

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

**PRESENT: CHARLES A. STACY, CHAIR
SETH R. WHITE, VICE CHAIR
JOHN ABSHER, MEMBER
D. MICHAEL HYMES, MEMBER
GARLAND ROBERTS, JR. 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, TAZEWell
COUNTY FREE PRESS**

ABSENT: JAMES H. SPENCER, III - COUNTY ADMINISTRATOR

The Chairman of the Board, Charles A. Stacy, called the regular meeting to order and presided with all members in attendance. Supervisor Roberts gave the invocation with Supervisor Hymes leading those present in the Pledge of Allegiance to the US Flag.

The Chairman then welcomed those present.

AGENDA APPROVED

Upon motion of Supervisor Roberts, seconded by Supervisor White and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the September 2, 2014 agenda as amended.

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 August 5, 2014 meeting minutes as written.

ANNUAL SETTLEMENT OF ALL COUNTY FUNDS

COUNTY TREASURER - DAVE LARIMER

David Larimer, Treasurer of Tazewell County, Virginia presented to the Board of Supervisors the Annual Settlement of all County Funds as of June 30, 2014. Mr. Larimer said the County ended the fiscal year in strong financial condition with the County's General Fund having a balance of \$4,014,943.24 in Uncommitted Funds. The Treasurer also presented the delinquent tax list for personal property and real estate property. He said the collection rate for 2013 was 95 percent. He reported that many county citizens are taking advantage of the monthly payment plan to pay their real estate taxes with the Treasurer's office recently implementing a payment plan for personal property taxes.

Supervisor Hymes requested Mr. Larimer provide him with a list of county employees or elected officials on the delinquent tax list. Mr. Larimer said he would provide him a copy, if applicable. In closing, Mr. Larimer said the County as of June 30, 2014 was in very strong financial condition and it was a pleasure serving the citizens of Tazewell County as treasurer for the past two and one-half years.

A copy of the Annual Financial Statement as of June 30, 2014 is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

COUNTY ENGINEERING DEPARTMENT - UPDATE

Matt Anderson, County Engineer, presented the monthly update. He reported on the recent bids for orphan road paving, the Annex Project for the Commonwealth's Attorney's office; Landfill RFP's for Groundwater Monitoring and Landfill Consulting; status report of the Pocahontas Walking Trail; Building Safety, and various orphan road projects. The orphan road were presented as follows:

FY 2014-2015 Orphan Road Paving Contract - Bid Opening and Tabulation - September 2, 2014 10:00 am

	Original Contract Items					Additional Contingency Items		
	Lot 1 (Western)	Lot 2 (Southern)	Lot 3 (Northwestern)	Lot 4 (TVCC)	Lot 5 (Airport)	Lot 1 (Western)	Lot 2 (Eastern-AA)	Lot 3 (Northern AA)
W-L Constructions	\$27,434.40	\$42,743.10	\$21,749.87	\$20,102.50	\$28,408.50	\$14,523.00	\$21,318.00	\$6,597.50
Quality Paving	\$34,804.50	\$46,783.40	\$23,985.00	\$34,200.00	\$34,677.63	\$16,287.25	\$23,371.00	\$7,475.00
Austin Trucking	\$27,324.00	\$43,035.00	\$21,582.00	\$22,575.00	\$31,779.00	\$14,805.00	\$22,572.00	\$9,230.00

Contract Awards -

Paving Schedule - W&L Construction - Lot 2, 4, 5 Add Alternates, Lots, 1, 2 and 3
 Thompson Valley Community Center - W&L Construction
 Airport Paving - W&L Construction
 Austin Trucking, Inc. - Lots 1 and 3

Supervisor Absher and Supervisor White requested the County Engineer to look at additional roads in their districts, i.e. Western; Estate and Watson and Northwestern, various. The Board further requested that a Coal and Gas Improvement Committee meeting be held as soon as possible to determine funding for additional road projects.

ORPHAN ROAD PAVING SCHEDULE, FY 2014-15

Following presentation by Matt Anderson, County Engineer, and upon motion of Supervisor White, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the bid(s) for the foregoing Orphan Road Paving Schedule for FY 14-15. The Chairman of the Board of Supervisors/Deputy County Administrator is hereby authorized and directed to execute the contract for paving services at such time as may be necessary and appropriate and which said contracts will be on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651. The Deputy County Administrator, CA is hereby authorized and directed to issue warrants in accordance with herewith and which said warrants will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

**COMMONWEALTH ATTORNEY'S OFFICE ANNEX
CHANGE ORDER NO. 2 AND REVISED FLOOR PLAN**

APPROVED

At the request of the County Engineer, Matt Anderson, and upon motion of Supervisor White, seconded by Supervisor Roberts and adopted by a vote of 4 to 0, with Supervisor Stacy abstaining, the Tazewell County Board of Supervisors hereby approves the Tazewell County Commonwealth's Office Annex Change Order No. 2 - i.e. the Contract time was delayed four (4) days (8/8, 8/11, 8/18, 8/20) for inclement weather. A copy of the Change Order No. 2 is attached hereto and incorporated herein by reference thereto.

Additionally, upon motion of Supervisor White, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approves the revised floor plans to the Tazewell County Commonwealth Attorney's Office relocating the Conference Room to the first floor of the structure.

**LANDFILL RFP'S - GROUNDWATER MONITORING AND GENERAL LANDFILL
CONSULTING -SELECTION COMMITTEE**

The County Engineer reported the Selection Committee for the Landfill RFP for Groundwater Monitoring and the General Landfill Consulting has met and selected the firms for interviews. The Selection Committee will need to conduct interviews with the firms selected. Supervisor Hymes and Supervisor White (the Section Committee) agreed to conduct a remote interview, via conference call or by Skype etc. prior to the October 7, 2014 regular meeting.

ECONOMIC DEVELOPMENT UPDATE

Mike Thompson, Economic Development Coordinator, updated the Board with various County Economic Development activities taking place as well as waiting to hear about the potential for Tobacco Commission funding. VECDA grants in an amount of \$250,000.00 ; Government Opportunity funds and TROF funds are being pursued. A business in the Eastern District is expanding; their business plan is being updated. Several other potential new companies will require additional trip to the Northern Virginia. The County Attorney is working on the request for bids for the Enterprise Zone Consultant . The Economic Development Annual Report will be discussed by the Board once they review it.

EXECUTIVE/CLOSED MEETING

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 enters into an Executive/Closed meeting pursuant to Virginia Code Section 2.2-3711:

- A(7) Dental School MOU
- A(3) Property disposition involving Pocahontas High School
- A(3) Property acquisition involving Project COE
- A(5) Potential expansion of an existing business or industry Western Gas
- A(3) Property disposition involving Boissevain Union Hall
- A(3) Property disposition Pisgah School/Clifffield School
- A(7) Legal Consultation Regarding Mullins Claim
- A(3) Property Acquisition involving Royal Oak Road
- A(1) Personnel - one (1) matter involving Economic Development

RETURN/CERTIFICATION/REPORT OF ACTION

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

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 Tazewell County Board of Supervisors that such executive/closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Tazewell County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) that only public

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

Ayes: Supervisor Roberts, White, Stacy, Absher, Hymes

Nays: None

Absent: None

Absent during vote: None

**REPORT OF ACTION AS A RESULT OF THE 1st EXECUTIVE/CLOSED MEETING
BETTY MULLINS CLAIM DENIED**

Upon motion of Supervisor White, seconded by Supervisor Roberts and adopted by a vote of 3 to 2, with Supervisor Hymes and Absher voting no, the Tazewell County Board of Supervisors hereby deny Ms. Betty Mullin's claim for damages to her property filed with the Board of Supervisors on June 26, 2014.

CONSENT CALENDAR APPROVED

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

WARRANTS APPROVED

August 2014

Payroll

Ordered that Warrant Nos. 139144 through 139192 and direct deposits totaling \$362,514.45 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending July 31, 2014, be approved.

Ordered that Warrant Nos. 139195 through 139246 and direct deposits totaling \$368,129.78 from the General, Landfill Enterprise, and 911 Funds, covering payroll for the various County agencies, for the period ending August 15, 2014 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 466547 through 466676, for \$1,895,058.32 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 2014, be approved.

Ordered that Warrant Nos. 466678 through 466693, for \$147,484.97 from the General, Landfill Enterprise, and 911 Funds, covering payroll deductions for the various County agencies for the period ending July 31, 2014 be approved.

Ordered that Warrant Nos. 466695 through 466844, for \$1,061,220.54 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 2014, be approved.

Ordered that Warrant Nos. 466846 through 466861, for \$135,188.60 from the General Funds, covering payroll deductions for the various County agencies for the period ending August 15, 2014, be approved.

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Ordered that Warrant No. 801856 through 801859 for \$11,750.00 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of July 2014, be approved.

- A. Ratified \$5,000.00 from the Western District Fund to the Town of Cedar Bluff Heritage Festival
- B. Ratified \$3,500.00 (\$1,000.00 Western & \$2,500.00 Northwestern) to the Raven Theater
attn: Jack Ray
- C. Ratified \$500.00 from the Northwestern District Fund to the 9-10 year old Richlands Little League - All Stars Team

- D. Ratified \$2,500.00 from the Northern District Fund to the Falls Mills Fish Club for stocking trout in the Falls Mills Lake
- E. Ratified \$1,400.00 from the Northern District Fund to the Town of Pocahontas for cemetery mowing expenses for the month of September
- F. Ratified \$500.00 from the Northern District Fund to the Bandy Community Center
- G. Ratified \$800.00 from the Northern District Fund to the Baptist Valley Fire Department for new energy efficient windows.
- H. Approved \$100.00 from the Southern District Fund to cover Nuckolls Hall Rental fee for the Bill Mitchell Scholarship Craft Show - October 11, 2014
- I. Sheriff's Department - Approved the amount of \$1,888.80 from the Contingent Expenditures & Grant Account 91050-7041 to the Sheriff's Acct. 31020-6009 - Insurance check for damage to vehicle.
- J. Sheriff's Department - Approved the amount of \$42.73 from the Contingent Expenditures & Grant Account 91050-7041 to the Sheriff's Acct. 31020-6010-2/Code Enforcement - as restitution involving Animal Control.
- L. Sheriff's Department - Declared Surplus and approved disposal of at the Sheriff's discretion a 2005 Ford Explorer, mileage 197,598 VIN 1FMZU72K25UB01166 & a 2005 Crown Vic, mileage 171,684 VIN 1FAHP71W75X174012
- M. Library Account - Approved the amount of \$1,800.00 (donations) from the Contingent Expenditures & Grant Account 91050-7041 and credit to Library Accounts, 7301- 6012 and 7301-3099:

- \$ 50.00 - Rena Xu to 7301-6012
- \$ 500.00 - Christina Loulakis to 7301-6012
- \$ 50.00 - Sandra Bailey to 7301-6012
- \$ 500.00 - C.E. Presley Jr. D/B/A The Lawn Ranger to 7301-3099
- \$ 500.00 - Norfolk Southern to 7301-3099
- \$ 200.00 - Ramey Motors, Inc to 7301-3099

N. Approved Coyote Bounty Claims

- \$ 200.00 to John Viers, 608 Slope Street, North Tazewell, VA 24630 for 4 coyotes killed on 8/9/14
- \$ 200.00 to Johnny Horn, 904 Goss Road, Bluefield, VA for 4 coyotes killed on 7/13/14
- \$ 50.00 to Harrison Earls, 585 Earls Branch Rd. Pounding Mill, VA 24637 for 1 coyote killed on 8/9/14
- \$100.00 to Ray Howell, 1477 Rosenbaum Rd. Bluefield, VA 24605 for 2 coyotes killed on 7/9/14
- \$50.00 to Ray Howell, 1477 Rosenbaum Rd. Bluefield, VA 24605 for 1 coyote killed on 7/30/14
- \$50.00 to Ray Howell, 1477 Rosenbaum Rd. Bluefield, VA 24605 for 1 coyote killed on 8/8/14

RHS FCCLA - ALYSSA OSBORNE

\$200 FROM EACH DISTRICT FUND (\$1,000)

Alyssa Osborne, Senior at RHS and State Officer of the Family, Career & Community Leaders of America (FCCLA) , briefed the Board on her duties as a state officer and requested the Boards support of the organization's annual state event held each year in April. The group focuses on family as its central focus. FCCLA is a career and technical student organization that functions as an integral part of the Family and Consumer Sciences education curriculum and operates within the school system, and provides opportunities for active student participation at local, state, and national levels. The Board of Supervisors congratulated Ms. Osborne for her accomplishments.

Now, upon motion of Supervisor Absher, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$200.00 from each of the five (5) district funds, for a total of \$1,000.00 to the RHS FCCLA organization. The Deputy County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

THS MODEL GENERAL ASSEMBLY

Members of the Tazewell High School Model General Assembly, more particularly, Jacob Duty, Jasmine Barr, Adrian Crouse and Monica Turley, presented information to the Board with regard to the Team's intent to form an Advisory Board to assist with the MGA activities and requested the Board of Supervisors support of allowing Eric Young, County Attorney to serve a legal advisor to the THS MGA, and that Supervisor Hymes serve as the initial Supervisor with Supervisor Roberts serving as an alternate on the MGA Advisory Board. Larry Hypes, THS Instructor is the MGA Team Sponsor. They invited the Board to attend and take part in any of the MGA Activities.

MGA Member, Jasmine Barr spoke and said that members of the THS-MGA will work as Pages at precincts on Election Day. They offered their assistance by volunteering to help in the County's local government offices as interns or in other volunteer capacities.

The Board thanked each member for their enthusiasm and good deeds and for their willingness to take an active part in Tazewell County.

TAZEWELL TAE KWON DO

- KASEY ADDAIR

Sensei Kasey Addair, AIKIA Black Belt Agent - Tazewell Tae Kwon Do was present. She thanked the Board of Supervisors for their past custodial support during the Martial Arts event at THS, March 2014. Ms. Addair gave an update of the Martial Arts Tournament Championship. Competitors from four states attended the event. All Tazewell students medaled in each event, with 3 black-belt students taking first place in Division Green Champion. She said Do Jo's in Nebraska and Tennessee have heard about the Tazewell Jo Do and are very

impressed with the small town's accomplishments and the way its organized. In closing, Sensei Addair presented each member of the Board of Supervisor a decoration/symbol making them Honorary Members of Team Oh Do Kwon. Board members thanked Ms. Addair and applauded the Tazewell Martial Art teams for their hard work and success.

**MAJOR HAROLD HEATLEY -
ILLEGAL DUMP SITE PRESENTATION**

Major Harold Heatley, Chief Deputy, Tazewell County Sheriff's Office, presented a collage of pictures and maps of 40 active dump sites in the County. Mr. Heatley said some are large, some are small, but all are nuisances filled with tires, old furniture, dirty diapers and every part of Tazewell County is affected by the dump sites. He said the Sheriff department has placed GPS Systems on trees to help identify those who litter and the cameras have been stolen. Major Heatley said the largest dump site in the County was in Red Ash with three sites all close together. He said the only way the site could be cleaned up was with heavy equipment. The Sheriff's Dept. hired a college intern this summer who compiled the GPS locations for the mapping. Mr. Heatley emphasized the need for county citizens to work together to remedy the litter problem in Tazewell County. The Board requested the Deputy County Administrator, Patricia Green to check into additional costs for liability insurance in order to allow Regional Jail inmates to help in the clean up. Supervisor Roberts requested the County coordinate a county-wide clean-up month in Tazewell County. The County Attorney was requested to review the County's Litter Ordinance for possible revisions to fines for littering and having illegal dump sites and since most illegal dump sites are on VDOT right-of-way, the Board requested VDOT's assistance in pitching in and helping with the clean-up. This matter will be addressed at the October 7, 2014 regular meeting.

**MAJOR HAROLD HEATLEY -
DERRICK RUBLE, 911 COORDINATOR
RADIO UPDATE**

Derrick Ruble, 911 Coordinator reported work continues on the various upgrades of the radio system and tower-sites. Material for improvements to components are in. Hopefully the updates will be completed soon. The goal for improvements to mountaintops for tower sites is

November, 2014. Mr. Ruble will work with the County Attorney on the needed easements on the "Bunch" property for improvements on the Morris Knob tower.

**RADIO REPEATER & EQUIPMENT FOR POCAHONTAS & TANNERSVILLE
COMMUNITIES - GRANT APPLICATION - COUNTY MATCH APPROVED
\$42,500.00**

Following presentation by Major Harold Heatley and Derrick Ruble, 911 Coordinator, 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 approves the amount of \$42,500.00, from Capital Outlay RS 32020-8109, as a 50/50 local match for a grant from the Rescue Squad Assistance Fund (RSAF), to purchase radio repeaters for Abbs Valley, \$30,000.00; Pocahontas \$25,000.00 and Tannersville \$30,000.00. The Grant Program is based on financial need and the three projects total \$85,000.00. The money will be transferred to the appropriate accounts at such time as may be necessary and appropriate. The grant award notification will be January 2015 and will require the completion of projects prior to July 2015.

Supervisor Hymes requested that Ginny Dawson be notified to make certain that she knows the money is being held until the grant cycle and award notification is complete.

PUBLIC HEARING - WARDELL VOTING PRECINCT

The Chairman called to order a public hearing that was duly advertised entitled to hear concerns regarding the Board of Supervisors intent to "Relocate the Polling Place for the Wardell voting precinct at the request of the Tazewell County Electoral Board. Due to unforeseen conditions such as a severe water leak that may not be repaired for up to 11 months from this time at the current polling place and lack of adequate alternatives at that location, being 295 Community College Road, Cedar Bluff, VA 24609, the Electoral Board requested a permanent relocation of this voting precinct to the Community Heights Church Fellowship Hall, located at 210 Community Heights, Cedar Bluff, VA 24609."

The Chairman called for public comments from the floor.

Mr. Brian Earls, Tazewell County Registrar spoke to the Board with regard to moving the Wardell voting precinct to the Community Heights Church Fellowship Hall in Cedar Bluff. The Electoral Board was notified prior to the August 2014 Special Election that the SWCC location

would not be available due to a severe water leak that might not be repaired for 11 months. An emergency location was declared and all 1100 voters in the Wardell precinct were notified that the Community Heights Church Fellowship Hall, located at 210 Community Heights, Cedar Bluff, VA 24609. Mr. Earls said he only received one (1) call with regard to the church being used as a voting precinct. With this move, four (4) churches will be used as voting precincts in Tazewell County. Supervisor Hymes questioned why it was taking almost one year to repair the leak, thus forcing the county to move the polling place to another location.

Tom Childress, Peeled Chestnut Rd. Pocahontas, VA 24635 - did not like the idea of moving a precinct from a public place to a church. He said he felt there are other rooms at the college that could be used as a voting place.

Sherman Cain, member of the Tazewell County Electoral Board said SWCC did offer the Electoral Board another room at the college but it was a maze getting to the classroom and it would have been an inconvenience to voters.

Supervisor Hymes said he found it odd that it would take so long to repair a leak and requested that Dr. Tom Brewster, member of the Virginia Community College Board be notified and requested that he respond to why a leak at SWCC would take 11 months to repair.

Then, upon motion of Supervisor Absher, seconded by Supervisor White and adopted by by a vote of 4 to 1, with Supervisor Hymes voting no, the Tazewell County Board of Supervisors hereby adopts an ORDINANCE TO RELOCATE THE WARDELL POLLING from SWCC, 295 Community College Road, Cedar Bluff, VA 24609, as a permanent relocation to the Community Heights Church Fellowship Hall, located at 210 Community Heights, Cedar Bluff, VA 24609" as set forth below:

AN ORDINANCE TO RELOCATE WARDELL POLLING PLACE

WHEREAS, the Board of Supervisors desires to make Tazewell County's polling places accessible to residents with disabilities for voting, serving as election officials, serving as election observers, and otherwise participate in the election process;

NOW THEREFORE, BE IT ORDAINED, pursuant to Virginia Code § 24.2-304.1 et seq. (1950), as amended, that the polling place for the Wardell Precinct shall be moved from the Southwest Community College campus, located at 295 Community College Road, Cedar Bluff,

Virginia 24609, to the Community Heights Church Fellowship Hall, located at 210 Community Heights, Cedar Bluff, Virginia 24609.

It is so **ORDAINED** by the Tazewell County Board of Supervisors as of this the 2 day of September 2014.

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

PUBLIC HEARING

EXEMPT PERSONAL PROPERTY FOR VOLUNTEER FIREFIGHTERS AND RESCUE SQUAD MEMBERS BY LOCAL CLASSIFICATION OR DESIGNATION

The Chairman called to order a public hearing that was duly advertised according to law, entitled "AN ORDINANCE TO EXEMPT PERSONAL PROPERTY FOR VOLUNTEER FIREFIGHTERS AND RESCUE SQUAD MEMBERS BY LOCAL CLASSIFICATION OR DESIGNATION". The Board of Supervisors desires to reward the County's volunteer firefighters and rescue squad members who sacrifice their time, dedicate their labor, and risk their personal well being for the benefit of the health and safety of the County's residents by enacting an ordinance to provide them with a partial tax exemption from Tazewell County vehicle property taxes.

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

The County Attorney, Eric Young, presented proposed changes to the ordinance following a meeting with staff.

1. The word "volunteer" was added to rescue squad members, paragraph one.
2. Definitions A.3, 4, 5
3. Qualified Tax Payer "is included on his or her department's roster in the case of a firefighters, which is filed in the Tazewell County Circuit Court Clerk's office.
4. Is certified as "qualified" by the Tazewell County Emergency "Management" Coordinator
5. "The Chief of each volunteer fire department shall on or before January 15 of each

year submit to the Emergency Coordinator a certification form, which contains information to verify eligibility of the Department's members; together with a copy of the roster certification stamped filed with the Tazewell County Circuit Court. The certification form shall be as attached hereto."

EXEMPTION - Section B. "No exemption shall exceed Three Hundred Dollars (\$300.00) per Qualified Taxpayer on their personal property obligation, in any given year."

3. A. PROCEDURE - Each year on or before January 31 the Emergency "Management" Coordinator shall submit to the Commissioner of Revenue a list of eligible Qualified Taxpayers.
C. "Management"

4. A. APPEALS - Emergency "Management"
& B. Emergency "Management"

Now, the Chairman called for public comments from the floor with regard to the Public Hearing. The following people spoke in favor or against the ordinance as set forth below:

- Richard Jones, 6515 Baptist Valley Rd. North Tazewell, VA - and member of the Baptist Valley Fire Department thanked the Board for considering the ordinance and for trying to help him out. And, as far as the lady who works for the food pantry seeking exemptions for all volunteers, he said he would gladly let her go with him to the top of Grapefield Mt. in 10 degree weather; he would help her with his deduction if she was willing to take it.
- William Osborne, Tannersville, VA - said he was against the ordinance, especially all the paper work involved in the ordinance, as well as extra work for the Commissioner of Revenue's office. He said all volunteer Fire & Rescue have to be certified and have to be trained to work as a volunteer emergency workers and he feels they are required to put in too much time as a volunteer. He suggested that members be given a stipend/check something they could see in their hand instead of getting into the tax business.
- Russell Stowers, Clearfork Rd. Bastian, VA - said he agrees with a lot of what Mr. Osborne said but the County has to start somewhere. He said the County has to find a way to keep good volunteers and a way to recruit new members.
- Seth R. White, Member, Tazewell County Board of Supervisors - said retention and recruitment was a key thing and he agreed with Mr. Osborne's remarks, but

he said he did not feel it would be a lot more paper work, but he did like the stipend incentive. He said this would be easier than giving tax exemptions.

- Supervisor Stacy said he thought this was a reasonable, viable option and way to reward the volunteers.
- Supervisor Hymes said the ordinance needs to go back to the ESC committee for additional suggestions.
- Supervisor Roberts said the Chief of each department would need to get involved and reward volunteers based only on the calls answered. Supervisor Stacy disagreed and said if a member answered only one call and was killed on that call how would the County explain to this family that he didn't qualify for the benefits because he didn't answer enough calls.

Now, the County Attorney suggested the board accept the revised changes to the proposed ordinance and place the ordinance on the October 7, 2014 meeting agenda for consideration of approval.

Then upon motion of Supervisor Roberts, seconded by Supervisor White 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 accept the changes as presented by the County Attorney and hereby tables the consideration of adopting the proposed ordinance to the October 7, 2014 regular meeting, and until such time as the Emergency Services Committee comments on the proposed ordinance revisions regarding a yearly stipend or the yearly tax exemption suggestion.

A copy of the ordinance with the revisions as proposed by the County Attorney is set forth below:

**AN ORDINANCE TO EXEMPT PERSONAL PROPERTY FOR VOLUNTEER
FIREFIGHTERS AND RESCUE SQUAD MEMBERS BY LOCAL CLASSIFICATION
OR DESIGNATION:**

WHEREAS, the Board desires to reward the County's volunteer firefighters and volunteer rescue squad members who sacrifice their time, dedicate their labor, and risk their personal well being for the benefit of the health and safety of the County's residents by enacting an ordinance to provide them with a partial tax exemption from Tazewell County vehicle

property taxes; and,

WHEREAS, the Virginia Code Section 58.1-3506 (A)(15), authorizes the County to enact such exemptions within the limitations therein prescribed, to wit; to be eligible for said exemption the individual must apply to his or her chief or head of the volunteer organization for certification that the individual meets criteria to be eligible for said exemption; said certification must be filed in the office of the Commissioner of Revenue or other assessing officer prior to January 31st each year in which the exemption is sought; said individual must also provide verification at the time of filing that he or she is a member of the volunteer organization and is listed as such on the roster that is maintained pursuant to the Virginia Code in the Tazewell County Circuit Court; said individual must be considered an active member of the volunteer organization that regularly responds to emergency calls or regularly performs other duties for the rescue squad or fire department; and that the exemption shall pertain only to one (1) vehicle owned or leased by the named individual who is obligated under the terms of ownership, licensure or lease agreement to pay personal property taxes on the vehicle.

NOW THEREFORE be it Ordained, pursuant to Section 58.1-3506 (A)(15) of the Code of Virginia that:

§1 DEFINITIONS

A. "Qualified Tax Payer" for purposes of this ordinance is a taxpayer who:

1. Is an active member of a volunteer fire department or a volunteer rescue squad located in and operating in Tazewell County, as verified by the Department or Squad Chief, and has been active for a minimum of 2 years prior to application, without receiving any compensation for such volunteer duties.

2. Is not delinquent on any real or personal property taxes previously assessed by Tazewell County.
 3. Is included on his or her Department's roster, in the case of a fire fighter, which is filed with the Tazewell County Circuit Court Clerk's Office.
 4. Is certified as qualified by the Tazewell County Emergency Management Coordinator.
 5. The Chief of each volunteer fire department shall on or before January 15th of each year submit to the Emergency Management Coordinator a certification form, which contains information to verify eligibility of the Department's members, together with a copy of the roster certification stamped filed with the Tazewell County Circuit Court. The certification form shall be as attached hereto.
- B. "Eligible Vehicle" is titled in the Qualified Taxpayer's name, either jointly or solely and proof of such ownership and a copy of current registration must be provided to the Commissioner along with application for exemption; it must be for personal use only, located, taxed and tagged in Tazewell County, Virginia. Commercial vehicles are not eligible for any exemption under this ordinance.

§2 EXEMPTION

- A. All or a portion of the value of a single automobile owned or leased by a Qualified Taxpayer, which is subject to local taxation pursuant to Section 58.1-3500 *et seq.* of the Code of Virginia, shall be exempted

from personal property taxation as hereinafter set forth.

- B. The aggregate amount of exemptible value pursuant to this ordinance shall be determined annually by the Board in their annual budget on or before June 30th each year. No exemption shall exceed Three Hundred Dollars (\$300.00) per Qualified Taxpayer on their personal property obligation, in any given year. Upon approval of Board's annual budget on or before June 30th each year the County Administrator or his designee shall advise the Commissioner in writing of the amount budgeted by the Board for the purposes of this Ordinance. The exemptible value per Qualified Taxpayer, who applies for and is granted the exemption, shall be the aggregate amount of exemptible value set by the Board of Supervisors divided by the total number of Qualified Taxpayers who apply for and are granted the exemption.

§3 PROCEDURE

- A. Each year on or before January 31st the Emergency Management Coordinator shall submit to the Commissioner of Revenue a list of eligible Qualified Taxpayers.
- B. Any Qualified Taxpayer may submit to the Commissioner of Revenue an application, in a form approved by the Commissioner, on or before January 31st each year to receive the exemption.
- C. The Commissioner shall, using the list submitted by the Emergency Management Coordinator, determine which applicants are eligible for

the exemption.

- D. The Commissioner then shall exempt a portion of the value each eligible applicant's Eligible Vehicle, according to the formula herein set forth, from taxation for that tax year. Should the exemptible value available for any Qualified Taxpayer exceed the value of such taxpayer's Eligible Vehicle the entire value of such vehicle shall be exempted; no remaining exemptible value shall be allocated to the taxpayer.

§4 APPEALS

- A. Any applicant who believes he or she was eligible for the exemption but was not listed by the Emergency Management Coordinator as qualified may appeal to the Board of Supervisors by giving written notice to the County Administrator within 30 days of receiving his or her tax assessment.
- B. Any applicant who was designated by the Emergency Management Coordinator as eligible for the exemption but was not granted the exemption by the Commissioner, may be appeal said decision as provided in the Code of Virginia for assessments generally.

WHEREAS, the Tazewell County Board of Supervisors did on September 2, 2014, hold a public hearing in accordance with notice duly and lawfully published pursuant to the Virginia Code.

It is so ORDAINED this _____ day of _____, 2014.

CITIZEN COMMENTS

Steve Danko, 625 Quail Drive, Bluefield, Virginia 24605, member of the Bluefield Town Council, and speaking as a private citizen, questioned the County's plan with regard to Economic Development in Tazewell County.

Supervisor Stacy emphasized the County Comprehensive Plan and its basis to assist the County in promoting an optimal development pattern over the next 10 to 20 years, given existing constraints and opportunities. The Comprehensive Plan is currently on the County's website and is being revised this year (every 5th) as required by State Code.

Mr. Danko questioned the Bluestone Technology Park and the Board of Supervisors plan to market the Bluestone. Mr. Danko also questioned the County's plan for zoning. He said zoning was important factor in economic development and Tazewell County was one of six counties in the State without zoning. All other counties have zoning. Supervisor Absher said he was against zoning, but would work with Supervisor Stacy to have zoning approved in the Eastern District. Supervisor White was in agreement, against zoning for the County, with Supervisor Hymes in accord as well. Each said they have to listen to their constituents who were not in favor of zoning for Tazewell County.

Mr. Danko said Tazewell County had to be on the same page with other towns in the County - to work and encourage the county's growth that included participation and meetings with folks in Richmond and other parts of the United States to generate jobs here. He also reiterated the importance of each town getting liquor by the drink to encourage the establishment of good restaurants. in the area. Supervisor White, as well as Supervisor Stacy said the Board is working hard to market Tazewell County and they are willing to talk to any company who is interested in Tazewell County. Supervisor Absher and White said they have talked to several restaurants for the Western District area, and continue to be pursue economic development growth for our county. In addition, Supervisor White said Tazewell County had never turned down a business for the Bluestone. Supervisor Stacy reiterated that the Bluestone just recently opened for business within the last six months and is now ready to market and move forward aggressively. The County Attorney said guidelines for the Bluestone have been developed, but not recorded as of this date.

**HISTORIC POCAHONTAS - \$12,234.59 APPROVED FROM CONTINGENCY FUND
TO CLEAR UP REAL ESTATE TAXES DUE THROUGH 2013**

Tom Childress spoke on behalf of Historic Pocahontas. He said on the 29th of Aug. 2014, SARA signed a licensing agreement giving SRRA the use of part of the railroad property as a corrector to bring the ATV Trail into Pocahontas. He said Tazewell County and SRRA went on the land of Historic Pocahontas and cleared land that did not belong to them; however, he said Historic Pocahontas signed the agreement to allow this because they are for the ATV Trail. He said the County should have checked the deeds to make sure they were clearing the right property instead of only going by GPS. In addition, Historic Pocahontas signed an addendum that would allow the Tourist Train and Walking Trail a pass-through to connect to the ATV Trail.

Following presentation by Tom Childress and Bobby Shew, representatives of Historic Pocahontas, VA with an announcement that the organization was reinstated by the IRS as 501 (c) (3) status and requested that the Board of Supervisors approve monies to pay the back taxes on Historic Pocahontas. Mr. Shew said Historic Pocahontas doesn't have \$12,000.00.. Supervisor White suggested they sell the property or try to raise the money. Mr. Shew said they were not going to sell the property because they were trying to save it to move the Town forward. Supervisor Roberts said all organizations should be responsible for their taxes. Supervisor Absher said he had thought the issue over, and he had a hard time with it, but he thought it was time for compassion. The County Attorney, Eric Young explained that the IRS certificate could exempt them from local taxes from the date forward but not exempt the amount of local taxes already owed.

Then, upon motion of Supervisor Absher, seconded by Supervisor Hymes and adopted by a vote of 3 to 2, with Supervisor White and Roberts voting no, the Tazewell County Board of Supervisors hereby approves the amount of \$12,234.59 from the FY2014-15 Contingency Fund, Account No. 91050-7023, payable to Historic Pocahontas, Virginia 24651 as monies to pay the real estate taxes for Historic Pocahontas for years 2011, 2012 and 8 months of 2013. This action is subject to the Historic Pocahontas paying to the Treasurer of Tazewell County this amount to clear up their tax record as aforementioned. The Deputy County Administrator is hereby

authorized to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

TEN (10) MINUTE RECESS

The Chairman, called for a recess of ten (10) minutes after which the meeting was reconvened at approximately 9:00 p.m.

BOARD OF SUPERVISORS - LIAISONS REPORT

Planning Commission

Member Stacy said the Planning Commission is working to develop a Zoning Ordinance for the Eastern District. The area is being mapped out to zone and it is hopeful that there will be public hearings by the end of the year 2014. The Northern District may also be considered later for Zoning.

Industrial Development Authority (IDA)

Member White said a viable plan is being pursued for the Western District Gas Project and will be discussed during the joint meeting with the IDA tomorrow.

Emergency Services Report

Member Hymes reported that the ESC Committee will schedule a special meeting to address the scheduling and funding of the Annual Appreciation Dinner as well as the tax exemptions for volunteer firefighters and rescue squad members.

BAPTIST VALLEY RESCUE \$22,000.00 PLUS INTEREST

The Deputy County Administrator reported that the \$22,000.00 that was originally given to the old Jeffersonville Rescue Squad returned approximately that amount to the County (this was \$20,000.00 plus interest earned). The \$22,000.00 then was given to Baptist Valley to build a bay on their building, but it never happened. The Board requested that the Ms. Green contact the Baptist Valley Fire/Rescue and request that the money \$22,000.00, plus interest, be returned to the Tazewell County Board of Supervisors so the County can redistribute the money for other fire and rescue needs.

Cumberland Plateau Planning District

Member White reported that he signed the final agreement on the 4-G Wireless Project and the project should be completed by January 2015. He said hopefully additional carriers will

be signed on with the Project that will allow expansion with prioritized projects. He said Tazewell County officials need to concentrate as soon as possible on how the County can get on the list due to limited funds.

Recreation Development Authority (RDA)

Supervisor Roberts reported the Capt. James Moore and ATV Trail direction sign will be installed this week in Abbs Valley - Boissevain, and the "soft opening" with SRRA will be held on Monday, Sept. 15 at 10:00 a.m. In addition, an investment group is proposing to spend \$500,000 for housing and restaurants to support riders of the trail. They're hoping to employ 10 to 12 people.

School Board -Committee

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

Tazewell County Airport Authority

The Annual Fly-In/Open House was held August 16, 2014. No aerobatics were held, but it was a family event and they had a good turn-out. He said there were plenty of activities for the children with some "up close action" of remote control aircraft.

AIRPORT PROJECT FUNDING \$15,000.00

(\$8,700.00 APPROVED FOR AIRPORT FUNDING PAVING ON 6/26/14

& \$6,300.00 MOVED TO AIRPORT CAPITAL TO TOTAL \$15,000.00)

Now, following presentation by Jerry McReynolds, Manager of the Tazewell County Airport, 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 approves the amount of \$6,300.00 from the Contingency Fund, Acct. No. 91050-7023, to the Airport Capital Outlay Acct. 8102-8109, \$8,700.00 line, creating a balance of \$15,000.00 which is hereby approved as the County's share (2%) of the grant for the Storm Water Drainage Project at the County Airport. The amount of the grant is \$750,000.00. The Deputy County Administrator is hereby authorized and directed to transfer said funds in accordance herewith and to issue said warrant at such time as may be necessary and appropriate which will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

PSA - Public Service Authority

Dahmon Ball, PSA Administrator was absent. Supervisor Roberts, PSA Board member reported that the Claypool Hill Wastewater project was back on schedule.

APPOINTMENTS

EMS DIRECTOR

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 appoints Ms. Patricia Green, Deputy County Administrator as the Emergency Services Director for Tazewell County, Virginia.

Cumberland Plateau Regional Housing Authority

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy, with a vote of 2 to 3, with Supervisors Roberts, Absher and White voting nay, a motion failed to reappoint Eli Jones as a member of the Cumberland Plateau Regional Housing Authority.

This appointment will be placed on the September 3, 2014 recessed meeting agenda.

Bond Finance Committee

It was a consensus of the Board to appoint Supervisor Seth White to represent the TCBOS on the VRA & Bank Options- Bond Refinance Committee. A representative of the IDA to serve in this capacity will be considered by the IDA Sept. 3.

PAYMENT IN LIEU OF TAXES FOR HUD DEVELOPMENTS

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 waives the Cumberland Plateau Regional Housing Authority's payment in lieu of taxes in the amount of \$7,856.00 for fiscal year ending March 31, 2014 for HUD Developments.

WATSON ROAD -PORTION TO BE VACATED

Upon motion of Supervisor Absher, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes a public hearing be held October 7,

2014 to consider the vacation of 134 ft of Watson Road located in the Western District of Tazewell County, Virginia.

POCAHONTAS ATV TRAIL TRANSPORTATION DEVELOPMENT -M.O.U.

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 Pocahontas ATV Trail Trailhead Development Memorandum of Understanding (MOU), between the Tazewell County Board of Supervisors (BOS), the Tazewell County Public Service Authority (PSA), the Tazewell County Recreation and Parks Development Authority (RDA), to memorialize the respective Boards' understanding of the agreement among them for development of the infrastructure for the Pocahontas ATV Trailhead near Boissevain, VA (the Project).

The BOS will, as consideration to the PSA for the extension project, credit the PSA's outstanding balance on that certain 2009 loan agreement between the PSA and BOS an amount equal to the PSA's reasonable labor costs incurred in constructing the extension, at such and/or unit rates as agreed to in advance between the PSA Administrator and the County Engineer. The balance of said 2009 loan as of June 30, 2014, prior to any credit herein described, is \$284,825.22.

Section 6. of the Agreement was discussed with regard to the Board of Supervisors making available to the PSA, upon request, up to four part-time or full time county employees for labor on the extension project during the construction phase. This will need to be decided. The PSA will discuss the M.O.U. at their September 8, 2014 regular meeting and the RDA will address same at its September 4, 2014 meeting. A copy of which as approved by the Board of Supervisors is attached hereto and incorporated herein by reference thereto.

POCAHONTAS ATV TRAIL PROGRESS

Supervisor Roberts reported that County staff have completed approximately 25 miles of the trail, with 5 additional miles to go. The RDA is working to get utilities to the cabin locations with signage needed to be installed as well. Supervisor Roberts said county employees Dave White, R.J. White and Quinto Falgiani needs to be given credit and applauded for a job well done. The RDA continues to make strides in having the trail open for business by fall 2014.

CELL TOWER UPDATE - REMOTE AREAS

Patricia Green, Deputy County Administrator reported that Sam Wolford is working with the 911 Coordinator, Derrick Ruble to hopefully get cell/radio service on the ATV Trail. The County has a tower that can probably be placed on RDA land to get coverage on the Trail site.

**JEWELL RIDGE DEFACED STRUCTURES -
HOUSING PROJECT**

Supervisor White requested the Deputy County Administrator set up a meeting with CPPD to address the Defaced Structures Housing Project in Jewell Ridge. Ms. Green will notify Supervisor White once the meeting date is coordinated.

APPALACHIAN AGENCY FOR SENIOR CITIZENS

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 SWCC College and Public Transportation Contract for October 2014 through September 2015 for Tazewell County. The Transportation System provides services to college students, elderly citizens, disabled citizens and the general public of Tazewell County. A copy of the Agreement in a form as hereby approved is on file in the office of the County Administrator and incorporated herein by reference thereto.

**JC MACK AND COMPANY - SEALING AND
STRIPING OF PARKING LOTS
BEHIND COURTHOUSE AND ADMINISTRATION BUILDING**

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 low bid of \$5,800.00 from JC Mack - Chuck Bentley, PO Box 943, Cedar Bluff, VA 24609 for sealing and striping of the parking lots

behind the Courthouse and Administration Building - price includes all materials and labor to complete the job. This amount will be paid from the Building and Grounds Budget, Capital Account, 43020-8109. A bid of \$350.00 was further presented and approved for sealing of Water Street behind the County Courthouse, 20 ft. x 640 ft. with the Town of Tazewell agreeing to pay for same.

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

COUNTY/TOWN DECAL COLLECTION PROPOSAL

The County Attorney, Eric Young, recommended that the Town of Richlands contact the County Treasurer and discuss the County/Town decal collections proposal. VA Code allows for the collection of funding for town decals by the County Treasurer.

OLD LANDFILL EQUIPMENT - DECLARED SURPLUS

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 declares the old metal items considered as scrap material located at the Tazewell County Landfill as surplus property and hereby grants the Landfill Director permission to sell for scrap metal and the proceeds from same be placed back in the Landfill budget. The items are mostly old buildings, trailers that were once used by the County.

IN GOD WE TRUST RESOLUTION ADOPTED

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 determine that the historic and patriotic words of our national motto, "In God We Trust" be permanently and prominently displayed in the Board of Supervisors Meeting Room. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator, 108 East Main Street, Tazewell, Virginia 24651.

RICHLANDS LITTLE LEAGUE FOOTBALL

\$750.00 WESTERN DISTRICT

\$750.00 NORTHWESTERN DISTRICT

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 \$1,500.00 (\$750.00 Western District & \$750.00 Northwestern District), payable to the Richlands Little League Football, Attn. Anthony Cox, tele: 276-210-2860. The Deputy County Administrator is hereby authorized to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

RICHLANDS HIGH SCHOOL VOLLEYBALL

\$500.00 NORTHWESTERN DISTRICT

\$500.00 WESTERN 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 (\$500.00 Northwestern & \$500.00 Western), payable to the Richlands High School Volleyball Team, 138 Tornado Alley, Richlands, VA 24641. The Deputy County Administrator is hereby authorized to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

KENNEDY DRIVE - ORPHAN ROAD PROJECT

PUBLIC HEARING AUTHORIZED

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 authorizes a public hearing to hear concerns regarding the consideration of inclusion of Kennedy Drive into the County's Orphan Road Program. The Planning Commission was presented a petition in which residents had signed living on Kennedy Drive at their August 7, 2014 meeting. The Planning Commission Roads

Committee will review the road and question and make a report at its September 11, 2014 regular meeting regarding same.

RICHLANDS LITTLE LEAGUE BASEBALL - STATUS OF AUDIT TO BE DETERMINED

Supervisor White requested that the Deputy County Administrator, Patricia Green, write a letter to the Richlands Little League Baseball Program inquiring as to the status of their audit.

BEER AND WINE FESTIVAL COMMENTS

Supervisor White for the record stated that would not be supporting the local Beer & Wine Festival in the future. He said several citizens called him with deep concerns about the festival. Supervisor Absher said he had two (2) citizens call him about how the festival advertisement was portrayed. The Board requested that Mr. Allison give an update to the Board at the Oct. 7 regular meeting with regard to the out-come of the September 6 festival.

**TAZEWELL COUNTY 4-H (\$400.00) - STATE HORSE SHOW
\$200.00 SOUTHERN
\$200.00 NORTHERN DISTRICT (55-5699)**

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$400.00 (\$200.00 from the Southern District and \$200.00 from the Northern District 55-5699) payable to the Tazewell County Cooperative Extension 4-H Program, earmarked for the 4H State Horse Show in Lexington, VA - to be held September 11 -14, 2014. The Deputy County Administrator is hereby authorized to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

PLUM CREEK QUILTERS -

THOMPSON VALLEY COMMUNITY CENTER

\$1,000.00 SOUTHERN DISTRICT FUND - CONTINGENT UPON LEGAL APPROVAL

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 the amount of \$1,000.00 contingent upon legal review and approval, from the Southern District Fund, payable to the Thompson Valley Community Center, C/O Plum Creek Quilters, 8925 Thompson Valley Road, Tazewell, VA 24651. The Deputy County Administrator is hereby authorized to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

CELEBRATION OF THE ARTS

\$850.00 - SOUTHERN DISTRICT FOR ADVERTISEMENT

Upon motion of Supervisor Hymes, seconded by Supervisor Roberts and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$850.00 from the Southern District Fund to purchase advertisement for the County at The “Celebration of the Arts” a free, non-profit festival held annually at Between Friends Gift Boutique, 998 Ben Bolt Ave, Tazewell, VA 24651, attention Vicky Boothe.

The Tourism Committee will work with Ms. Boothe with regard to the development of the advertisement.

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

PERRY STREET, OFF 460- SUPERVISOR HYMES

Supervisor Hymes questioned the status of vacating Perry Street, located off 460, West of Pisgah. The contact person is Robert Kinder, 180 Woodall Road, Fox Subdivision.

TOWN OF BLUEFIELD, ATTN: MIKE WATSON

**\$6,000.00 FROM EASTERN DISTRICT AS MATCH FOR
SANDERS HOUSE PAINT PROJECT**

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 the amount of \$6,000.00 from the Eastern District Fund(s) as may be applicable, payable to the Town of Bluefield, Attn: Mike Watson, as matching monies earmarked for the Sanders House Paint Project. The Deputy County Administrator is hereby authorized to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia 24651.

EXECUTIVE/CLOSED SESSION

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 enters into an Executive/Closed Meeting pursuant to Virginia Code Section 2.2-3711:

- A(7) Dental School MOU
- A(3) Property disposition involving Pocahontas High School
- A(3) Property acquisition involving Project COE
- A(5) Potential expansion of an existing business or industry Western Gas

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

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 Tazewell County Board of Supervisors that such executive/closed meeting was conducted in conformity with Virginia law;

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

Ayes: Supervisor Roberts, White, Stacy, Absher, White

Nays: Five (5)

Absent: None

Absent during vote: None

Action:

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

RECESS

Now, 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 recesses this meeting *to September 3, 2014 at 6:00 p.m. to meet and discuss with the Tazewell County Industrial Development Authority (IDA) various matters.*

The next regular meeting is scheduled for October 7, 2014 at 6:00 p.m.

Charles A. Stacy, Its Chair

by: RG

Recess 10:48 p.m..