

VIRGINIA: AT A REGULAR MEETING OF THE TAZEWell
COUNTY BOARD OF SUPERVISORS HELD OCTOBER 2, 2018
AT FOUR O'CLOCK P.M. IN THE TAZEWell COUNTY
ADMINISTRATION BUILDING, 197 MAIN STREET, TAZEWell
VIRGINIA 24651

PRESENT: MARGARET A. ASBURY, CHAIRPERSON
TRAVIS HACKWORTH, VICE CHAIRPERSON
CHARLES A. STACY, MEMBER
D. MICHAEL HYMES, MEMBER
TOM A. LESTER, JR., MEMBER
WHITNEY PARSONS, EXECUTIVE ASSISTANT
C. ERIC YOUNG, INTERIM COUNTY ADMINISTRATOR AND COUNTY ATTORNEY
CHASE COLLINS, ASSISTANT COUNTY ATTORNEY
MEMBERS OF THE PRESS: JIM TALBERT, CLINCH VALLEY NEWS/RICHLANDS
NEWS PRESS; WARREN HINKLE, THE VOICE NEWSPAPER

ABSENT: NONE

Madam Chairperson, Margaret A. Asbury called the regular meeting to order and presided, with all members in attendance.

Supervisor Hackworth gave the invocation followed by The Pledge of Allegiance to the United States flag led by Supervisor Hymes.

AGENDA APPROVED 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 October 2, 2018 agenda as amended.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the September 4, 2018 Tazewell County Board of Supervisors meeting minutes as written.

CONSENT CALENDAR

Upon motion of Supervisor Hackworth seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the 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
September 2018

Payroll

Ordered that Warrant Nos. 143740 through 143770, and direct deposits totaling \$236,268.51 from the General, covering payroll for the various County agencies, for the period ending August 31, 2018, be approved.

Ordered that Warrant Nos. 143772 through 143802, and direct deposits totaling \$232,621.09 from the General Fund, covering payroll for the various County agencies, for the period ending September 15, 2018, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 484090 through 484205, for \$634,124.62 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the various County agencies for the month of August 24, 2018, be approved.

Ordered that Warrant Nos. 484207 through 484221, for \$145,397.16 from the General, covering payroll deductions for the various County agencies for the period ending August 31, 2018, be approved.

Ordered that Warrant Nos. 484223 through 484331, and electronic transfers (ACH) totaling \$517,852.39 from the General, Landfill Enterprise, Capital Outlay and Law Library Funds, covering operating expenses for the various County agencies for the month of September 10, 2018, be approved.

Ordered that Warrant Nos. 484333 through 484348, for \$132,861.89 from the General Fund, covering payroll deductions for the various County agencies for the period ending September 15, 2018, be approved.

Handwritten

Ordered that Warrant No. 802042 through 802047 for \$15,455.10 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the month of August 2018, be approved.

Approved Coyote Claims

- \$100.00 to Jimmy Cornett, 744 Daniels Road, Bandy, Virginia 24602 for 2 female coyotes killed by snare on September 21, 2018.
- \$50.00 to Corbet Johnson, 3726 Red Root Ridge Road, Raven, Virginia 24639 for 1 female coyote killed by rifle on September 25, 2018.

Library Account – Transferred the following amounts from the Contingent Expenditures and Grant Account No. 91050-7041 to the Library Accounts as follows:

- \$7,165.21 to Acct. 7301-5230 (received from E-rate)
- \$500.00 to Acct. 7301-6012 (received from Tazewell Lions Club)
- \$25.00 to Acct. 7301-3099 (received from Nancy Colley)

Sheriff's Department – Transferred the following amounts from the Contingent Expenditures and Grant Account No. 91050-7041 to the Sheriff's Department Accounts as follows:

- \$458.00 to Acct. 31020-5510 (received from County of Bedford)
- \$206.36 to Acct. 31020-5510 (received from Financial Commission for Appalachia Hidta)

- \$138.00 to Acct. 31020-6009 (received from VH Holmes Sons)
 - \$405.99 to Acct. 31020-5510 (received from Satira, Inc.)
 - \$969.75 to Acct. 31020-6009 (received from VACO - vehicle repairs)
 - \$1,500.00 to Acct. 31020-6010 (received from Michael Dye – K9 donation)
 - \$200.00 to Acct. 31060-6021 (received from Cedar Bluff Business and Professional Association)
 - \$100.00 to Acct. 31020-6010 (received from Ultra Pipeline, LLC – K9 donation)
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- Declared surplus on 2002 Ford Explorer VIN#1FMZ462E622A80793
 - Declared surplus on 2011 Ford Crown Victoria VIN#2FABP7BV7BX166628
 - Declared surplus on 2008 Ford Crown Victoria VIN#2FAFP71V18X124922

Commissioner of Revenue - Transferred the following amount from the Contingent Expenditures and Grant Account No. 91050-7041 to the Commissioner of Revenue Account as follows:

- \$250.00 to Acct. 012090-6001 (received from Corelogic Solutions, LLC for Tazewell County real estate data request)

Southern District Fund

- Approved \$1,200.00 for Burkes Garden Post Office Restoration Project to Burkes Garden Artisan Guild
- Approved \$100.00 to the Treasurer of Tazewell County to pay Nuckolls Hall rental fees for the Town of Tazewell Cruise-In picnic held on September 29, 2018.
- \$200.00 transferred to Sheriff's Office budget for retirement lunch for Gary Moore and Tim Shortridge

Western District Fund

- \$1,650.00 for Tazewell County Welcome Sign Ratified
- \$200.00 transferred to Sheriff's Office budget for retirement lunch for Gary Moore and Tim Shortridge
- \$250.00 for Richlands High School Project Graduation 2019

Eastern District Fund

- \$200.00 transferred to Sheriff's Office budget for retirement lunch for Gary Moore and Tim Shortridge

Northwestern District Fund

- \$200.00 transferred to Sheriff's Office budget for retirement lunch for Gary Moore and Tim Shortridge
- \$250.00 for Richlands High School Project Graduation 2019

Northern District Fund

- \$200.00 transferred to Sheriff's Office budget for retirement lunch for Gary Moore and Tim Shortridge
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- Approved Joyce Engineering Contract renewal with a 1.5% increase
 - Declared surplus on two service weapons for Deputy Gary Moore, Glock 357 serial number SNK851, and Corporal Tim Shortridge, Glock 357 serial number SNK661, and approve the sale of each weapons to officers for \$1.00 pursuant to Section 59.1-148.3 of the Code of Virginia.

EXECUTIVE/CLOSED MEETING – 4:06 P.M.

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 thereby entered into an Executive/Closed Meeting pursuant to Virginia Code Section 2.2-3711.

- A(1) Personnel Regarding IDA
- A(3) Acquisition of Property for a Public Purpose adjacent to courthouse property
- A(1) Personnel in Engineering Department
- A(6) Discussion of investment of public funds where bargaining is involved regarding the landfill
- A(6) Discussion of investment of public funds regarding a Wireless Services Authority Grant for internet service
- A(1) Personnel Regarding Maintenance Department

RETURN/CERTIFICATION/REPORT OF ACTION – 6:13 P.M.

CERTIFICATION OF
EXECUTIVE/CLOSED MEETING
TAZEWELL COUNTY BOARD OF SUPERVISORS

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

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

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

The Chair called for a roll call Vote on the Certification:

Ayes: All Five (5)

Nays: None (0)

Absent: None (0)

Absent during vote: None (0)

REPORT OF ACTION

WIRELESS SERVICE AUTHORITY - GRANTS AND GIGABEAM EXPANSION

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 supports the Wireless Service Authority's application for FCC, DHCD, and other grants up to Four Million Dollars for expansion of the WSA/Gigabeam wireless internet system to include Thompson Valley and other underserved areas of the County and further direct that we retain a grant writer to submit such applications as are necessary.

SPECIAL PRESENTATION – NATIONAL 4-H WEEK PROCLAMATION

The Chairman introduced and welcomed to the meeting, members of the Tazewell County 4-H.

Now, Supervisor Asbury read and moved to adopt the National 4-H Week Proclamation with Supervisor Hymes seconding the foregoing and which motion passed unanimously. A copy of the proclamation is on file in the County Administrator's Office.

Members of the Tazewell 4-H group presented the Board with a token of appreciation for their support of the 4-H Programs in Tazewell County.

MATTHEW ANDERSON – COUNTY ENGINEER

CLINIC ROAD - HURT & PROFITT CONTRACT AMENDMENT

The first topic Mr. Anderson brought to the Board was the Clinic Road LAP Project. He talked about receiving an addendum to the Engineering Contract to provide Construction Inspection Services for the estimated amount of \$80,000. He went on to explain that if the county wishes to proceed with construction this month, the addendum would need to be approved. The County Engineer made clear that there is adequate funding for the additional work and will not exceed the original capital outlay for the project.

Now, upon motion of Supervisor Hackworth, seconded by Supervisor Lester 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 amendment to the Hurt & Profitt engineering contract to provide Construction Inspection Services for the estimated amount of \$80,000.00 for Clinic Road. A copy of the amendment is on file at the County Administrator's Office.

DSS - LUMOS INTERNET CONTRACT

Secondly, Mr. Anderson explained that we currently serve the DSS, PSA, and fairgrounds offices with DSL service from our network through Verizon. Services have been unsatisfactory for quite some time, especially the last few months. In an attempt to fix these services Mr. Anderson provided the Board with pricing from Sunset Digital and Lumos Networks.

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 approves a contract with Lumos Networks to improve communication services for the DSS office, PSA office, and fairgrounds. A copy of the agreement is on file in the County Administrator's Office.

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 approves a contract with Lumos Networks to improve communication services for the DSS office, PSA office, and fairgrounds.

Mr. Anderson went on to discuss various road issues and ongoing work in the county.

KENNETH DUNFORD – ASSISTANT COUNTY ENGINEER

The Assistant County Engineer discussed the Fincastle Farms Bridge. He explained that the VDOT website indicates that this project is now fully funded by VDOT. Mr. Dunford recommended that no action be taken during the Public Hearing later that evening of the proposed vacation of Fincastle Farms Road, until they can get confirmation from VDOT that this project is fully funded.

County Engineer, Mr. Anderson addressed the Board to thank them for everything they have done for him over the past 7 years. His last day working for Tazewell County will be October 15th. The Board and Interim County Administrator let him know how much they appreciated him and wished him the very best.

PUBLIC HEARING – PROPOSED ORDINANCE TO VACATE A PORTION OF FINCASTLE FARMS ROAD LOCATED NEAR BLUEFIELD.

Madam Chairperson called to order a public hearing that was duly advertised according to law entitled “Proposed Vacation of a Portion of Fincastle Farms Road near Bluefield, Virginia in the Clear Fork Magisterial District of Tazewell County, Virginia”.

Supervisor Stacy reminded the audience that the Board would not take action on the public hearing that evening, due to VDOT possibly being able to fully fund the project and make the necessary repairs to fix the bridge.

Now, the Chairman called for public comments from the floor with regard to the public hearing. The following people commented:

Name	Address	Comments
1) Lois Mullins	Fincastle Farms Road Bluefield, VA 24605	Ms. Mullins is very hesitant to see this road closed because it is the only access they have if the newer road is closed and it puts more traffic on a narrow road. She suggested signage banning large trucks or signs stating cross at your own risk.
2) Don Asbury	425 Carriage Lane	He doesn't want to see the road closed and hopes that VDOT can provide the necessary funding to fix the problem.
3) Jack Asbury	Bluefield, VA	His property joins the bridge and he's concerned if the road is closed that he will have people who are up to no good parking and lingering around his property.

4) Lloyd Evans

Fincastle Farms Road
Bluefield, VA 24605

The bridge joins his property. He stated 10 years ago the Virginia Department of Game and Inland Fisheries done a restoration project in and around the bridge to restore trout. And planted over 400 trees and spent \$10,000. He believes there is more traffic on the road than VDOT has indicated and would like to see the bridge remain open for the public and his neighbors.

5) David Hicks

115 Mountvista Ct
Bluefield, VA 24605

He feels safer with the current option of 2 exits and says it makes traffic flow easier. Mr. Hicks suggests banning large trucks.

Now, Supervisor Stacy requested that the letter he received from Roger Mullins be included in the minutes of this meeting:

R. W. Mullins Properties, LLC

985 Fincastle Farms Road
Bluefield, VA 24605-9360

Phone (276) 322-4126 Fax (276) 988-9174

Roger W. Mullins, member
Lois B. Mullins, member

304 887 2741
304 320 7665

October 2, 2018

Charles Stacey, Supervisor
Eric Young, Interim Administrator
Chase Collins, County Attorney

RE: Proposed Abandonment of Fincastle Farms Road & Bridge

Dear Sirs:

I am unable to attend the public Hearing scheduled this evening and wanted to express my grave concern relating to the proposed abandonment of the original access road to our property located in Fincastle Farms. Our property has been used as a residence and small farm since the early 50's and was a retreat residence built in the 1930's. The current road that has been the primary access for our property is not in need of abandonment to protect the County from potential liability in the event of the failure of the bridge. We object to the wholesale abandonment of the access road as a public road. In the event the road is a county road, may we request that it be abandoned as a county road and limit any possible claim against the county, which incidentally is blessed by the doctrine of sovereign immunity, should there be an injury from the collapse of the bridge.

I further suggest that the county can place signs alert the public that the bridge has structural issues and that any person traveling across the bridge will be considered to "assume the risk of injury". As counsel knows, the only requirement for the county to protect itself from such claims is disclaim any ownership of the road and bridge and to properly warn the public of the danger it does not need to restrict travel by those of us who, and equally for those members of the public who choose to visit us, wish to retain our right to use and cross the bridge.

At some point government will learn that it may have power to act, but some actions within its authority are an unnecessary interference with the right of its citizens. We have expert information that has been shared with the County that indicates the danger the County fears may well not be justified. Action to abandon the road and bridge is unnecessary and unjustified.

R. W. Mullins Properties, LLC



By: Roger W. Mullins

Supervisor Stacy asked Mr. Young if it was possible to put signage up restricting certain vehicles until any repairs are made. Mr. Young stated that we could because the road belongs to the county. He clarified the reason we are doing this is because we were required by law to have an inspection, so outside engineers were hired and they reported that the bridge has serious problems. Mr. Young says our only options are to repair the bridge or abandon it. Mr. Stacy suggested going ahead and putting signage up.

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

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 defers action until the November meeting regarding the proposal of vacating a portion of Fincastle Farms Road until they can receive confirmation from VDOT regarding repairs.

**PUBLIC HEARING – PROPOSED ORDINANCE TO VACATE A PORTION OF ANGEL LANE
LOCATED IN FALLS MILLS**

Madam Chairperson called to order a public hearing that was duly advertised according to law entitled, “Proposed Vacation of a Portion of Angel Lane in Falls Mills in the Clear Fork Magisterial District of Tazewell County, Virginia”.

Now, the Chairman called for public comments from the floor with regard to the public hearing. The following people commented:

County Engineer, Matthew Anderson explained that there is a loop driveway which was utilized at the former Falls Mills Elementary School but now that the building is going to be used as an adult daycare the loop will no longer be utilized. He explained that vacating the road will take it off of the VDOT books and will add a t-turn around on the VDOT portion of the roadway. This way VDOT will be able to maintain their section.

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

Then, 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 “An Ordinance to Vacate a Portion of Angel Lane Located in Falls Mills, in Tazewell County, Virginia.” A copy of the Ordinance can be found on file at the County Administration Office.

BARRY BROOKS – ESC

Mr. Brooks asked approval from the Board to surplus a 2002 F-350 Ford pickup truck with VIN #1FDWF37FX2EA41354 from the Abbs Valley Fire Department.

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 declare surplus on the 2002 F-350 Ford pickup truck from Abbs Valley Fire Department.

Mr. Brooks and Russell Stowers then addressed the Board about the Meals Tax that could be passed at the November 6th election. The Meals Tax is money that would be set aside for school security as well as fire and rescue agencies from a 4% tax on prepared foods served outside the corporate limits of any town. They were curious to know how much of the percentage they would receive from the tax. The ESC would like to be

able to plan ahead in their budget if it were to pass. This tax would be helpful to them with training and equipment costs as well as other necessities.

Mr. Young stated if this were passed it would not be implemented until January 2019. Supervisor Hymes said the decision has not yet been made but the tax should be split 50/50 between the school safety and fire & rescue but there needs to be better planning to make the public more aware of the Meals Tax. Supervisor Stacy asked for opinions on ways to appeal to the citizens. Supervisor Lester was told that there may be teachers placed at the polls to help promote the tax. Mr. Brooks mentioned that he will help promote the tax at the appreciation dinner.

Mr. Brooks then presented the Board with documentation detailing the monthly EMS Billing Receivables. The Board found the report to be constructive and requested that he start bringing these reports monthly.

Lastly, Mr. Brooks requested that the Board approve a support letter for the Southwest Virginia EMS Council. The Virginia EMS Rules and Regulations require that regional EMS councils apply for re-designation every 3 years. As part of the application the Southwest VA EMS Council asks each locality in their service area to write a letter of support for their application to continue serving as the regions designated emergency medical services council.

Upon motion of Supervisor Hackworth, seconded by Supervisor Hymes, and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve a letter of support to the Southwest Virginia EMS Council for their application to continue serving as the region's designated emergency medical services council. A copy of the said support letter is on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia 24651.

IDA – LIASION REPORT

Supervisor Asbury did not have anything to report publicly this month.

DAVID WOODARD – TOURISM AND COMMUNITY DEVELOPMENT

The Tourism & Community Development Director discussed various conferences, events, and trade shows coming up. Mr. Woodard has also been collaborating with Brad Deel who will be filming Richlands, Cedar Bluff, Burkes Garden, Back of the Dragon, and other areas of the county for marketing. Additionally, Mr. Woodard will be working with Power Scope to film and market the Spearhead Trail and Back of the Dragon. He then informed the Board that there are plans to restore the Pepsi sign on the old Burkes Garden Post Office.

Mr. Woodard discussed broadband efforts and signup days. So far they have signed up 150 interested households. The most successful community meetings have been places where broadband is not available, Thompson Valley has had the biggest turnout so far. Approaching sign up days will be held in Clearfork, Bluefield, Abbs Valley, and Jewell Ridge.

With the election approaching quickly, Supervisor Stacy revisited the Meals Tax discussion and thought it may be a good idea to inform citizens of the tax at the broadband community signup days. The Board also mentioned having a commercial made but thought it may be hard to get this facilitated in a month's time.

RDA – LIASION REPORT

Supervisor Asbury stated the RDA will meet on Thursday this week.

CPPD – LIASION REPORT

The Supervisors said they were still looking for a representative on the commercial side. Mr. Stacy alerted that they have been contacted with a level of urgency to find an appointee because the meetings are ready to get underway. The Board discussed potential appointees but will have to ask before appointing.

BUDGET COMMITTEE

Supervisor Hackworth reported that they will be meeting within the next week or so.

LYNNE BARTLETT – LIBRARY DIRECTOR

Ms. Bartlett informed the Board of events, fundraisers, and book clubs happening at the libraries. She also discussed continuing education through adult and after school or Saturday programs.

The Interim County Administrator asked her how the Library Board meetings were going and if they have been having enough in attendance to make quorum. Ms. Bartlett said the next meeting is scheduled for November 15th at 5:00 PM – 7:00 PM. She explained that the meetings have been going well lately. However, in the past there have been issues with attendance and members not attending the meetings. The Board discussed the issue and said if a member has missed three consecutive meetings that they need to be notified so that they can find members who will be able to attend.

SPECIAL PRESENTATION – DOMESTIC VIOLENCE AWARENESS MONTH OCTOBER 2018 PROCLAMATION

The Chairman introduced and welcomed to the meeting, Ms. Jennifer Bourne, Family Crisis Services Director, Clinch Valley Community Action, Inc.

Ms. Bourne requested that the Board of Supervisors proclaim October 2018 as Domestic Violence Awareness Month.

Now, Supervisor Hymes presented, read and moved to adopt the Domestic Violence Awareness Month October 2018 proclamation with Supervisor Asbury seconding with all members present voting in favor thereof. A copy of the proclamation is on file in the County Administrator's Office.

TRINKLE CASH – TAZEVELL COUNTY MOUNTAIN MOVERS

T.W. Cash, 327 Rayford Lane, Bastian, VA of Tazewell County Mountain Movers discussed working alongside Steve Branch with a recovery ministry. Mr. Cash described their efforts and desires to work with churches to expand foster care. Their recovery ministry would like to involve all area churches to help expand and help the community. The Tazewell County Mountain Movers hold monthly meetings that are drug and alcohol free events with food provided; everyone is welcome to attend.

RECESS

The Chair called for a ten minute recess and the meeting was reconvened after a brief recess.

APPOINTMENTS

AIRPORT AUTHORITY BOARD

Supervisor Hymes tabled his nomination of a replacement for John Flynn until the next BOS meeting.

EMERGENCY SERVICES COMMITTEE

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 reappoints Wess Blankenship, 150 Desert Rose Drive, Tazewell, VA 24651 to serve as a member of the Emergency Services Committee, with a term commencing November 1, 2018 and expiring October 31, 2019.

Upon motion of Supervisor Hackworth, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Keith Reynolds, 2000 Washington Square, Richlands, VA 24641 to serve as a member of the Emergency Services Committee, with a term commencing November 1, 2018 and expiring October 31, 2019.

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 reappoints Ben Young, 243 Sinking Waters Road, Bandy, VA 24602 to serve as a member of the Emergency Services Committee, with a term commencing November 1, 2018 and expiring October 31, 2019.

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 reappoints Jarred McFarland, 301 Montrose Street, Bluefield, VA 24605 to serve as a member of the Emergency Services Committee, with a term commencing November 1, 2018 and expiring October 31, 2019.

Upon motion of Supervisor Lester, 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 reappoints Barry Paton, PO Box 983, Cedar Bluff, VA 24609 to serve as a member of the Emergency Services Committee, with a term commencing November 1, 2018 and expiring October 31, 2019.

CPPC/SUNSET BUSINESS ADVISORY COMMITTEE

This appointment is tabled until the next BOS meeting.

BLUEFIELD VIRGINIA RESCUE SQUAD BOARD APPOINTMENT

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 reappoints Charles A. Stacy, PO Box 1025, Bluefield, VA 25605 to serve as a member of the Bluefield Virginia Rescue Squad Board, with a term commencing November 1, 2018 and expiring October 31, 2019.

The Board directed somebody to find out if Patricia Green would like to remain a member of the BVRB Board.

\$10,000.00 TO THE REGIONAL IDA

Upon motion of Supervisor Hackworth, seconded by Supervisor Lester and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve the amount of \$10,000.00 payable to the Regional IDA. The Board left it up to the Interim County Administrator's discretion as to when the payment was to be made as long as it was before January 1, 2019. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

ADOPTED REVENUE SHARING MOU

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 the Revenue Sharing Memorandum of Understanding. A copy of the MOU is on file in the County Administrator's Office.

ADOPTED FEDERAL CONFLICTS OF INTEREST ACT GUIDELINES AND FEDERAL PROCUREMENT GUIDELINES FOR FEDERALLY FUNDED PROJECTS

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 the federal conflicts of interest act guidelines and federal procurement guidelines both applicable only for federally funded projects.

2018 AUDIT

The Auditor of Public Accounts reviewed the Commonwealth collections and remittances of the Treasurer, Commission of the Revenue, and Sheriff for the year ended June 30, 2018. Their primary objective was to determine that the official's maintained accountability over Commonwealth collections, established internal controls, and complied with state laws and regulations.

Per letter from the Office of the Auditor of Public Accounts they found the constitutional officers complied, in all material respects, with state laws, regulations and other procedures relating to the receipt, disbursement, and custody of state funds.

ENERGY AUDIT – SOUTHLAND ENERGY SOLUTIONS – HVAC ISSUES AT COURTHOUSE

Mr. Young displayed the Tazewell County HVAC Study Draft Report from Wiley & Wilson dated November 7, 2007. He explained that a few years ago Southland Energy reviewed copies of our electric bill records, toured our buildings, inspected our windows, and measured our square footage. For a fee they offered us an energy audit to tell us how much we could save. Mr. Young reached out to them to see if they would be willing to come back and update the information so we can see where improvements need to happen. It was twelve years ago when it was recommended that we replace our HVAC system. The cheapest alternative in 2007 was \$800,000. He believes the costs will be in excess of over \$1,000,000 now. Mr. Young said Dwight Newberry expressed the urgency of having the HVAC system replaced. If it is not replaced very soon there could be a crisis on our hands especially since the jail runs off of this HVAC system. Mr. Young stated that

Davenport can come in and give us a financial statement of how much we can borrow and fund this project with our current budget. It is very urgent that we get this taken care of because failure will be more expensive. He explained that next year is the last payment to the landfill which is a little over \$200,000 so they could borrow money and use the savings from not having to make the landfill payment anymore. Combined with the energy savings this project will hopefully pay for itself. The Board agrees that this needs to be done. Mr. Young hopes to have a proposal to the Board by December.

Supervisor Hackworth asked if the courthouse was in good shape. Mr. Young stated that it was not. He discussed issues with ramps falling away after discovering it had been built by filling with dirt and encasing the ramp with concrete. Currently there is repair work being done on the roof. He said there are also sidewalk issues but the HVAC is still the number one urgent issue at the courthouse right now.

CONSIDERATION OF MAKING FAIRGROUND DUMPSTER A CONVENIENCE AREA

Mr. Young explained that the county has issues with citizens dumping trash at the fairground dumpsters so he has been considering turning this location into a dumpster convenience area for household waste only. He would like to research and see how much a permit would cost for this site to achieve this. Supervisor Hymes said he could assist with the permit costs from his district funds.

If the site were to become a convenience area, Supervisor Hackworth thinks it would be a good idea to put up wireless cameras at multiple angles to monitor the dumpster site and make sure citizens are using the site as intended. If the site is being misused that individual would be fined and should have to attend court to pay the fee.

SPENDING AND HIRING FREEZE EXTENDED UNTIL NOVEMBER 6TH

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 approves extending the spending and hiring freeze until November 6th.

The Board discussed again whether or not they should hire a grant writer. The Board would like Mr. Young to present them with a couple of options at the November BOS meeting.

TRANSFER OF \$3,000.00 FROM THE CONTINGENCY FUND TO THE FIRE PREVENTION/TRAINING FUND FOR FY19

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the transfer of \$3,000.00 from the Contingency Fund Account No. 91050-7023 to the Fire Prevention/Training Fund Account No. 32010-6013 for FY 2019.

LEACHATE TANK AT THE LANDFILL

Mr. Young informed the Board that there are issues with the leachate tank at the landfill. He says our engineers and Thompson and Litton inspected the tank and there is work that needs to be done. Mr. Anderson had said he believed the tank work could be done for around \$10,000. Additionally, the tank should be cleaned out annually but the last time the bottom of the tank was cleaned out was in 2003. The Board had discussed different solutions such as putting a mixer valve in the tank to help with the issue. Mr. Young said he would

check with Mr. Anderson before he leaves and see what their options are but either way the tank needs to be cleaned.

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 transfer of \$5,000.00 requested by the Interim County Administrator and up to \$15,000.00 from the Contingency Fund Account No. 9150-7023 if needed for the leachate issue at the landfill to clean out the tank and execute installations and improvements to prevent solids from escaping the tank.

BOARD CONCERNS

SUPERVISOR STACY

GRAHAM INTERMEDIATE SCHOOL PTO – FALL FESTIVAL \$1,000.00 FROM EASTERN DISTRICT FUNDS

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 amount of \$1,000.00 from the Eastern District Fund, payable to Graham Intermediate School PTO, 808 Greever Avenue, Bluefield, VA 24605, attn: A.J. Robinson. 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.

GRAHAM HIGH SCHOOL – COLLEGIATE DOWN INDICATOR AND CHAIN SET \$201.65 FROM EASTERN DISTRICT FUNDS

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 approves the amount of \$201.65 from the Eastern District Fund, payable to Graham High School, 210 Valleydale Street, Bluefield, VA 24605, attn: Matt Dixon. 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.

SUPERVISOR LESTER

CEDAR BLUFF ELEMENTARY SCHOOL – TEACHER APPRECIATION \$1,500.00 FROM WESTERN DISTRICT FUNDS

Upon motion of Supervisor Lester, 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 \$1,500.00 from the Western District Fund, payable to Cedar Bluff Elementary, 1089 E. Cedar Valley Drive, Cedar Bluff, Virginia 24609, attn: Betty Crabtree. 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.

Supervisor Lester questioned the other members of the Board wanting to know if they had heard of a new suboxone Clinic. He said it was in the North Tazewell/Springville area. Supervisor Stacy said he had heard something about it. Mr. Lester wanted to know if there was any type of license or registry that the county could require to operate a methadone or suboxone clinic. Mr. Young said this had been looked into several years ago

and he believes they are licensed through the FDA. Without a zoning ordinance there's really nothing we can do. The statute does say that a methadone clinic cannot be within a mile of a public school.

SUPERVISOR HYMES

Supervisor Hymes received a letter regarding the Greater Bluefield Chamber Leadership Program. He handed the letter to Supervisor Stacy to find someone to sponsor for the program.

Lastly, Mr. Hymes said former Board member John Absher mailed him a letter from AEP discussing rate increases.

SUPERVISOR HACKWORTH

Supervisor Hackworth talked about the Raven Theater opening from the week before. He said everyone involved done a phenomenal job and advised everyone to check it out. However, he said he spoke with Jack Ray and they are losing money because they started out as a nonprofit. He requested Pam Warden to reach out to him and point them in the right direction. Mr. Young said Margie Douglass would also be a good contact for the Raven Theater.

Then, Mr. Hackworth asked for a status update on the POW monument chair. Mr. Young said the issue has now been resolved and they are working on a date for the ceremony.

Lastly, Supervisor Hackworth discussed how nice the Tazewell County Wall looks. They hope to work something out to show to the Board.

SUPERVISOR ASBURY

TRANSFER

ABBS VALLEY FIRE DEPARTMENT – PROTECTIVE GEAR \$2,000.00 FROM NORTHERN DISTRICT FUNDS

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 transfer of \$2,000.00 from the Northern District Fund, to the Fire Departments Fund Account No. 32010-8109 for the Abbs Valley Fire Department. 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.

FALLS MILLS FISHING CLUB – FALL STOCKING \$2,000.00 FROM NORTHERN DISTRICT FUNDS

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 \$2,000.00 from the Northern District Fund, payable to the Falls Mills Fishing Club, attn: Tom Scott. 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.

**TOWN OF POCAHONTAS – POCAHONTAS PUMPKIN FESTIVAL
\$400.00 FROM NORTHERN DISTRICT FUNDS**

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 \$400.00 from the Northern District Fund, payable to the Town of Pocahontas, Virginia 24635, attn: Ben Gibson. 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.

NOVEMBER BOS MEETING RESCHEDULED

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 reschedules the next Board of Supervisors meeting until Wednesday, November 7th at 4:00 P.M.

ADJOURN

Now, upon motion of Supervisor Asbury, 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, this meeting is hereby adjourned.

Margaret A. Asbury, Chair

/WP

ADJOURN TIME: 9:58p.m.