "Schedule A". Further, that the Board hereby ordains the boundaries described in the attached Schedule A are the precinct boundaries for the Graham and Springville Precincts.

It is so **ORDAINED** by the Tazewell County Board of Supervisors as of this the 5 day of May 2015.

PUBLIC HEARING

BISHOP, ADRIA, TIP-TOP PRECINCTS

The Chairman called to order a public hearing that was duly advertised according to law entitled "**A PUBLIC HEARING TO HEAR CONCERNS REGARDING THE BOARD OF SUPERVISORS INTENT TO ADJUST PRECINCT BOUNDARIES BETWEEN BISHOP, ADRIA, AND TIP TOP PRECINCTS AND TO RELOCATE RESIDENCES ALONG MOUNTAIN LAKE ROAD INTO THE ADRIA PRECINCT FOR VOTER CONVENIENCE.**"

Now, the Chairman called for public comments from the floor. The County Attorney, Eric Young explained that the adjustment for the precinct boundaries would be more convenient for voters.

The Chairman then called for additional comments from the floor three (3) times 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 "**AN ORDINANCE TO ADJUST PRECINCT BOUNDARIES BETWEEN BISHOP, ADRIA, AND TIP TOP PRECINCTS AND TO RELOCATE RESIDENCES ALONG MOUNTAINLAKE ROAD INTO THE ADRIA PRECINCT FOR VOTER CONVENIENCE.**"

WHEREAS, the Board of Supervisors desires to make Tazewell County's polling places accessible to residents;

WHEREAS, the Board also desires to adjust precinct boundaries to be more convenient for all voters;

NOW THEREFORE, BE IT ORDAINED, pursuant to

Virginia Code § 15.2-1211 and §24.2-304.1 et seq. (1950), as amended, that:

That the boundary between the Bishop, Adria, and Tip Top Precincts be adjusted to relocate residences along Mountain Lake Road into the Adria Precinct for voter convenience, as set forth in the attached "Schedule A". Further, that the Board hereby ordains that the boundaries described in the attached Schedule A are the precinct boundaries for the Bishop, Adria, and Tip Top Precincts.

It is so **ORDAINED** by the Tazewell County Board of Supervisors as of this the 5 day of May, 2015.

PUBLIC HEARING

BISHOP AND AMONATE PRECINCT BOUNDARY LINES

The Chairman called to order a public hearing entitled "**AN ORDINANCE TO ADJUST THE BISHOP AND AMONATE PRECINCT BOUNDARY LINES TO MOVE RESIDENCES ALONG RILEY ROAD AND SOME RESIDENCES ALONG GRASSY SPUR ROAD INTO THE BISHOP PRECINCT.**"

Now, the Chairman called for public comments from the floor with regard to the public hearing. The County Attorney, Eric Young explained that the Ordinance would adjust the Bishop and Amonate Precinct Boundary Lines to move residences along Riley Road and some residences along Grassy Spur into the Bishop Precinct for voter convenience. The Chairman then called for further comments from the floor, and there being none he declared the public hearing closed.

Then 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 adopts the following ordinance:

AN ORDINANCE TO ADJUST THE BISHOP AND AMONATE PRECINCT BOUNDARY LINES TO MOVE RESIDENCES ALONG RILEY ROAD AND SOME RESIDENCES ALONG GRASSY SPUR ROAD INTO THE BISHOP PRECINCT FOR

VOTER CONVENIENCE."

WHEREAS, the Board of Supervisors desires to make Tazewell County's polling places accessible to residents;

WHEREAS, the Board also desires to adjust precinct and election district boundaries to be more convenient for all voters;

NOW THEREFORE, BE IT ORDAINED,

pursuant to Virginia Code § 15.2-1211 and § 24.2-304.1 et seq. (1950), as amended, that:

That the Bishop and Amonate Precinct Boundary lines be adjusted to move residences along Riley Road and some residences along Grassy Spur Road into the Bishop Precinct for voter convenience, as set forth in the attached "Schedule A". Further, that the Board hereby ordains that the boundaries described in the attached Schedule A are the precinct boundaries for the Bishop and Amonate Precincts.

It is so **ORDAINED** by the Tazewell County Board of Supervisors as of this the 5th day of May, 2015.

Supervisor White and Supervisor Hymes requested the County Registrar to address additional areas of boundary changes at the June 2, 2015 meeting.

CITIZEN COMMENTS - UNSCHEDULED

Ms. Jennifer Hylton, Raven, VA, was present and voiced concern regarding a "Stop" sign verses a "Yield" sign on Nash Hill Road in Raven, VA. Ms. Hylton said her 77 year old father recently received a ticket from a State Police officer because he did not stop completely at the t-intersection near the Raven Super Market. She said the State Police appeared to be watching people for drivers who do not make a complete stop. Ms. Hylton said it used to be a "Yield" sign and changed to a "Stop" sign and people are only used to yielding there. The Chairman said he did not think the Board could not do anything about the sign issue, but he would follow up with Conrad Hill at VDOT.

SCHOOL BOARD FUNDING FY15-16

Chairman White said the County's Budget Committee met with the School Board and went through all the budget changes as well as discussing the school's categorical funding process - a system of checks and balances. The budget committee recommended using the required local match as set by the state and giving 125% of that number.

Now, 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 local funding amount of \$13,914,675 for FY15-16 for the Tazewell County School Board . And further, upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the Interim County Administrator to write a letter to the Tazewell County School Board advising them of categorical funding for FY2015-16 school year and any funds left over from the FY14-15 School Budget will be carried over to the FY15-16 School Board Budget, contingent upon the County's available funding.

TAZEWELL COUNTY WELCOME SIGNS

David Woodard, Tourism Coordinator presented a model "Welcome to Tazewell County" sign as designed by the Tazewell County Tourism Committee. The costs for the sign as presented would be approximately \$300.00 each - with five (5) signs needed for display on rock walls to be built by in-house forces. The Board of Supervisors agreed that a couple of entrances into Tazewell County need better quality signs. Mr. Woodard and Ms. Green were directed to work together with County Maintenance with regard to the construction of the walls and to proceed with the selection of locations for placement of the five less valued tourism signs and to present to the Board of Supervisors a better quality sign for at least two highly traveled entrances into Tazewell County.

CONNIE BAILEY, 1233 MUDFORK ROAD**FALLS MILLS**

Ms. Connie Bailey, 12332 Mudfork Road, Falls Mills, VA - spoke about the lack of cell tower signal in the Mudfork Road area in Falls Mills. She said there is a tower located on her father's property located where the Armentrout Store used to be, but it doesn't reach the Mudfork area or Loop Road area. She spoke about a recent accident endured by a 90 year old who fell out of her car and broke her pelvis as well as a having a head injury and a relative had to go find a land-line to make an emergency call. Ms. Bailey also spoke about Verizon's land-line phone cost, as well as a lack of TV Cable. Chairman White expressed his concerns and said he understood the situation, but cell phone service and cable service was a private enterprise and commercial driven, not government driven. However, he said a new Optinet Project in Southwest VA would benefit residents of Buchanan County and Tazewell County with 30 miles of additional cell phone service from Shorts Gap to Grundy, a main highway that currently does not have cell service.

Chairman White said it was his hope that all rural communities of Tazewell and surrounding counties would have internet and cell phone service in the near future and that Cumberland Plateau Planning District was diligently working to make this a reality.

CRESCENTVIEW TAX EXEMPTION**ORDINANCE ADOPTED**

Pursuant to a public hearing held April 7, 2015 by the Tazewell County Board of Supervisors and upon motion of Supervisor Stacy, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts **AN ORDINANCE TO PARTIALLY EXEMPT REAL ESTATE TAXATION FOR THE PROPOSED REHABILITATED PROPERTY KNOWN AS CRESCENTVIEW (TO BE HENCE FORTH KNOWN AS HARMAN HEIGHTS) APARTMENT COMPLEX, LOCATED IN BLUEFIELD, TAZEWELL COUNTY, VIRGINIA, BY LOCAL CLASSIFICATION OR DESIGNATION FROM FULL ASSESSMENT OF TAXES - WHEREAS**, the Virginia

Code Section 58.1-3221, authorizes the County to enact such exemptions within the limitations therein prescribed and as may be prescribed by this Board, to wit; to be eligible for said exemption from taxation the rehabilitation, renovation or replacement of such structure must commence within twelve (12) months of the effective date of this ordinance; said exemption shall commence upon completion of the rehabilitation, renovation or replacement, if before November 1 of a given year or on January 1 of the year following completion of the rehabilitation, renovation or replacement; such exemption shall run with the real estate for a period of no longer than three (3) years; said structure must be more than twenty (20) years of age that is being rehabilitated, renovated and/or replaced; and said partial exemption shall not exceed an amount equal to the increase in assessed value resulting from the rehabilitation, renovation or replacement of the structure as determined by the Commissioner of Revenue or an amount up to fifty percent of the cost of rehabilitation, renovation or replacement of the structure, whichever is greater. The real property of Millennium Housing (MHM) to be partially exempted hereby is located in Tazewell County, Virginia, being parcel number 024A401 Lots 0023-0046, located in the Town of Bluefield, at 209 Vencill Street, Bluefield, Virginia. A complete copy of the ordinance in a form as adopted is attached hereto and incorporated herein by reference thereto.

RECESS OF TEN(10) MINUTES CALLED

The Chairman called for a recess of ten(10) minutes after which the meeting was duly reconvened.

ELK REGULATIONS - OPPOSED

William Osborne, 328 Little Tumbling Road, Tannersville, VA and President of the Tazewell County Farm Bureau was present and requested that the Board of Supervisors oppose the additional regulations closing the Elk Season in all 31 Counties west of the Blue Ridge and send a letter to the Virginia Dept. of Game and Inland Fisheries. Mr. Osborne appeared before

the Board during their April 7, 2015 meeting requesting same. He said the Elk that stray in from Kentucky might be disease carriers because they aren't being tested. Mr. Osborne said he felt hunters are not being told the truth about the hunting seasons for Elk.

Now, Upon motion of Supervisor Hymes seconded by Supervisor Stacy and adopted by a vote of 3 to 0, with Supervisor Absher and Supervisor White abstaining, the Tazewell County Board of Supervisors hereby authorizes and directs the County Attorney to send a letter to the Virginia Dept. of Game and Inland Fisheries expressing the Tazewell County Board of Supervisors opposition to the additional regulations closing the Elk Season in all 31 counties west of the Blue Ridge.

APPOINTMENTS

Southwest VA Health Authority

One appointment to the Southwest VA Health was deferred to the June 2, 2015 meeting.

Richlands Incubator Policy and Administrative Board

Upon motion of Supervisor White, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Patricia Green to the Richlands Incubator Policy and Incubator Policy Board. This appointment fills the appointment of Jim Spencer.

BOARD OF SUPERVISORS - LIAISONS REPORT

Planning Commission

Supervisor Stacy had nothing new to report with regard to the Planning Commission.

Industrial Development Authority (IDA)

Supervisor Roberts reported that the IDA continues to work on many projects. He said the old Indian memorabilia at the Pocahontas High School would be given to the Town of Pocahontas to be displayed. Various properties owned by the County will be looked by realtors as a result of the Board of Supervisors requesting 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. The County will possibly lease the property back at an acceptable price to alleviate maintenance costs and other liabilities for the County

Cumberland Plateau Planning District Commission

Supervisor White said the CPPD met last week and continues to work on the various projects including the Virginia Coalfield Coalition major cell tower project from Shorts Gap to Grundy. The project should be completed by the end of the year.

Budget Committee

The FY2015-16 County Budget Committee is on schedule.

The budget committee has requested that the budget hearing be held on June 2, 2015.

Recreation Development Authority - RDA

Supervisor Roberts said the RDA has issued construction bids to redeveloped the Spearhead Trail in Pocahontas to hopefully be opened by Memorial Day. Six additional miles of trail will be open in the Peel Chestnut Mt. area. The Spearhead Group plans to seek funds from VCEDA to add 25 miles to the Trail. Mr. Roberts said he was pleased with the success of the ATV Trails Project.

PROPOSED TAZEWELL COUNTY BUDGET

PUBLIC HEARING - FY15-16

JUNE 2, 2015 @ 7:30 P.M.

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 Interim County Administrator to advertise for a public hearing to hear concerns regarding the proposed Tazewell County Budget, FY15-16 on June 2, 2015 at 7:30 p.m.

**SOUTHWEST VIRGINIA COMMUNITY HEALTH SERVICES, INC.
FOR \$2,000,000.00 FEDERAL HEALTH GRANT**

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 4 to 0, with Supervisor Absher absent from the vote, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a RESOLUTION supporting SWVA Community Health Services, Inc. \$2,000,000.00 Federal Health Services Grant. A copy of the resolution in a form as adopted is attached hereto and incorporated herein by reference.

MOWING BID

The Interim County Administrator, Patricia Green, reported that Crossroads Lawn Care, Lebanon, VA declined the mowing bid that was awarded to them on April 7, 2015. The lawn company felt they could not meet the county's mowing criteria because of the distance between the location of the company and county properties. Now, 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 awards the next apparent lowest responsive mowing bid to American Carpet, contingent upon the prospective low bidder confirming that his bid meets all the county's mowing criteria, as well as all other legal aspects of the bid.

ANNOUNCEMENTS

Patricia Green, Interim County Administrator announced the following activities for the Month of May:

- May 12, 2015 - Richlands Town Hall - Tadano Mantis Business After Hours
- May 13, 2015 - Nuckolls Hall - Clinch Valley Community Action 50th Anniversary
- Month of May 2015 - Older Americans Month - Appalachian Agency for Senior Citizens
- May 8, 2015 - National Day of Prayer - events will be held at various locations

RICHLANDS MIDDLE SCHOOL - FCCLA**\$1,500.00 (\$500 Northern; \$500 Western; \$500 Northwestern)**

Upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,500.00 (\$500 Northern District, \$500 Western District, \$500 Northwestern District) payable to the Richlands Middle School FCCLA, 185 Learning Lane, Richlands, VA 24641, attn: Anda White. This money will assist the FCCLA's attendance to the National Leadership Conference in Washington DC, July 3-10, 2015. The Interim 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.

TAZEWELL ELEMENTARY FIELD TRIP -**\$1,000.00 SOUTHERN DISTRICT**

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,000.00 from the Southern District Fund, payable to the Tazewell Elementary School Field Trip Projects, 110 Maplewood Drive, Tazewell, VA 24651 attn: Katy Parnell, 988-4441. The Interim 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.

CLINCH MOUNTAIN LONG BEARDS CHAPTER**NATIONAL WILD TURKEY FEDERATION****\$250 x 4 DISTRICTS (Eastern, Northwestern, Southern, Western)****\$250 Northern in CONSENT CALENDAR 5-5-15**

Upon motion of Supervisor Roberts, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$250.00 from the

Eastern, Western, Northwestern, and Southern Districts payable to the Clinch Mountain Long-Beards Chapter, National Wild Turkey Federation, PO Box 1924, Cedar Bluff, VA 24609 (note \$250.00 was approved from the Northern District Fund in the Consent Calendar this date for a total of \$1,250.00). The Interim 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.

SECOND CHANCE LEARNING CENTER**\$652.77 PROPERTY TAXES**

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 \$652.77 from the Eastern District Fund, payable to the Tazewell County Treasurer - Tazewell County Treasurer's Office, as payment for the Second Chance Learning Center's - 2013 Personal Property Tax.

The Interim 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

**BLUEFIELD VIRGINIA LITTLE LEAGUE - \$1,500.00 FROM EASTERN
- BATTING CAGE UPGRADE**

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 payable to the Bluefield Virginia Little League, PO Box 661, Bluefield, VA 24605, attn: Tom Wimmer, President, to assist with upgrades to the batting cage. The Interim 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.

GRAHAM G-MEN FOOTBALL BOOSTERS**\$500.00 EASTERN DISTRICT**

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 \$500.00 from the Eastern District Fund, payable to the Graham Football Boosters, PO Box 44, Bluefield, VA 24605 attn: April Workman 970-6774, as monies to assist the Graham G-Men Football Boosters with their First Annual G-Men Family Trout Days on June 13-14, 2015 - (stocking of Pine Hill Park creek and pond to Joy Global). The Interim 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.

RHS PROJECT GRADUATION**\$2,000.00 (\$1,000 Northwestern & \$1,000 Western)**

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 \$2,000.00 (\$1,000 Northwestern & \$1,000 Western) payable to the Richlands High School - Project Graduation, attn: Brian Earls. The Interim County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

JEWELL RIDGE RECREATION AND DEVELOPMENT CORPORATION**\$2,500.00 - July 4th Fireworks (\$1,250.00 Northwestern & \$1,250.00 Western)**

Upon motion of Supervisor White, seconded by Supervisor Absher, and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,500.00 (\$1,250.00 Northwestern & \$1,250.00 Western), payable to the Jewell Ridge Recreation and Development Corporation, attn: Doug Roberts, for the 4th of July Fireworks. The Interim County

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

**JEWELL RIDGE FIRE DEPARTMENT - \$7,000.00 NORTHWESTERN DISTRICT
TRUCK PUMP REPAIRS**

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 approves the amount of \$7,000.00 from the Northwestern District Fund, to pay an invoice from Atlantic Emergency Solutions, for the Jewell Ridge Fire Department, Attn: Brian Lowe, PO Box 199 Jewell Ridge, VA - truck pump repairs (statement attached). Supervisor White stated that the invoice presented this date will be the only reporting requirement necessary. The Interim 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.

**RICHLANDS CHAMBER OF COMMERCE - RICHLANDS FESTIVAL
\$1,000.00 - NORTHWESTERN DISTRICT**

Upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,000.00 from the Northwest District Fund, payable to the Richlands Chamber of Commerce, Attn: Ginger Branton, 1413 Front Street, Richlands, VA 24641 to assist with funding for the Richlands Area Festival and James H. Drew Carnival, June 16 - June 20, 2015. The Interim 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.

OTHER

Veterans Tax Exemptions - The Board of Supervisors requested the County Attorney to determine spouse eligibility for same upon death of qualified veteran.

Transportation Safety Commission - The Board of Supervisors requested the Interim County Administrator to obtain a guardrail placement report from the Transportation Commission and report same to them.

CDL - Drivers Licenses - The Board of Supervisors requested the Interim County Administrator write a letter to State representatives asking for a closer location for driving tests for CDL applicants. Applicants are having to travel to the Abingdon, VA DMV location and the Board suggested Ms. Green contact Jim Campbell with DMV for assistance with regard to asking for such a change.

Zoning Letters - Supervisor White presented to the County Attorney a stack of certified letters he received regarding the proposed Zoning Ordinance in the Eastern District.

Now, upon motion of Supervisor Stacy, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby requests that the letters be made part of the public record of the Tazewell County Planning Commission.

PSA -

Supervisor White questioned whether the Board of Supervisor representative on the PSA Board received a reply from the PSA member who allegedly showed disrespectfulness to him during a recent PSA meeting. Mr. Roberts said no apology was received, but each PSA and BOS member did receive a copy of the letter from Chairman White that was written to the PSA member.

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 voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adjourns this meeting.

The next meeting is scheduled for June 2, 2015 at 6:00 p.m.

Seth R. White, Its Chairman

by: RG

Adjourn time: 9:27 p.m.