

VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD SEPTEMBER 5, 2017 AT 4:00 P.M. IN THE TAZEWELL COUNTY ADMINISTRATION BUILDING, 108 EAST MAIN STREET, TAZEWELL VIRGINIA 24651

**PRESENT: JOHN M. ABSHER, CHAIR
MAGGIE ASBURY, VICE CHAIR
D. MICHAEL HYMES, MEMBER
CHARLES A. STACY, 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**

The Chairman, John M. Absher, called the regular meeting to order and presided with all members in attendance. He then welcomed those present.

Supervisor Hackworth gave the invocation with Supervisor Hymes leading those present in the Pledge of Allegiance.

AGENDA ADOPTED AS AMENDED

Upon motion of Supervisor Hymes, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the agenda format as amended. Additional amendments included A-5 Project Biscuit; A-1 Personnel involving County Garage and consideration of approving the Tazewell County Comprehensive Plan as advertised.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Asbury, 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 8, 2017 Board of Supervisors meeting minutes as written.

**MATT ANDERSON -
COUNTY ENGINEER**

County Engineer, Matt Anderson reported on the following:

Orphan Road Estimates: Upon motion of Supervisor Hackworth, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Engineer to accept the lowest responsive bid received for the 2017-18 Bituminous Asphalt (Plant Mix) for various orphan roads in Tazewell County, Virginia and not to exceed the total amounts per district as listed on the attached. The bids are due on September 22, 2017 at 10:00 a.m. This action is to allow the County Engineer to proceed with the paving projects due to the quickly approaching cold weather.

Mr. Anderson then updated the Board with the status of Clinic Road; the Richlands School Complex Road; Pleasant Valley Road; Silver Street; Lodge Street; Tyler Street (Use County grader); Lester Lane; Caleb Hollow Rd; Bluejay St; Hickory Street; Grace Street; Speed signs on College Park Road by County Staff; Estates Drive. Matt Anderson was requested to check on Covington Road located in Bailey Switch. The road is in needed repairs (Mr. Shrader - is the contact person) and contact Charlie Stacy with report; Whitehollow Road and Camelot Road report will be forthcoming and Angles Hollow Road is a State Road. Flood Study report will be finalized this month- good news no homes in floodway; Richlands School Complex Project - Matt will talk to Tim Taylor for possible funding assistance with regard to the Richlands School Complex road project and keep Supervisor Hackworth updated. Supervisor Asbury requested Mr. Anderson to check on Banner Hollow Road; Supervisor Hymes requested Matt to check on fencing needs at the old health dept building on Ben Bolt. The owner is willing to split costs of repairs with the County.

ROBERTS RULES OF ORDER SUSPENDED

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 suspends Roberts Rules of Order to consider adopting a dedication of drainage area easement for Cavitts Creek Sewer System to the Virginia Dept. of Health.

A DEED - DEDICATING A PORTION OF THE GRANTOR'S LAND DESIGNATED "NITROGEN DILUTION MANAGEMENT AREA"

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 DEED - dedicating a portion of the Grantor's land designated "Nitrogen Dilution Management Area" upon that certain plat entitled "Nitrogen Dilution Management Area - Cavitts Creek Park, Tazewell County, Virginia." A copy of the DEED of DEDICATION as hereby adopted is attached hereto and incorporated herein by reference thereto."

**ECONOMIC DEVELOPMENT REPORT --
MIKE THOMPSON**

Mike Thompson, Economic Development Director, updated the Board on various matters. The Cardinal Review Report was received with many helpful recommendations for the County to consider. The BOS authorized, upon a motion of Stacy, seconded by Supervisor Asbury and adopted unanimously that the report be forwarded to local media as well as posted on the County's website. Several County staff attended a SWVA Work Ready Communities Meeting recently in Abingdon. He reported on the Readiness Certificate to help recruit good employees.

**TOURISM REPORT --
DAVE WOODARD**

David Woodard, Tourism Coordinator, updated the Board on Tourism efforts in the County. Tourism numbers were released from the State today that included Tazewell County; A resolution was adopted, ie. the Bicycle Trail "Twin Depots Scenic Trail", upon a motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted unanimously. Copy of which is on file in the office of the County Administrator, 197 Main Street, Tazewell, VA 24651.

Mr. Woodard reported that the Heart of Appalachia (HOA) is requesting several resolutions be adopted changing legislation in support of state funding (hopefully by Dec); The Board of Supervisors deferred a resolution requesting the Clinch River in Tazewell County be included in the Commonwealth's Scenic River's Designation. The DCR will be attend the Sept. RDA meeting to explain the resolution and Eric Young, County Attorney will contact Attorney General for an opinion.

PSA REPORT -

DAHMON BALL

Dahmon Ball, PSA Administrator was present and reported on the following matters:

The PSA Board of Directors meeting was postponed to Monday, September 11, 2017 due to the Labor Day Holiday.

Greater Tazewell Regional WTP to Town of Pocahontas Project (Phase IV)

The PSA is awaiting the Geotech Core Drilling Report. It should be received prior to the next PSA Board Meeting.

Tazewell to Divides Sewer Leachate Line Project

Contract I (McFall Excavating, Inc. – Gravity and Force Main Sewer)

Due to the subsurface rock, the contractor is behind schedule. The contractor has been urged to commit additional work crews to the project. Contract I – Change Order #2 added the Leachate Pre-Treatment System to the contract. This also added an additional ninety days to the contract time.

Contract II (McFall Excavating, Inc. – Landfill Leachate Pump Station)

The Contractor is near completion of the project and awaiting the construction of the Leachate Pre-Treatment System and leachate line from the leachate tank to be completed. This will allow testing of the pump station and substantial completion of Contract II.

Contract III (Boggs Municipal Services – Witten's Mill Sewer Lift Station)

The site has been brought to subgrade elevation. The PSA is continuing to work with the property owner through the condemnation land acquisition process.

Capital Improvements Plan

VDH has scheduled a meeting in Abingdon on September 28, 2017 to discuss the program requirements, readiness to proceed and project schedule.

Fort Witten Assisting Pump Station

The Coalfield Water Development Fund reviewed our funding application for the project and awarded the PSA \$30,000.00 in grant funding.

Ascue Road Water Line Extension

Pursuant to the Board's request, an application for the Engineering Letter Report technical assistance funding has been forward to Mr. Jim Baldwin, Cumberland Plateau Planning District. The amount of the request was for \$4,500.00.

EXECUTIVE/CLOSED SESSION

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

1. A (5) Discussion concerning a prospective business or industry where no previous announcement has been made in locating or expanding involving Project Jonah
2. A (5)) Discussion concerning a prospective business or industry where no previous announcement has been made in locating or expanding involving Project Toothache
3. A(7) Legal Consultation regarding PSA's Agreement with Pocahontas for water line replacement
4. A (5) Discussion concerning a prospective business or industry where no previous announcement has been made in locating or expanding involving Project Oscar
5. A (3) Discussion or consideration of the acquisition of real property at Cavitts Creek Park
6. A(1) Personnel matter involving County Garage

7. A(5)) Discussion concerning a prospective business or industry where no previous announcement has been made in locating or expanding involving Project Biscuit

RETURN/CERTIFICATION/REPORT OF ACTION

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 returns from the Executive/Closed Meeting and hereby adopts the following resolution:

**EXECUTIVE/CLOSED MEETING
TAZEWELL COUNTY BOARD OF SUPERVISORS**

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

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

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

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

Nays: None

Absent: None

Absent during vote: None

**REPORT OF ACTION AS A RESULT OF THE EXECUTIVE/CLOSED MEETING:
TOWN OF POCAHONTAS LOANED \$15,000.00 TO PAY 2017 VRA PRINCIPAL
BOND PAYMENT FOR WATER SYSTEM**

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby loan to the Town of Pocahontas the amount of \$15,000.00 to pay their 2017 VRA Principal Bond Payment for their water system on

the condition that the Town pay all net revenues from their water systems to the County until the \$15,000 balance is repaid and the \$16,350 balance from the Board's 2014 loan to the town for the same purpose is repaid.

CONSENT CALENDAR

Upon motion of Supervisor Stacy seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the 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 August 2017

Payroll

Ordered that Warrant Nos. 142808 through 142845, and direct deposits totaling \$358,290.83 from the General, and 911 Funds, covering payroll for the various County agencies, for the period ending July 31, 2017, be approved.

Ordered that Warrant Nos. 142847 through 142883, and direct deposits totaling \$373,593.41 from the General, and 911 Funds, covering payroll for the various County agencies, for the period ending August 15, 2017, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 479691 through 479839, for \$1,147,295.01 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 2017, be approved.

Ordered that Warrant Nos. 479841 through 479854, for \$152,248.28 from the General, and 911 Funds, covering payroll deductions for the various County agencies for the period ending July 31, 2017, be approved.

Ordered that Warrant Nos. 479856 through 480002, for \$852,920.01 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 2017, be approved.

Ordered that Warrant Nos. 480004 through 480017, for \$135,123.68 from the General, and 911 Funds, covering payroll deductions for the various County agencies for the period ending August 15, 2017, be approved.

Handwritten

Ordered that Warrant No. 802020 through 802021 for \$5,500.00 from the General, Landfill Enterprise, Capital Outlay, Law Library, and 911 funds, covering operating expenses for the month of July 2017, be approved.

Coyote Claims

- Approved \$50.00 payable to Anthony Rasnick, 1498 Mundy Town Road, North Tazewell, VA 24630 for 1 female coyote killed with a snare on August 8, 2017
- Western and Northwestern District Funds - Ratified \$1,500 (\$750 Western and \$750 Northwestern) paid to Richlands 8th Grade Football approved August 9, 2017
- Southern and Northern District Funds - Ratified \$2,015 (\$1,515.00 Southern and \$500 Northern) paid to THS Football for Spartan Sporting Goods invoice approved August 10, 2017

Sheriff's Department

- Approved the amount of \$150.00 and \$125.00 from Account No. 91050-7041 to Sheriff's Budget 31020-6001 - Restitution on an ICAC Case
 - Approved the amount of \$100.00 and \$500.00 from Account No. 91050-7041 to Sheriff's Budget 31020-6010 - donations from Mountain Kids, Inc. and Rice W. Howard
 - Approved the amount of \$326.82 from Account No. 91050-7041 to the Sheriff's Account 31020-6009. This is a check received for VACo for Davis accident
 - Declared surplus two Sheriff Dept. duty weapons, Glock 357 Serial Number SNK869 and Glock 357 Serial Number SNK867 to be bought at \$1.00 each for two retirees, Deputy Phil Hanshew and Deputy Greg Layne
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RALPH MODENA - HEALTH INSURANCE UPDATE

Ralph Modena, Tazewell County's consultant for the county's health insurance program updated the Board with regard to how the County's self-insured policy was doing. This is the second year for the self-insured policy and Mr. Modena said the self-insured policy has worked well and has saved the county approximately \$300,000 to \$500,000. Mr. Modena reiterated the importance of keeping the money in a reserve and not spend it because there will be up and down years. He suggested ways to obtain the best costs and benefits for Tazewell County, i.e., looking at drug card and networks, as well as one option to combine insurance services with the county's school system. Mr. Modena said the County has one of the best health plans offered; in the top 5 percent. Mr. Modena said he is always looking at ways to save the County money in conjunction with offering the best benefits.

**JILL RASNICK - \$2,500.00 (\$500 FROM EACH DISTRICT FUND)
THE TJ RASNICK FOUNDATION -
GO GOLD - CHILDHOOD CANCER AWARENESS**

Jill Rasnick, Tazewell, Virginia requested the Board of Supervisors support September as Childhood Cancer Awareness Month - GO GOLD Tazewell County, VA. Mrs. Rasnick made the request on behalf of the T.J. Rasnick Foundation and briefed the board on activities the group has planned for the month throughout Tazewell County. A Candlelight Service is scheduled for September 14, 2017 at 7 p.m. on the THS Lawn; Paint Night fundraiser at Tazewell Family Worship Center, Sept. 19 at 6 pm; Driveway Ribbon Painting Fundraiser throughout Sept.

Now, 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 \$2,500.00 (\$500.00 from each of the five(5) district funds to the T.J. Rasnick Foundation, 103 Jefferson Street, Tazewell, VA 24651. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

RICHLANDS HIGH SCHOOL FCCLA

\$2,500.00 (\$500 FROM EACH DISTRICT FUND)

Alexis Bales, Richlands High School FCCLA former State officer of the Family, Career, and Community Leaders of America (FCCLA) requested funding for attendance to the November 8-12, 2017 Capitol Hill FCCLA event. Her adviser is Mrs. Beth Goforth. The FCCLA promotes personal growth and leadership development and helps students with career preparation and workforce development skills. Miss Bales and other FCCLA participants throughout the State will meet with government officials in Washington to help promote FCCLA and to let the leaders in Washington know what the Richlands FCCLA Chapter is doing to represent Virginia.

Now, upon motion of Supervisor Absher, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,500.00 (\$500 from each district fund) payable to the Richlands High School, FCCLA, 138 Tornado Alley, Richlands, VA 24641 and earmarked for the November 8-12, 2017 Capitol Hill FCCLA event, memo: Alexis Bales. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

CITIZEN COMMENTS UNSCHEDULED

Matt Wynn, 128 Lake Witten Road, North Tazewell, VA 24630, voiced concerns regarding his understanding that the County PSA could already pump water to the Town of Pocahontas from a PSA existing site since Jan. 2016. Mr. Wynn feels he is being strong-armed by the PSA and thinks he is being aggressively attacked at every turn just to save the County PSA money. He suggested none of the other sites had been surveyed for the tank site; only his property.

**BOARD OF SUPERVISORS -
LIAISON REPORTS
PLANNING COMMISSION**

Supervisor Asbury did not have anything to report on behalf of the Planning Commission, except for a recommendation that the Board of Supervisors adopt the Tazewell

County Comprehensive Plan as advertised. A Joint Public Hearing was held March 7, 2017 between the Tazewell County Planning Commission and the Tazewell County Board of Supervisors with regard to the Comprehensive Plan.

Now, upon motion of Supervisor Absher, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the Tazewell County Comprehensive Plan as advertised. A copy of the Comprehensive Plan in a form as approved is on file in the Office of the County Administrator, 197 Main Street, Tazewell, VA and in the office of the County Engineer, 209 Main Street, Tazewell, VA 24651 and posted on the Tazewell County Website.

INDUSTRIAL DEVELOPMENT AUTHORITY (IDA)

Supervisor Hymes did not have anything to report on behalf of the Industrial Development Authority (IDA).

CUMBERLAND PLATEAU PLANNING DISTRICT

Supervisor Stacy did not have anything to report on behalf of the Cumberland Plateau Planning District.

RECREATION DEVELOPMENT AUTHORITY (RDA)

Supervisor Asbury reported that an RFP for a County Zip-line is being proposed for the Boissevain area and submitted to the newspaper.

October 21, 2017 has been designated as a SPEARHEAD - FREE-RIDE DAY for ATV enthusiasts.

The RDA is adding a single track trail for single track riders in Boissevain. An official opening is being planned for October 21.

BOARD OF EQUALIZATION -

APPOINTMENTS

The Board of Supervisors will consider appointments to the Board of Equalization at the October 3, 2017 meeting.

BUSINESS TO BUSINESS SHOWCASE

The County Administrator announced the annual Business to Business Showcase for October 26-27, 2017 at Nuckolls Hall.

FAIR HOUSING CERTIFICATION

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopts a Fair Housing Certification Resolution:

In Compliance with Title VIII of the Civil Rights Act of 1968

Whereas, Tazewell County has been offered and intends to accept federal funds authorized under the Housing and Community Development Act of 1974, as amended, and;

Whereas, recipients of funding under the Act are required to take action to affirmatively further fair housing:

Therefore, Tazewell County agrees to take at least one action to affirmatively further fair housing each grant year, during the life of its project funded with Community Development Block Grant funds. The action taken will be selected from a list provided by the Virginia Department of Housing and Community Development.

TAZEWELL COUNTY

NON-DISCRIMINATION POLICY

Upon motion of Supervisor Hymes, 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 a Non-Discrimination Policy:

Tazewell County or any employee thereof will not discriminate against an employee or applicant for employment because of race, age, handicap, creed, religion, color, sex, or national origin. Administrative and Personnel officials will take affirmative action to insure that this policy shall include, but not be limited, to the following: employment, upgrading, demotion or transfer, rates of pay or other forms of compensation; and selection for training.

RESOLUTION ADOPTED

**FOR DOCUMENTATION AND IMPLEMENTATION OF FEDERAL
PROCUREMENT POLICIES AND PROCEDURES**

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

RESOLUTION

**DOCUMENTATION AND IMPLEMENTATION OF FEDERAL
PROCUREMENT POLICIES AND PROCEDURES**

WHEREAS, the federal Office of Management and Budget has issued a grace period of one (1) additional fiscal year for non-federal entities to implement changes to their procurement policies and procedures in accordance with the procurement standards in 2 CFR 200.317 through 2 CFR 200.326 of the Uniform Guidance;

WHEREAS, the provisions in 2 CFR 200.110 require non-federal entities to document their decision to choose to use the previous procurement standards during said grace period; and

WHEREAS, Section 2.2-4343(B) of the Code of Virginia (1950), as amended, states: "Where a procurement transaction involves the expenditure of federal assistance or contract funds, the receipt of which is conditioned upon compliance with mandatory requirements in federal...regulations...a public body may comply with such federal requirements...only upon the written determination of the...governing body, in the case of political subdivisions, that acceptance of the grant or contract funds under the applicable conditions is in the public interest;

NOW THEREFORE, the Board of Supervisors does hereby **RESOLVE** that the Board of Supervisors will continue to follow the procurement requirements of the Code of Virginia, the Board of Supervisors' existing policies and procedures, and the Office of Management and Budget Circulars, specifically A-87 and A-113, and will utilize the grace period allowed in the Uniform Guidance and as extended by the Office of Management and Budget Technical Corrections.

The Board of Supervisors does hereby **FURTHER RESOLVE** that, where the expenditure of federal funds is required, the Board of Supervisors shall procure such

goods and services to be paid for by federal funds by federal procurement procedures, if required by the terms of any federal or state grant, as authorized by Section 2.2-4343(B) of the Code of Virginia (1950), as amended.

**\$6,000.00 FROM THE EASTERN DISTRICT FUND
TO THE SANDERS HOUSE**

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 payable to The Sanders House, PO Box 1422, Bluefield, VA 24605. The money will be used for the annual insurance payment and to make needed repairs on the Sanders House. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

**\$1,750.00 TO THE GREATER BLUEFIELD CHAMBER OF COMMERCE, INC.
BLUEFIELD COAL SHOW SPONSORSHIP - ANNUAL EVENT AT BRUSHFORK
ARMORY**

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 non one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$1,750.00 (\$500 Eastern District; \$500 Northern District; \$250 Southern; \$250 Western and \$250 Northwestern) payable to the Greater Bluefield Chamber of Commerce, Inc. PO Box 4098, Bluefield, WV 24701 Ph: (304)327-7184 email: info@bluefieldchamber.com re: Bluefield Coal Show - Sponsorship for the annual event at the Brushfork Armory.

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

PUBLIC HEARING -- PROPOSED VACATION OF A PORTION OF FINCASTLE FARMS ROAD INCLUDING A BRIDGE OVER THE BLUESTONE RIVER

Chairman Absher called to order a public hearing that was duly advertised according to law entitled " An Ordinance of Vacation to vacate Fincastle Farms, pursuant to § 15.2-2006 of the Code of Virginia" and further gives notice of its intent to adopt the proposed Ordinance of Vacation as advertised and posted.

The property owners who may be affected by this Ordinance of Vacation are David R. Anderson, Edward A. Asbury, Gladys G. Burress, et al, James R. and Mattie L. Carter, Jeffrey and Margaret Choate, Charles and Sharon Collier, Gene and Beverly Damron, Lloyd Evans, Raymond Froy, Jr., CPA PC, Vickie L. Bowman Gray, Michael and Jane Harrison, James David Hicks, William Wesley Hinkle and Julia Lauren, Edward and Mary Litz, National Residential Nominee, R.W. Mullins Properties, LLC, G.V. and Prema Reddy, Brandon and Sara Sheets, Gregory and Cathy Yost, Jack and Viola Asbury, Joy Manufacturing Company, Kenneth P. Mathena and Kathy Rosetta, Michael and Laura Goodrich, Trustees, Frederick Barker and Mark Lawrence, Erik Robinson and Alethea Jeffries and John and Mary Kidd.

That portion of Fincastle Farms to be vacated is described as follows:

"That portion of Fincastle Farms Road, including the bridge over the Bluestone River, extending from a point at the intersection of the southeast corner of parcel number 041A0019, now belonging to Jack and Viola Asbury, and the northwest corner of parcel number 041A0024, now belonging to Joy Manufacturing Company; traversing parcel 041A0026A, now belonging to Lloyd D. Evans; and ending at its intersection with the western boundary of parcel 041A0020, now belonging to James David Hicks, but not vacating that portion of the Road running southward along the boundary between parcels 041A0026A (Evans) and 041A0020 (Hicks)."

Upon vacation of said portion of Fincastle Farms Road, the rights of the public to travel over and upon the above described property shall terminate.

A copy of the proposed Ordinance of Vacation is on file in the office of the County Administrator, 197 Main Street, Tazewell, VA and posted at the front door of the County Courthouse - Circuit Court, 135 Court Street, Suite 202, Tazewell, VA 24651.

Now, the Chairman called for public comments from the floor with regard to the public hearing. The following people spoke in opposition to the proposed vacation of a portion of Fincastle Farms Road/bridge in Bluefield, Virginia

1. Jack Asbury, 1189 Hockman Pike, Bluefield, VA 24605 (Viola) - one of the property owners spoke in opposition to the vacation. Mr. Asbury said that his family uses the bridge on a regular basis. He requested that new estimates be obtained for repairs and that the Board reconsider and not vacate the bridge because he feels the bridge is useable.

2. Don Asbury, Fincastle Farms Road, Bluefield, VA 24605 - voiced opposition to vacating the bridge in question because the bridge is needed for the elderly to use during a possible emergency situation and for people that use the bridge on a regular basis going back and forth to work.

3. Will Adams, Tazewell, VA 24651 - feels the County spends too much money on little league teams and high school football cleats as well as giving money to other organizations such as the Coal Show. He said the County has the obligation to spend the money on maintaining county bridges.

4. Lloyd Evans, Fincastle Farms, Bluefield, VA 24605, said that he has lived there since 1984 and the bridge was used by cattle trucks and is still used by vehicles daily. He said the residents keep the bridge cleared in the winter and make minor repairs to the bridge if needed. Mr. Evans requested that the bridge remain open because the bridge has never posed a threat or problem to residents that use it.

5. Raj Chopra, Barnwood Drive, Bluefield, VA 24605, requested that the Board obtain a solid bid on the bridge with the bid outlining the most dire repairs that need to be addressed now. He gave a name of Mr. Branch (a bridge inspector) with Supervisor Stacy requesting that Mr. Branch get in touch with the County to get an opinion regarding the bridge.

The County Attorney, Eric Young, said the County could solicit bids to either replace or repair the bridge and see what the numbers are.

Now, Supervisor Stacy requested that the comments he received via email from Roger Mullins and Ray Froy be included in the minutes of this meeting. The comments are as follows:

"Charlie:

We received the letter yesterday. Neither Lois or I will be able to attend unless Lois ends her meeting sufficiently early to attend. We discussed the issue and appreciate your effort to protect us from having the road blocked. We would ask for a copy of the inspection report and any explanation that the Engineer has that the Bridge needs to be closed immediately. We

understand that the BOS will most likely accept and implement this process immediately following their next meeting do that our input will only be a part of the record.

We request the following assistance:

1. Please place a sign at the bridge stating that the bridge has been condemned as unsafe;
2. Please erect a chain to be placed on both access points for the bridge;
3. Please arrange for the Engineer (or any other appropriate person) to make the report of the inspection available to all residents of Fincastle Farm who request it.

We who will be responsible for use of the bridge hereafter will address access and maintenance in the future.

Roger"

"Dear Charlie, I appreciate your efforts to find the best solution for the bridge going to Fincastle Farms that the county is considering to vacate.

As we discussed, I am in favor of any solution that would keep the bridge open.

There is another advantage to having the bridge remain open that I failed to make you aware.

When we have those large blowing snows, the snow will drift several feet high from the the Carter's Property up to the Bowman Property Chopra's apartments.

Even with the small hills going to and from the bridge, it is easier to navigate the snow because of the protection from the drifts with the trees and banks.

Thanks Again. Ray."

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

Then, upon motion of Supervisor Stacy, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby requests that the County solicit bids for costs to either replace or repair the bridge and that the numbers be sent to the Board of Supervisors upon their receipt for review, and further that no action be taken on the proposed vacation of the bridge at this time.

**PUBLIC HEARING - REGARDING THE PROPOSED
ROAD ABANDONMENT OF ROUTE 9559: OLD
THOMPSON VALLEY ELEMENTARY SCHOOL; ROUTE
9561: OLD POCAHONTAS HIGH SCHOOL; ROUTE 9562:
OLD RIVERMONT ELEMENTARY SCHOOL; ROUTE
9705 OLD BANDY ELEMENTARY SCHOOL**

The Chairman called to order a Public Hearing to hear concerns regarding the
**ROAD ABANDONMENT OF ROUTE 9559: OLD THOMPSON VALLEY
ELEMENTARY SCHOOL; ROUTE 9561: OLD POCAHONTAS HIGH SCHOOL;
ROUTE 9562: OLD RIVERMONT ELEMENTARY SCHOOL; ROUTE 9705 OLD
BANDY ELEMENTARY SCHOOL**

The County Administrator, Patricia Green explained that these roads to be considered for abandonment are old access roads to schools that have been closed. She said that VDOT would like to clear the roads off their records. The roads would not be blocked, but only taken off VDOT records.

The following people spoke in reference to the public hearing:

1. Mr. Altizer, Bandy, VA - requested that the County not abandoned the road to the Bandy Community Center. He said the Community Center is used by the Red Cross as a certified Disaster Relief Center; Mines are going back to work and the facility might be needed in case of a mining accident; the center is used to help families in need, such as community auctions, benefit dinners, singings as well as neighborhood dinners and the playground at the Center is used by local children, as well as the road used by the local fire department.

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

Then, upon motion of Supervisor Stacy, 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 defer action on the consideration of the
**ABANDONMENT OF ROUTE 9559: OLD THOMPSON VALLEY ELEMENTARY
SCHOOL; ROUTE 9561: OLD POCAHONTAS HIGH SCHOOL; ROUTE 9562: OLD
RIVERMONT ELEMENTARY SCHOOL; ROUTE 9705 OLD BANDY ELEMENTARY**

SCHOOL. The Board would like to have more information as to why VDOT is proposing to abandon the roads.

**DONALD R. RASH -
BRIDGE DEDICATION**

SEPTEMBER 15, 2017 - 2:00 P.M.

Supervisor Asbury invited everyone to the Donald R. Rash, Bridge Dedication in Pocahontas on September 15, 2017 at 2:00 p.m. The ceremony will be named the "Donald R. Rash Bridge", in memorial of Donald R. Rash, U.S. Marine, who was killed in the line of duty during the Vietnam War.

**\$125.00 FROM THE NORTHERN DISTRICT FUND, PAYABLE TO THE
TAZEWELL COUNTY HUMANE SOCIETY
TRANSPORT OF APPROXIMATELY 20 DOGS FROM TAZEWELL TO
LYNCHBURG**

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 \$125.00 from the Northern District Fund, payable to the Tazewell County Humane Society, PO Box 112, Richlands, VA 24641, attn: Angie Johnson. This money will assist in the rescue transport of approximately 20 dogs from the Tazewell County Animal Shelter to Lynchburg, VA. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

**\$100.00 FROM THE NORTHERN DISTRICT FUND TO THE FOUR SEASONS YMCA -
SEPTEMBER 5, 2017 GOLF TOURNAMENT (HOLE SPONSOR)**

Upon motion of Supervisor Asbury, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$100.00 from the Northern District Fund, payable to the Four Seasons YMCA Golf Tournament (Hole Sponsor)

Sept. 5, 2017 -- Four Seasons YMCA, 106 Gratton Road, Tazewell, VA 24651. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

\$5,500.00 FROM THE NORTHERN DISTRICT FUND PAYABLE TO HISTORIC POCAHONTAS, INC. -- ANNUAL OPERATIONS FUNDING FROM NORTHERN DISTRICT

Upon motion of Supervisor Asbury, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$5,550.00 from the Northern District Fund payable to the Historic Pocahontas, Inc., attn: Michele Crigger, President. This is the annual operations funding from the Northern District. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

VACATION OF A PORTION OF DAYTON ROAD - PUBLIC HEARING AUTHORIZED

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes and directs the County Administrator to advertise for a public hearing to consider the vacation of a portion of Dayton Road located in the Southern District.

\$815.00 FROM THE SOUTHERN DISTRICT - SUPPORT FOR THE INSTALLATION OF HISTORICAL MARKER- FOR "CIVILIAN CONSERVATION CORP -CAMP DRYFORK"

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 \$815.00

from the Southern District Fund, payable to Tazewell County Historical Society, PO Box 916 Tazewell, VA 24651 memo: Installation of the historical marker "Civilian Conservation Corp" Camp Dryfork. The Historical Society will then send a check to John Neal, P.O. Box 955, Emory, VA 24327. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

TAZEWELL AREA CHAMBER OF COMMERCE

\$2,000.00 (\$1,000 SOUTHERN DISTRICT & \$1,000 WESTERN DISTRICT)

EARMARK FOR OKTOBREWFEEST 7, 2017

Upon motion of Supervisor Hymes, seconded by Supervisor Absher and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the amount of \$2,000.00 (\$1,000 Southern District Fund and \$1,000 Western District Fund) payable to the Tazewell Area Chamber of Commerce, PO Box 672, Tazewell, VA 24651, earmarked for the October 7, 2017 Oktobrewfest to be held on Main Street in Tazewell, VA. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

\$2,500.00 (\$1,250 WESTERN & \$1,250 NORTHWESTERN) PAYBLE TO RAVEN

ELEMENTARY SCHOOL, BACKPACK PROGRAM

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 approves the amount of \$2,500.00 (\$1,250 Western and \$1,250 Northwestern) payable to the Raven Elementary School, School Back Pack Program, Attn: Ann Walls, 22 School Street, Raven, VA 24639. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

COUNTY REGISTRAR - NEW VOTING MACHINES ADDRESSED

Brian Earls, County Registrar said the Tazewell County Electoral Board is being urged by the Virginia State Board of Elections to purchase new voting machines. He said the State Board of Elections met last Friday to decertify touch-screen voting machines because two machines in Virginia have been found to be easily hacked, but neither were ever used in Tazewell County. New machines will cost \$224,272.50 and with necessary voting supplies/equipment the costs will be approximately \$260,000.00. The new voting machines will have a paper ballot and voters will use a black pen to mark their choices. The deadline to submit the November ballot for approval is quickly approaching and absentee voting is scheduled to begin September 22.

AEP LETTERS - RATE ADJUSTMENTS

Supervisor Hymes requested the County Attorney review letters he received from AEP regarding rate adjustments.

WILL ADAMS -

**REQUESTED TO MOVE THE MONTHLY REPORTS FOLLOWING
THE EXECUTIVE CLOSED/MEETING**

Will Adams, Tazewell, Virginia, requested that the monthly Board of Supervisors agenda format be changed placing County Employee monthly updates following the Executive/Closed Meeting.

ADJOURN

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

The next meeting is scheduled for October 3, 2017 at 4:00 p.m.

John M. Absher, Chair

by: RG Adjourn 8:17 p.m.