

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

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

ABSENT: NONE

The Chairman, D. Michael Hymes, called the regular meeting to order and presided with all members in attendance and welcomed any visitors present.

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

AGENDA APPROVED AS AMENDED

Upon motion of Supervisor Hackworth, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof an no one against the same, the Tazewell County Board of Supervisors hereby approves the September 6, 2016 agenda as

amended. In addition, to the Board of Supervisors placed an additional A-1 Personnel Matter involving Rescue 945- Fire /EMS Dept on the Executive Session agenda.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Hackworth, 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 August 2, 2016 Board of Supervisors meeting minutes as written.

MONTHLY REPORTS

COUNTY ENGINEER

Matt Anderson - County Engineer Update and Action by TCBOS. He presented a Change Order for the Cavitts Creek Dam Valve Repair Project; new contract value of \$97,248.25 (savings of \$36,401.75 from the original contract with Bander Smith, LLC); Recycling drop off boxes to be considered for placement at local businesses - some already exist; Comprehensive Plan drafted by the Planning Commission is in its latest draft to be presented to TCBOS (a public hearing will be required prior to adoption); Road Concerns - CST Road Paving Schedule approved for paving - advertisement for invitation to bid forthcoming; other roads addressed, i.e. Clinic, Round Mt., Buckhorn Rd, Banner Circle, Zoo Lane was added to CST List by CST Committee; Glenwood St. was also added to CST list as approved for acceptance into the County's Orphan Road Ordinance following public hearing held this date; Maggie Asbury thanked Matt for his guidance and help in looking at various roads in the Northern District.

CAVITTS CREEK DAM VALVE REPAIR PROJECT

Following presentation by Matt Anderson, County Engineer, and upon motion of Supervisor Hackworth, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves a change order for the Cavitts Creek Dam Valve Repair project. Instead of having a valve replacement project it will be a valve rehabilitation project and will reduce the costs by \$36,401.75. The update contract value is \$97,248.25 with Bander

Smith, LLC, PO Box 7188, Richmond, VA 23221. The County Administrator is hereby authorized and directed to execute the Change Order in accordance with this action. A copy of the Change Order as hereby approved is on file in the office of the County Administrator, 108 East Main Street, Tazewell, VA. Warrants will be issued by the County Administrator for this project and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, VA 24651.

CST ROAD LIST APPROVED FOR ADVERTISEMENT -

Following approval by the Coal Road and Gas Improvement Committee at a meeting held this date, and upon motion of Supervisor Absher, 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 CST Road List for advertisement with Glenwood St. being added to the list as a result of a public hearing held this date. The County Engineer is authorized and directed to advertise for bids in local newspapers a request for Paving Overlay Bids for FY16-17 and Paving repairs for FY16-17 for the following road projects:

Road Work Schedule (as of September 6, 2016):

Eastern District

Tradewinds Drive
*Royal Oak Street

Northern District

*Sister Street - Patch at bottom
*Lester Lane - Re-stone
Banner Circle (Easements)
*Tyler Street

Northwestern District

*Country Farms Road - Patch

Southern District

Buckhorn Street
*Royal Oak Street
*Dayton Drive (Stone and rework)
*Radio Hill Road
* Zoo Lane (guardrail)

Western District:

Country Farms Road - Patch

Matney Road - Patch

Bluejay Street - Drainage issues

Kennedy Drive - Turn-Around

Granny's Road - Overlay widening, patch holes

Estates Drive - patch

*Montana Drive - stone, drainage, possible surface coat

*Ashbrook - Berm for VDOT

*Pleasant valley Road - Patch, Possible drain work

*Varney Street

*Grace Street (Drainage/overlay-west of intersection with Wakefield)

*Dove Street

*Keen Road

*Rogich Road

Glenwood Street - as a result of a public hearing held Sept. 6, 2016

(* Added due to complaints)

MIKE THOMPSON - ECONOMIC DEVELOPMENT/TOURISM UPDATES

Mr. Thompson, Economic Development Tourism Director, said that he attended a VACo Conference and met with VEDP and DHCD to learn how/new ideas to work closer with VEDP for prospective business/industry for Tazewell County; Business/Ready sites for the Bluestone; Report Card for Tazewell County; Website review by VEDP - join their Association. He will send a packet of information on the Bluestone and Tazewell County to the Project Managers; two different companies are looking to expand or adding investments; Enterprise Zone Committee meeting to revisit boundaries for changes (a public hearing will be required); announced the appointment of Mike Hymes to VCEDA by the Governor).

PSA UPDATE

Dahmon Ball, PSA Director, did not appear due to illness.

AIRPORT AUTHORITY

Jerry McReynolds, Airport Authority, did not appear due to a scheduled Dr.'s appt. He provided a written report to the Board of Supervisors prior to the meeting.

EXECUTIVE/CLOSED SESSION

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby enters into an Executive/Closed Meeting, pursuant to Virginia Code, Section 2.2-3711 as follows:

1. A(3) Property Disposition regarding landfill sewer line easements for PSA
2. A(3) Property Disposition Easement involving 106 East Main Street
3. A(7) Legal Consultation regarding the Leachate Treatment Agreement with the Town of Tazewell
4. A(7) Legal Consultation regarding ANG's Natural Gas Certification
5. A(5) Prospective Business or Industry where no previous announcement has been made involving Project Freedom II
6. A(3) Property Disposition/Acquisition regarding the Boissevain Trailhead
7. A(29) Discussion of the award of a public contract involving the expenditure of funds involving Landfill PPEA Proposal/Santek
8. A (1) Personnel Matter involving 945 Rescue/ Fire Personnel

RETURN/CERTIFICATION/REPORT OF ACTION

Upon motion of Supervisor Absher, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby returns from the Executive/Closed meeting pursuant to Virginia Code Section 2.2-3712 and hereby adopts the following resolution read by Supervisor Hymes:

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

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

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

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

Nays: None (0)

Absent: None (0)

Absent during vote: None (0)

REPORT OF ACTION

There was no action to report as a result of the Executive/Closed meeting.

The Chairman reported that the Board of Supervisors would need to return to the Executive/Closed Session later in the meeting to finish the matters listed on the agenda.

Then upon motion of Supervisor Stacy, 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 suspends Roberts Rules of Order to change the order of the agenda to receive comments from the floor with regard to three (3) scheduled Public Hearing(3).

PUBLIC HEARING

GLENWOOD STREET

The Chairman, D. Michael Hymes called to order a public hearing that was duly advertised in a local newspaper, to hear concerns regarding the Tazewell County Board of Supervisors intent to accept Glenwood Street into the County's Orphan Road System. Glenwood Street is located near the Town of Cedar Bluff and intersects on the east side with

Clinic Drive, in the Claypool Hill area of Tazewell County, Virginia. The affected owners of adjoining property are Eric and Tessie Vandyke; Doug and Mary Lawson; Sarah Jane Keen; Gregory Parris; James C. and Linda Sue Keen; Shawn and Tamitha Durham; Judy H. Stuart; James and Betty McGlothlin; D & T, Incorporated; Richlands Properties, LLC; MCMW Investments, LLC; Freedom Ministries; Clinch Valley Medical Center; Herndon-Keen, Inc. and Paul Buskell & Associates. The road to be accepted serves eight (8) residences and eight (8) commercial properties, extends a distance of approximately three thousand one hundred twenty five feet (3,125) feet and is forty (40) feet wide.

Now, the Chairman called for public comments from the floor three (3) times and there being none, and upon motion of Supervisor Absher, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts the following ORDINANCE:

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

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

WHEREAS, the Tazewell County Planning Commission has recommended acceptance of Glenwood Street into the County Road system;

NOW, THEREFORE BE IT RESOLVED, that the Tazewell County Board of Supervisors hereby accepts Glenwood Street, located near the Town of Cedar Bluff, intersecting on the east side with Clinic Drive, at or near the Claypool Hill area, Tazewell County, Virginia, bounded by the properties of Eric and Tessie Vandyke; Doug and Mary Lawson; Sarah Jane Keen; Gregory Parris; James C. Keen and Linda Sue Keen; Shawn and Tamitha Durham; Judy H. Stuart; James and Betty McGlothlin; D & T, Incorporated; Clinch Valley Medical Center; Herndon-Keen, Inc. and Paul Buskell & Associates, to extend a distance of approximately three thousand one hundred twenty five (3,125) feet from said intersection, along the course as shown on the attached map.

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

PUBLIC HEARING

JOINT ECONOMIC DEVELOPMENT AUTHORITY --

REPEALED

The Chairman, D. Michael Hymes, called to order a public hearing that was duly advertised in a local newspaper, to hear concerns with regard to the Tazewell County Board of Supervisors intent to consider repealing an ordinance previously enacted on September 8, 2008 to create a Joint Economic Development Authority with the incorporated Towns located within the County. A copy of the ordinance in a form as proposed for adoption is on file in the office of the County Administrator, 108 East Main Street, Tazewell, VA 24651 and posted at the front door of the Tazewell County Courthouse on Main Street in Tazewell, VA 24651.

Now, the Chairman called for public comments from the floor.

The County Attorney, Eric Young, stated that the Joint Economic Development Authority (JEDA) had never met since it was implemented in 2008 to jointly exercise the powers of the IDA with the towns in the County. However, the Towns have created their own IDA Board and the Joint Economic Development Authority (JEDA) is no longer needed and is considered to be obsolete.

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

Now, upon motion of Supervisor Absher, 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 adopts:

AN ORDINANCE TO REPEAL PRIOR ORDINANCE CREATING THE JOINT ECONOMIC DEVELOPMENT AUTHORITY OF TAZEWELL COUNTY

WHEREAS, by Ordinance enacted on the 8th day of September 2008 the Board of Supervisors enacted an ordinance to create an authority to jointly exercise the powers of an Industrial Development Authority with the incorporated Towns within the County;

WHEREAS, subsequent to the creation of said Authority the Towns have created and or reinvigorated their respective Industrial Development Authorities such that said Joint Authority was rendered obsolete;

WHEREAS, the duly appointed Board of said Authority has never met;

WHEREAS, said Authority has not issued any bonds or debt, has not entered into any contract or lease and has not otherwise taken any action;

WHEREAS, it appears to the Board that said Authority is obsolete;

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors for the County of Tazewell, Virginia that the Joint Economic Development Authority created by the Board by Ordinance enacted on September 8, 2008 is hereby repealed and said Authority thereby created is dissolved.

ADOPTED THIS THE 6TH DAY OF SEPTEMBER 2016.

CONSENT CALENDAR APPROVED

Upon motion of Supervisor Stacy, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following items presented as "Consent Calendar". The matters requiring the issuance of warrants shall be issued by the County Administrator in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

WARRANTS APPROVED AS PAID

August 2016

Payroll

Ordered that Warrant Nos. 141681 through 141733 and direct deposits totaling \$361,441.93 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending July 31, 2016, be approved.

Ordered that Warrant Nos. 141735 through 141784 and direct deposits totaling \$357,768.50 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending August 15, 2016, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 475382 through 475525, for \$2,145,835.67 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of July 2016, be approved.

Ordered that Warrant Nos. 475206 through 475220, for \$152,108.52 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending July 31, 2016, be approved.

Ordered that Warrant Nos. 475527 through 475678, for \$326,769.66 from the General, Landfill Enterprise, Capital Outlay, Law Library and 911 Funds, covering operating expenses for the various County agencies for the month of August 2016, be approved.

Ordered that Warrant Nos. 475680 through 475695, for \$139,137.61 from the General Funds, covering payroll deductions for the various County agencies for the period ending August 15, 2016, be approved.

Handwritten

Ordered that Warrant No. 801951 through 801954 for \$16,420.00 from the General, Landfill Enterprise,

Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of July 2016, be

approved.

- ✚ Northern District Fund - Ratified \$3,800.00 paid to the Rescue 945 for payroll
- ✚ Northern District Fund - Ratified \$4,800.00 paid to the Town of Pocahontas (\$1,600.00 for months of July, August, September, 2016) for mowing of the Pocahontas Cemetery
- ✚ Western and Northwestern District Fund - Ratified \$750.00 from Western and \$750.00 from Northwestern paid to the Richlands Middle School, earmarked for the 8th grade football team - equipment needs
- ✚ Approved the amount of \$5,000.00 from the Eastern District Fund to the Tourism Budget 12060-8102 earmarked for the new Tourism Building furnishings
- ✚ Approved a transfer of \$1,380.00 from the Contingent Expenditures and Grant Account No. 91050-7041 to Rescue Squads Capital Outlay (3202-8109) for check received from VACo insurance for repairs to ambulance
Sheriff's Office:
- ✚ Approved the amount of \$250.00 from the County's Contingent Expenditures and Grant Account No. 91050-7041, to Account No. 31020-6010 for the purchase of equipment in the exercise room (donation from Clinch Valley Printing)
- ✚ Approved the amount of \$500.00 (\$250.00 & \$250.00) from the County's Contingent Expenditures and Grant Account No. 91050-7041, to Account No. 31020-6009 - Check from Cunningham Brothers Auto Parts, LLC
- ✚ Approved the following funds from the County's Contingent Expenditure and Grant Account No. 91050-7041 to the Sheriff accounts as set forth below:
 - \$107.90 to line item 31020-6010-2 check from George Lester
 - \$200.00 to line item 31020-6010 - check from Silver Spur
 - \$40.00 to line item 31020-6001 - check from Brandon Kitt
 - \$50.00 to line item 31020-6001 - check from Brandon Kitts
 - Checks: \$200.00 (C&J); \$100.00 (Furnace Man); H& R Block
 - \$500.00; \$100.00 from Four Way Pharmacy; and \$600.00 cash to line

item 31020-6010 for the purchase of equipment for the exercise room.

- \$100.00 donation from Scott Cole; \$100.00 donation from Galumbeck & Kegley Attorneys to Line Item 035600-8109-19 - Project Lifesaver
- \$3,684.50 to line item 31020-6009 check for the 2008 Chevy Impala
- \$2,112.59 to line item 31020-6009 check for the 2011 Ford Explorer

✚ Ratified \$2,000.00 from the Northern District Fund paid to Rescue 945 to meet payroll obligations.

CITIZEN COMMENTS -

BILL BUNCH - CLIMATE CHANGE

Bill Bunch, Tazewell, VA 24651 expressed the need for Tazewell County to be aware and become educated about climate change because of the results it could have on Tazewell County in the future. Mr. Bunch read from an Alaskan newspaper article based on information from a research scientist for the National Snow and Ice Data Center based in Boulder, Colorado. The article stated that "as the climate warms, glacier retreat is just one impact that climate scientists expect to happen more frequently. Melting permafrost and sea ice are also causing major problems. Some Alaskan coastal communities have already been forced to move inland as sea level rise erodes the coastline and thawing permafrost causes infrastructure to fail. The report indicated the glaciers in Alaska are losing around 75 billion metric tons each year, according to a 2015 study by the US Geological Survey and University of Alaska, Fairbanks. The glaciers seem to be melting 70% faster than in typical rate because of warming temperatures. Over the past 60 years Alaska temperatures have increased 3 degrees and are expected to rise 8 to 12 degrees by 2050. Global glacier melt has added approximately 1/2 inch of sea level rise per year or about 30% of total rise observed since 2003." Mr. Bunch said that there isn't any money available or any programs in place for these types of disasters and there should be programs in place years before a natural disaster like this occurs. He said that we need to act as a nation to deal with this problem and he hopes that over the next few months the County will step up and recognize that climate change is a serious problem that needs addressed.

Mr. Bunch stated that he would continue to attend Board of Supervisors meetings to voice his concerns about climate change.

PUBLIC HEARING -**KOWPOKE DRIVE**

The Chairman, D. Michael Hymes, called to order a public hearing that was duly advertised in local newspapers according to law, entitled "**AN ORDINANCE TO CHANGE THE 911 ADDRESSING NAME OF A PRIVATE ROAD**". The ordinance as proposed will change the name of Bishop Lane in Thompson Valley to "Kowpoke Drive" at the request of an owner of adjacent properties, Delrick Properties, LLC.

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

Will Adams, 28010 Governor G.C. Peery Hwy. North Tazewell, VA 24630 voiced concern that the current owner of the land burned down the only house on Bishop Lane. He said the Bishop House that was on the National Registrar for Historic Places. Mr. Adams requested that Bishop Lane remain as the road name to punish Delrick Properties, LLC for burning the house and outside buildings down. Mr. Adams said there was nothing wrong with the Bishop House and no one understands why the house was burned down.

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

Then upon motion of Supervisor Hackworth, seconded by Supervisor Absher and adopted by a vote of 4 to 0, with Supervisor Hymes abstaining from the vote, the Tazewell County Board of Supervisors hereby adopts "**AN ORDINANCE TO CHANGE**

THE 911 ADDRESSING NAME OF A PRIVATE ROAD"

WHEREAS, the Board has implemented a Countywide addressing system for purposes of deploying Law Enforcement, Fire, and Emergency Medical Services throughout the County as part of the E911 initiative;

WHEREAS, as part of the E911 initiative the Board enacted an ordinance for the systematic and orderly naming of private roads located in the County;

WHEREAS, said Ordinance permits private road names to be changed from time to time at the request of the owners of property adjoining such roads;

WHEREAS, the owner of a parcel adjacent to Bishop Lane in the Thompson Valley area of the County has petitioned the Board to request that the name of the road be changed to "Kowpoke Drive";

NOW THEREFORE, Pursuant to Section 13-87(B) of the Code of Tazewell County the Board does hereby ORDAIN and RESOLVE that the name of a certain private road named Bishop Lane for 911 addressing purposes located in Thompson Valley be changed to "Kowpoke Drive" and that the 911 Addressing Coordinator is authorized and directed to make such changes as are necessary to the County's addressing system to effect such change.

Be it further RESOLVED that this ordinance is not intended as an adoption of said road and nothing herein shall be construed as an acceptance of the road as a public street.

CITIZEN COMMENTS UNSCHEDULED

TANNERSVILLE SILENT AUCTION - BBQ

Bill Osborne, Tannersville, Virginia, invited the Board and others present to the Tannersville Silent Auction and Annual BBQ at the Tannersville Fire Department, Sept 10 from 5 to 10 p.m.

MATT WYNN - PSA TANK SITE

Matt Wynn - stated he was glad that the PSA got the 1.8 M in grant funding for the Tazewell to Pocahontas water project and requested they use some of the money to obtain additional appraisals to consider property other than his for the tank site.

WILL ADAMS - TOWN OF TAZEWEEL CONCERNS

Will Adams - voiced dismay with the Town of Tazewell's marquee located east of Ramey's on 19-460. There is also a Town of Tazewell marquee near the Historic Crab Orchard Museum welcoming folks to the Town of Tazewell. Supervisor Hymes said he would try to find out why the town is placing signs outside of the towns corporate limits.

BOARD OF SUPERVISORS -**LIAISONS REPORT****Planning Commission**

Supervisor Stacy stated that the Planning Commission members should have a draft copy of the Comprehensive Plan to provide to the Board of Supervisors for consideration of advertising for a public hearing sometime this fall.

Industrial Development Authority - IDA

Supervisor Hymes had nothing new to report with regard to the August 2016 IDA meeting. Various projects continue to move forward.

Emergency Services Committee - ESC**ESC - FIRE AND RESCUE APPRECIATION DINNER****\$3,500.00 (\$1,400 WESTERN; \$700 EASTERN; \$700 NORTHERN; \$700 SOUTHERN)**

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the following amounts from District Funds for the ESC Fire & Rescue Appreciation Dinner scheduled for October 15, 2016. The County Administrator is hereby authorized and directed to transfer these funds in accordance with this action.

- \$700.00 Southern; \$700.00 Northern; \$700.00 Eastern and \$1,400.00 Western (Supervisor Absher paid N.W. \$700.00 as a loan repayment)

Cumberland Plateau Planning District (CPPD)

Supervisor Stacy gave an update on the BVU - Sunset Optinet broadband project . Parties are involved in a \$50 M agreement to purchase BVU Authority's telecommunication network that serve much of SWVA. BVU recently approved a plan to split the purchase in two parts. This is Cumberland Plateau Planning District's number one topic and is requires much of the Authority's time during their meetings. An agreement would like to be reached as soon as possible.

Supervisor Absher commended Supervisor Stacy for diligently working to obtain an additional \$130,000.00 in grant money for the Tazewell County PSA.

Recreation Development Authority (RDA)

Supervisor Asbury said that the RDA did not meet due to a lack of a quorum at their last meeting. Supervisor Hymes suggested that the RDA might need to consider changing their meeting times from morning to afternoon to accommodate members.

APPOINTMENTS

Consideration of appointments to the Clinch Valley Community Act, Inc and the Tourism Committee were deferred to the October 4, 2016 regular meeting.

VEHICLE/DIESEL FUEL BID

The County Attorney, Eric Young, provided two bids received for Vehicle/Diesel Fuel for September 1, 2016 to June 30, 2017. The previous bids were rejected and rebid due to a misunderstanding with the rack prices effective date. Therefore, at the August 2, 2016 meeting, the Board of Supervisors rescinded the FY17 fuel bid contract, rejected all bids and authorized that the fuel contract be re-bid.

Now, upon motion of Supervisor Absher, 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 awards the vehicle - gasoline bid to Southern Gas

& Oil, Inc. Bluefield, VA 24605 and awards the diesel- on/off road fuel bid to Jones Oil Company, PO Box 3427, Pikeville, KY 41502, effective September 1, 2016 to June 30, 2017.

**TAZEWELL COUNTY PUBLIC SCHOOLS -
FUNDING REQUESTS**

The Board of Supervisors received two (2) separate requests from the Tazewell County School Board for funding changes/budget transfers. The Board of Supervisors discussed the request at the August 2, 2016 Board of Supervisors meeting but deferred action until such time as the Budget Committee could meet and address same. Now, the County Budget Committee met this date and considered the two requests and 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 approves that the Tazewell County School Board carry over a portion of \$99,573.00 that they received prior to July 1, 2016 and after the County Budget was adopted. The funds shall be divided between the County and School Board as follows: 57% of the money, \$56,757.00 will go to the School Board's General Fund to be used in FY17 and 43% of the money, \$42,817.00 will be transferred to the County's Capital Projects Fund. This will be an additional appropriation into those funds.

The Board of Supervisors did not take action at this time on the School Board's request to increase the beginning balances of the Textbook Fund and the Cafeteria Fund.

PRAYER DAY IN TAZEWELL CO.

Supervisor Hymes and Supervisor Hackworth will talk through a plan with various clergymen regarding a proposed Prayer Day in Tazewell County and discuss the plan at the Oct. 4, 2016 Board of Supervisors meeting.

TAZEWELL COUNTY FAIR - NEW PLAN

The County Administrator, Patricia Green, reported that representatives of the Fair Association met with her and Supervisor Hymes recently to discuss this year's event. She said the fair had some difficulty with their carnival ride company and will probably change to a new vendor next year. Ms. Green is discussing ways to make the event better and said the Fair Association is coming up with some new ideas and suggestions. She said the Fair Association would like to change the entrance to the riding ring from the side to the end. This will allow them to do more activities in the ring and will also help repair the ring in places. The Building Inspector, Gary Jackson, has already met with the Fair Association with suggestions to safely accomplish their plans.

Ms. Green requested that the Board of Supervisors approve the new Fair plan. The Board agreed with the new plan and gave the County Administrator permission to allow the Fair Association to make the changes.

LOTTERY PROPOSAL

The County Administrator, Patricia Green said that she sent the Board a separate e-mail regarding a proposal from the Mayor of Crewe VA about asking the state to give back a portion of the lottery sales to localities. This was discussed at the VACO Finance Committee meeting that she attended and several issues were brought up regarding this request. It will be discussed again at the November VACO meeting.

Also, cigarette taxes and tax parity for counties will also be addressed.

BUSINESS TO BUSINESS SHOWCASE

The County Administrator, Patricia Green, said the 14th Annual Business to Business Showcase will be held October 20 & October 21 at the county fairgrounds - preliminary plans being made for the event.

BACK OF THE DRAGON - 1/2 OF FUNDING APPROVED JUNE 28, 2016**AUTHORIZED FOR MARKETING**

The County Administrator, Patricia Green reported that Dave Woodward, Tourism Coordinator, needs 1/2 of the \$30,000.00 the Board committed as sponsorship money/matching funds for the Back of the Dragon. Mr. Woodward needs \$15,000 now as seed money for a \$25,000.00 grant he is writing.

Now, 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 approves 1/2 of the \$30,000.00 and hereby authorizes a transfer from district funds, i.e. Eastern \$3,000; Western \$1,500; Northwestern \$1,500; Northern \$1,500; Southern \$7,500.00. The County Administrator is hereby authorized and directed to transfer these monies to the Tourism- Back of the Dragon line item in accordance herewith.

CDBG GRANT - FALLS MILLS ADULT DAY CARE CENTER**\$700,000.00 - LETTER OF INTENT RECEIVED**

The County Administrator, Patricia Green reported that the County received a letter of intent from the Department of Housing and Community Development offering the County a \$700,000.00 Block Grant for the Falls Mills Adult Daycare facility at the old Falls Mills School.

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 to discuss the following matters:

- A(3) Property Disposition regarding landfill sewer line easements for PSA
- A(7) Legal Consultation regarding the Leachate Treatment Agreement with the Town of Tazewell

- A(3) Property Disposition/Acquisition regarding the Boissevain Trailhead
- A (29) Discussion of the award of a public contract involving the expenditure of funds involving Landfill PPEA Proposal/Santek

RETURN/CERTIFICATION OF THE EXECUTIVE/CLOSED MEETING

REPORT OF ACTION

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

CERTIFICATION/REPORT OF ACTION

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

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

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

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

Nays: None

Absent: None

Absent during vote: None

REPORT OF ACTION**UTILITY EASEMENT AGREEMENT****- WITH THE PSA**

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 approves granting an easement to the Tazewell County Public Service Authority (PSA) for the extension of the Tazewell to Divides sewer line over the Boards property at the Tazewell County Landfill near the Divides on Lynn Hollow Road and further that the easement agreement as hereby approved be made part of the minutes of the meeting. Said Utility Easement Agreement is attached hereto and incorporated herein by reference thereto.

BLUEBIRD LANE - SUPERVISOR STACY**CONCERNS**

Supervisor Stacy requested that the County Engineer determine if Bluebird Lane is eligible for repairs under the County's Orphan Road Ordinance. This matter will be placed on the October 4, 2016 Board of Supervisors agenda for discussion.

ROMA ROAD - SEPTIC SYSTEM CONCERN

Supervisor Stacy requested that the County Administrator follow up with the concerned citizen that has issues with Roma Road's septic system. Mr. Stacy said that he received an anonymous letter about the septic system there.

**AREA CHAMBER OF COMMERCES - COUNTY'S NEED FOR MEMBERSHIP
ADDRESSED**

Supervisor Stacy requested that the County join the area Chamber of Commerce's, Tazewell, Richlands and the Greater Bluefield Chamber of Commerce. The County Administrator will check on this and send the Board an update.

SPRINGVILLE ELEMENTARY SCHOOL -**\$1,500.00 EASTERN DISTRICT**

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,500.00 from the Eastern District Fund, payable to the Springville Elementary School, 144 Schoolhouse Road, North Tazewell, VA 24630, attn: Deb Tibb/Chad Brown - 276-322-5900, as funding for the Springville Elementary School - Fall Festival. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, VA 24651.

THE SANDERS HOUSE -**\$6,000.00 EASTERN DISTRICT**

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$6,000.00 from the Eastern District Fund to The Sanders House, PO Box 1422, Bluefield, VA 24605, attn: Joyce Johnston. This will assist in the daily operations and to help with repairs at the Saunders House. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, VA 24651.

GRAHAM HIGH SCHOOL -VARISTY GIRLS AND BOYS SOCCER**\$3,000.00 EASTERN DISTRICT**

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$3,000.00 from the Eastern District funds, payable to the Graham High School-Varsity Girls and Boys Soccer, 210 Valleydale Street, Bluefield, VA 24605, attn: Todd Baker/Glen Carlock, Jr. This will assist

with the purchase of uniforms for the varsity girls and boys soccer. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, VA 24651.

DR. WITTEN FARM PROPERTY -

Supervisor Stacy thanked the County Attorney, Eric Young for his legal opinion on the Dr. Witten Farm property regarding his possible conflict of interests - client issues, and questioned public disclosure of same.

TAZEWELL HIGH SCHOOL - MARCHING BAND

\$1,500.00 (SOUTHERN DISTRICT \$1,000 AND NORTHERN DISTRICT \$500)

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,500.00, i.e. \$1,000 from the Southern District and \$500 from the Northern District, payable to the Tazewell High School Marching Band, 167 Cosby Lane, Tazewell, VA 24651, attn: Caitlin Hutchison, Band Director, to assist with their trip and performance at Walt Disney World in Orland Florida. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, VA 24651.

TOWN OF POCAHONTAS - EXHIBITION MINE - TOUR BUS SIGNS

\$300.00 NORTHERN DISTRICT FUNDS

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$300.00 from the Northern District Fund, payable to Town of Pocahontas, Virginia - Pocahontas Exhibition Mine Bus tour signs for the October 1, 2016 event (VA DMME & Town of Pocahontas).

The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, VA 24651.

TAZEWELL VETERANS DAY PARADE**\$1,000.00 (SOUTHERN DISTRICT FUND)**

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 approves the amount of \$1,000.00 from the Southern District Fund for the Tazewell Veterans Day Parade, scheduled for November 6, 2016. The check shall be written to Tazewell Veterans Day Parade and mailed or taken to First Community Bank, PO Box 628, Tazewell, VA 24651. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, VA 24651

SIGN REQUEST FOR D.R. GOODWIN

Supervisor Absher requested that Matt Anderson contact D.R. Goodwin, County Deputy with regard to a sign request, 276-701-5598.

RICHLAND ELEMENTARY SCHOOL - ACCESS ROAD CONCERN

Supervisor Hackworth gave an update on the Tazewell County School ingress/egress at the Richlands Elementary School. Discussion is on-going with JR Watson, VDOT Residency Engineer.

WAITING ROAD - CHICKEN COUP ISSUE

Supervisor Hackworth - presented a complaint regarding buildings on Waiting Road being used as chicken coups. Dave White was requested to investigate the situation.

SCENIC RIVER DESIGNATIONS

The County Administrator, Patricia Green will keep the Board apprised of the Scenic River designations statuses by towns within the area.

ADJOURN

Now, there being no further business to be transacted and upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby adjourns this meeting.

The next meeting is scheduled for October 4, 2016 at 6:00 p.m.

D. Michael Hymes, Chairman

by: RG

Adjourn time: 10:05 p.m.