

VIRGINIA: AT A REGULAR MEETING OF THE TAZEWell
COUNTY BOARD OF SUPERVISORS HELD FEBRUARY 5, 2019
AT FOUR O'CLOCK P.M. IN THE TAZEWell COUNTY
ADMINISTRATION BUILDING, 197 MAIN STREET, TAZEWell
VIRGINIA 24651

PRESENT: TRAVIS HACKWORTH, CHAIRMAN
CHARLES A. STACY, VICE CHAIRMAN
MARGARET ASBURY, MEMBER
D. MICHAEL HYMES, MEMBER – left the meeting at 9:37 P.M.
TOM A. LESTER, JR., MEMBER
WHITNEY PARSONS, EXECUTIVE ASSISTANT
C. ERIC YOUNG, COUNTY ADMINISTRATOR
CHASE D. COLLINS, INTERIM COUNTY ATTORNEY
MEMBERS OF THE PRESS: JIM TALBERT, CLINCH VALLEY
NEWS/RICHLANDS NEWS PRESS; WARREN HINKLE, THE VOICE
NEWSPAPER

ABSENT: NONE

Chairman, Travis Hackworth called the regular meeting to order and presided, with all members in attendance. He welcomed those present.

Supervisor Lester 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 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 February 5, 2019 agenda as amended.

JANUARY MINUTES APPROVAL TABLED

Due to a computer failure the minutes had to be retyped and were not available to be mailed in time to the Board for review before the meeting.

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 tables the approval of the January 8, 2019 meeting minutes until the March meeting to give the Board time to review the minutes provided to them with their amended agenda.

CONSENT CALENDAR

Upon motion of Supervisor Stacy, 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 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**January 2019****Payroll**

Ordered that Warrant Nos. 143987 through 144016, and direct deposits totaling \$232,131.16 from the General, covering payroll for the various County agencies, for the period ending December 31, 2018, be approved.

Ordered that Warrant Nos. 144018 through 144044, and direct deposits totaling \$234,532.25 from the General Fund, covering payroll for the various County agencies, for the period ending January 15, 2019, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 485270 through 485404, and electronic transfers (ACH) totaling \$725,195.84 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the various County agencies issued December 27, 2018, be approved.

Ordered that Warrant Nos. 485406 through 485419, for \$152,012.42 from the General, covering payroll deductions for the various County agencies for the period ending December 31, 2018, be approved.

Ordered that Warrant Nos. 485421 through 485537, and electronic transfers (ACH) totaling \$2,166,709.57 from the General, Landfill Enterprise, Capital Outlay and Law Library Funds, covering operating expenses for the various County agencies issued January 9, 2019, be approved.

Ordered that Warrant Nos. 485539 through 4848554, for \$129,267.01 from the General Fund, covering payroll deductions for the various County agencies for the period ending January 15, 2019, be approved.

Handwritten

No Warrants were issued from the General, Landfill Enterprise, Capital Outlay, and Law Library funds, covering operating expenses for the month of December 2018.

Coyote Claims Approved

- \$50.00 to Bradley Cooper, P.O. Box 355, North Tazewell, Virginia 24630, for 1 female coyote killed by rifle on 1-19-2019.

- \$250.00 to Clinton Bell, 1987 Cove Road, Tazewell, Virginia 24651, for 5 female coyotes killed by snare on 1-28-2019 and 1-24-2019
- \$50.00 to Brian Tegeler, 105 Camp Evangel Road, Pounding Mill, VA 24637, for 1 female coyote killed by shotgun on 1-17-2019.
- \$50.00 to Timothy Snapp, 535 Manor Road, Pounding Mill, VA 24637, for 1 female coyote killed by trapping on 1-15-2019.
- \$50.00 to Jimmy Asbury, P.O. Box 1076, North Tazewell, VA 24630, for 1 female coyote killed by trapping on 1-9-2019.

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

- \$9,850.00 to Acct. 31020-8105 (received for total loss plus towing)
- \$2,334.90 to Acct. 31020-8105 (received for damaged equipment)
- \$55,890.00 to Acct. 35600-8109-30 (Grant Award under the FY18 State Homeland Security Program for Regional Interoperability Strengthening).
- \$100.00 to Acct. 035600-8109-15 (donation received from Adam Nicholas for Project Lifesaver.

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

- \$324.00 to Acct. 12060-5520 (received from Smyth County Tourism Association)
- \$324.00 to Acct. 12060-5520 (received from Town of Marion General Fund)
- \$648.00 to Acct. 12060-5520 (received from Virginia Tourism Corporation)

Southern District Funds

- Ratified \$200.00 to Sheriff's Office for Neighborhood Watch – Cove Community
- Ratified \$500.00 to Virginia Coal and Energy Alliance, Inc. for Annual 2019 VCEA Associate/Contributing Memberships
- Transferred \$5,000.00 from the Contingency Account No. 91050-7023 to the Buildings and Grounds Account No. 43020- 3310 for improvements to the Sheriff's Office Building.

KYLE LAUX - DAVENPORT & COMPANY LLC

Mr. Young introduced Kyle Laux from Davenport & Company of Richmond, Virginia. He had asked Mr. Laux to come and present some recommendations moving forward and how to recover from the financial situation that the decline of the coal industry had caused. Mr. Young thanked Mr. Laux for meeting with the Board earlier that day and going over their concerns in depth.

Mr. Laux started off by explaining that his purpose was to help identify strengths and weaknesses within Tazewell County. He said in terms of demographics and economy that coal has been up and down, which has caused financial concerns. Mr. Laux was also concerned by the County's level of cash reserves that the County has versus the size of its budget which he stated

is also a concern in surrounding counties. He believes the County would benefit by strengthening and enhancing its financial policies and that Davenport could help formulate a plan as the County works through their budgeting and capital processes. Mr. Laux said that Davenport believes that there is value into going out and getting some kind of flexible line of credit. He said those can take a variety of different forms and he couldn't say exactly what that would look like right now but given where the County is in terms of cash flows that there is value in margin for error in cash reserves. Davenport would like to work further with county staff and bring more specific recommendations back to the Board. He stated that overall debt levels were reasonable for a county our size.

Another thing Davenport reviewed with staff was planning a strategy plan to borrow and catch up on capital needs and to do it in such a way that it wouldn't require additional dollars out of the County's budget over and above what it's paying right now. He hopes to come back and work with staff during the budgeting cycle and have a specific plan of action and recommendation on where the County needs to head in.

SPENCER MORGENTHAU - SOUTHLAND ENERGY

Mr. Young stated that the last time Southland Energy visited the County was back in 2013 when they performed an audit for the County to see where we were losing and wasting energy. The Board at that time elected not to pursue the program Southland Energy suggested but Mr. Young said that they were gracious enough to come back and perform the audit again. He then expressed concern for the growing crisis with the HVAC system at the courthouse that has been budgeted and not addressed. He said if we don't address the issue we are going to have a really bad day at some point.

Spencer Morgenthau said Southland Energy came to the County around 2012-2013 and that they noted several buildings consuming a lot more energy and that he was surprised that nothing had been done since the audit was performed at the courthouse. Mr. Morgenthau then presented to the Board and audience a PowerPoint presentation that showcased data from 2012 and 2013 versus data from the recent audit. It included the Courthouse, Sheriff's Office, and Administration buildings. He explained that all of the systems that result in utility cost are what they examine. It has to go beyond energy efficiency and you have to consider options such as redesign or reconfiguration. He noted that it was important not to wait until an emergency happens to take action. Mr. Morgenthau suggested using a plan that would establish reliability and redundancy so if one unit fails you don't lose the whole building. He said there were several hot and cold spots in the courthouse. There are areas rarely occupied that are conditioned all of the time so there's a lot of opportunity to control and make more efficient and comfortable.

Supervisor Lester asked Mr. Young what the procurement process entailed. Mr. Young answered that it is a public private partnership and that they would give us a proposal and then we would advertise for anybody that would want to submit a competing proposal. Then a committee would evaluate the proposal and select the one that was in the best interest of the County. He made clear that a public private partnership is evaluated differently than the lowest bid and that you can consider many factors and options.

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 entertain entering into a public private partnership with Southland Energy for energy savings that include various County properties.

EXECUTIVE/CLOSED MEETING – 4:32 P.M.

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

- A(5) The potential location of a new business – Project Green Acres
- A(3) Property acquisition regarding the Registrar's Office
- A(3) Property disposition regarding the Fairgrounds
- A(1) Personnel matter regarding the County Administrator
- A(1) Personnel matter regarding the County Attorney
- A(7) Legal consultation regarding Santek contract
- A(7) Annual consideration of renewal of Richlands Fire and EMS contract

RETURN/CERTIFICATION/REPORT OF ACTION – 6:17 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, 2.2-3711 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:

Upon motion of Supervisor Lester, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, and with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby ratify the poll regarding the Project Green Acres feasibility study, using \$40,000.00 from the County's VCEDA account.

Upon motion of Chairman Hackworth, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, and with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorize the renewal of the contract with the Town of Richlands for Fire and EMS protection for the Western and Northwestern Districts for the same consideration as the current year for Fiscal Year 2020 beginning July 1, 2019 and ending June 30, 2020, and upon further motion to appoint a committee to negotiate a long term deal with the Town of Richlands for fire and EMS protection after Fiscal year 2020 which takes into account that the consideration has not increased since 2007 and that the County needs long term certainty that these services will be provided by the Town.

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 appoints Michael D. Hymes and Travis Hackworth to serve on the Fire and EMS Contracts Committee.

The Chairman stated that the Board would return into Executive Session later in the evening to discuss the following items:

- A(1) Personnel matter regarding the County Administrator
- A(1) Personnel matter regarding the County Attorney
- A(7) Legal consultation regarding Santek contract

SHOTT FOUNDATION GRANT RESOLUTION – SPECIAL PRESENTATION

The Chairman gave the floor to Supervisor Asbury who welcomed and introduced Jay Shott and Frank Wilkerson from the Shott Foundation. Before Supervisor presented the resolution she commended the Shott Foundation for going above and beyond and expressed how much Tazewell County appreciates the work that they do.

Now, upon motion of Supervisor Stacy, 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 adopts a resolution of appreciation for the Shott Foundation Grant. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia 24651.

BETH GRINDSTAFF RESOLUTION – SPECIAL PRESENTATION

Supervisor Asbury welcomed Beth Grindstaff's daughter Jackie Grindstaff Crisp, as well as numerous other Grindstaff family members and friends to present a resolution in memory of Beth Grindstaff who had served Tazewell County in various capacities.

Now, 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 resolution in memory of Beth Grindstaff. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia 24651.

Supervisor Hymes expressed his gratitude for Beth Grindstaff who contributed her time and efforts to serve Tazewell County in various capacities.

KENNETH DUNFORD – INTERIM DIRECTOR OF ENGINEERING

Kenneth Dunford discussed various projects such as Clinic Road, the Richlands School Complex, Rogich Road, Orphan Road Policy, and the Clear Fork Flood Study.

Mr. Dunford said he has been receiving calls and emails from the State regarding the Landfill Management Plan that is two years overdue. He since has contacted the County's landfill consultant, Joyce Engineering, and asked that they prepare a price for us to get the plan completed. He explained that the management plan is similar to a comprehensive plan for a landfill and asked the Board to review the price in their supplemental agenda that Joyce Engineering prepared.

Mr. Young addressed the Chairman and explained that this was a non operational cost and that the County has to do this plan to demonstrate what our intentions are with the landfill. He expressed the importance that we get the plan completed on our own so that we can review it and get Joyce Engineering's opinion on where we are going to go or could go with this. Mr. Young said we could work with Santek to put together a plan but that it is also important to put together our own plan as well.

The Chairman asked Dave Massingale with Santek if \$9,500.00 sounded reasonable. Mr. Massingale said that it was. Mr. Dunford requested a motion to take the money out of the contingency fund to proceed. Supervisor Hackworth asked when the State was requiring us to have the plan completed by and Mr. Dunford answered with, "As quickly as possible because it is two years overdue". Supervisor Hymes asked what would happen if the County didn't complete it and Mr. Dunford explained that we could potentially be fined. Mr. Young expressed the importance of getting the plan completed.

Upon motion of Supervisor Stacy, 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 authorizes the transfer of \$9,500.00 from the

Contingency Fund Acct. 91050-7023 to the Landfill Contractual Acct. 42040-3002 for Joyce Engineering, Inc. to prepare the Solid Waste Management Plan (SWMP).

Mr. Dunford then pointed out that the County in 2017 did not meet its recycling goal. He said that our goal is to be at least 18% recyclable and we were only 14%-15% that year. The Chairman asked who monitors the percentages and Mr. Dunford said the State mostly but the County does as well. He explained that his predecessor, Mr. Anderson, would call business such as Wal-Mart, Food Lion, Lusk, etc., and those businesses would report the numbers that they had recycled that didn't go into our landfill. He said it seemed that we were on track this year to meet our recycling goal but that the State is still requiring us to do a Recycling Management Plan, which was due a year ago because we didn't meet 2017 requirements. Mr. Dunford asked the Board to review his attachment provided in their supplemental agenda. It included a quote from Joyce Engineering to prepare for us the recycling plan, which Mr. Dunford requested approval for.

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 authorizes the transfer of \$3,700.00 from the Contingency Fund Acct. 91050-7023 to the Landfill Contractual Acct. 42040-3002 for Joyce Engineering, Inc. to prepare the Recycling Action Plan.

REBECCA BREWSTER – FIRE & EMS OPERATIONS ADMINISTRATIVE ASSISTANT

Rebecca Brewster filled in for Barry Brooks the Director of Fire and EMS Operations. She discussed the Virginia Fire and Rescue Conference and the Board agreed to share the cost for attendance. The Fire and EMS Operations Office will pay for the conference and then the Board of Supervisors will then transfer funds to reimburse half the cost for each attendee. Supervisor Stacy agreed to assist with payment for two of the attendees from the Eastern District.

Mrs. Brewster announced to the Board that there will be a chili cook off fundraiser on March 23rd located at the fairgrounds. She then said that the Apparatus Committee was still searching for a fire engine for Bandy that meets their needs and budget requirements. Then she said that EMS was almost out of the Bluefield building and into their new location. She expressed how much help the Maintenance Department and Dave White had been in assisting with the move.

Earlier, Mrs. Brewster provided the Board with the EMS Monthly Deposit Record and the EMS Billing Receivables Detailed Report. The Board reviewed over the reports and was pleased that the reports were getting more accurate and closer to balancing out and generating income.

PAM WARDEN – ECONOMIC DEVELOPMENT MANAGER

The Economic Development Manager reported several motions approved by the IDA. The IDA approved a letter of support for the VCEDA application for Project Green Acres and

ratified a poll supporting the Town of Pocahontas application for an ARC grant for restaurant equipment for the Exhibition Mines. They in addition approved a VCEDA application for Project LAW to apply for a \$600,000.00 loan for expansion. Security Camera installation at the Bluestone Park was also approved.

Ms. Warden informed the Board that Blue Wolf would be holding a job fair on Wednesday, February 13th and were searching for warehouse workers, MIG welders, assembly mechanics, and electricians. She said SWVA Development Workforce Board was the one organizing Blue Wolf's job fair.

Ms. Warden further reported that the SWVA Development Workforce Board has a program called the Small Business Extension and Empowerment Initiative. She stated they are currently working with a total of eleven businesses in Tazewell County. She said five have signed up and six are in the hopper. They assist businesses with marketing, accounting, advanced manufacturing, and etc. One of the companies that the program is assisting is the Trailhead Company Store. The program has assisted them with funds to help restock the convenient store gas station with food, camping gear, supplies, etc. They were also able to get a loan to help purchase gasoline. Mr. Young commented that the convenient store is critical for the trailhead that we have.

DAVID WOODARD – TOURISM AND COMMUNITY DEVELOPMENT DIRECTOR

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 approve the 2019 Five Year Strategic Tourism Plan. The plan was previously presented to the Board at January's meeting. A copy is on file at the County Administrator's Office.

Mr. Woodard presented to the Board a tourism video that showcased the culture and history of the towns in Tazewell County.

CPPD

Supervisor Stacy said he had little to report on this month. CPPD is working on a process to try and see if some of the Sunset settlement money could work its way back to the County but it will be a process that will have to comply with the federal programs that originally contributed to the Optinet system. The next meeting will be sometime in March.

PUBLIC HEARING 7:17 P.M. – 7:38 P.M.

AUTHORIZING THE OPERATION OF OFF-ROAD RECREATIONAL VEHICLES ACROSS A PORTION OF VA STATE SECONDARY RT. 644

The Chairman called to order a public hearing that was duly advertised according to law entitled, "An Ordinance to Authorize the Operation of Off-Road Recreational Vehicles Across Virginia State Secondary Route 644, in Tazewell County, Virginia."

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

Mr. Young explained that the County is allowed by statute to authorize ATV use on certain VDOT roads. He noted that there has been confusion from the public on how far we can go and where we can authorize that use but that the statute makes clear how far we can go. Mr. Young said our efforts were to go as far as we could for the moment and as our trail expands and grows then there will be other access points and other mileage that we could take in. He said if we are not at the 5 mile limit we are close to it. Mr. Collins spoke up and stated that it was approximately 4.8 miles as advertised. Mr. Young clarified that the County cannot just add all of Rt. 644 and make it an ATV trail. Supervisor Hackworth asked where the area in question was located. Mr. Collins explained that it was at the extension of Kayla Avenue back to the Miner's Park and directed the Board to view the map that had been provided.

NAME	ADDRESS	COMMENTS
1. Matthew Kessler	6047 Abbs Valley Road	He is a property and business owner in the Boissevain and Pocahontas areas. He believes the expansion of the ATV route would be a big benefit to locals and riders coming to the area as well as business owners.
2. Bruce Remines	Northern District	He would like more roads opened up to the trail system. He owns a side by side and he isn't allowed to ride it down the road near his house but he dodges bicycles and farm tractors on the same road. He wants it handled fairly. ATV riders in Bramwell will not travel to the VA side because they say it is a hassle to get on the little bit of trail and not get to go anywhere.
3. Harry Nolley	4801 Abbs Valley Road	He wanted to know why the Board couldn't extend it from Boissevain Circle because he believed it was designated as a trailhead. Mr. Collins, Mr. Young, and Jeff Buchanan explained that it is 5 miles from the trailhead and not 5 miles from the already adopted piece of land. And further stated that Boissevain Circle was not considered a trailhead but that they would check with SRRA to get a definite answer.
4. Eddie Pauley		He wants it extended through Laurel Creek. Supervisor Asbury explained the many challenges that the RDA has faced since the 3 years she has been on the authority and that they have difficulty trying to accomplish what they want to. She said that the extension was not to enhance any business but the purpose was to help our riders who bring money into our County and that this was what the riders want. Mr. Young explained that if it's less than 35 mph road then we can add as much of it as we want.
5. Alan Nolley	550 Williams Street	He explained that he and his wife own a business 2.8 miles away from where the current extension would be. The business has lost revenue because of the current ATV route. Mr. Young said they are trying to extend as much as possible.

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

Supervisor Hymes asked the Board if they thought the overall comments were positive. Chairman Hackworth and Supervisor Asbury stated yes. Harry Nolley spoke from the crowd that it was his belief that the Board was just going to take advice and not make a decision until the following meeting. Supervisor Hymes stated that the Board could. Mr. Young said they had discussed it and there's no limit that they could add 3 miles this month and come back and add 2 miles next month. The County has plans to extend it as far as they can.

Supervisor Asbury proclaimed that the whole goal is to be able to get the trail to the head of Abbs Valley and hopefully farther one day. She understands that riders need more mileage to get them to stay in our County more than one night; to stay in Mr. Nolley's cottages that are beautiful.

Then, 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 adopts "An Ordinance to Authorize the Operation of Off-Road Recreational Vehicles Across Virginia State Secondary Route 644, in Tazewell County, Virginia". A copy of the Ordinance can be found on file at the County Administration Office.

Supervisor Stacy asked if there was anything that needed to be placed on next month's agenda.

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 ask that Mr. Pauley's recommendation of extending the ATV route through Laurel Creek Road be placed on March's agenda for further discussion.

SCHEDULED CITIZEN COMMENTS

JEFF BUCHANAN – VDOT

RESOLUTION ADOPTED - ADDITION OF DEERFIELD SUBDIVISION STREETS INTO THE SECONDARY SYSTEM OF STATE HIGHWAYS

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 adopt a *Resolution for the Addition of Deerfield Subdivision Streets into the Secondary System of State Highways*. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia 24651.

RESOLUTION ADOPTED - THOMAS BURNS CHILDRESS BRIDGE

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 adopt a *Thomas Burns Childress Memorial Bridge Resolution*. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia 24651.

TEEN DATING VIOLENCE AWARENESS MONTH PROCLAMATION JENNIFER BOURNE

Supervisor Hymes welcomed Jennifer Bourne, Family Crisis Services Director/Planner, Clinch Valley Community Action, Inc. She requested that the Board of Supervisors adopted a resolution proclaiming the month of February 2019 as Teen Dating Violence Awareness Month in Tazewell County.

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 do proclaim February 2019 as Teen Dating Violence Awareness and Prevention Month. I urge all residents of Tazewell County to set positive examples for our teenagers by celebrating and demonstrating healthy relationships, to engage in activities that prevent and respond to teen dating violence, and to recommit to ensuring that all people who may be in an abusive relationship have access to help and support. Together, we can reach a day when no young person knows the pain caused by dating violence.

UNSCHEDULED CITIZEN COMMENTS

1. Travis Bandy, 231 Gillespie Road, Pounding Mill, VA 24637 discussed speaking with Mr. Dunford regarding the county speaking with John Rogich about turning his road into an emergency access road. Mr. Bandy does not believe this plan will work for emergency access. He described an incident where a man was injured cutting wood and had broken his hip and needed an ambulance. Mr. Bandy stated that it took three hours to get him out of there because it is not very accessible for an ambulance. He stated that Mr. Rogich always has several things parked in the road and that it would have to be kept open and cleared if it were going to be an emergency access road. He admitted that it sounded like a good idea but if there was bad weather an ambulance could not make it through there. He said that even if you made it a temporary road you're still going to have to build sections to get out away from the steep hill.

Mr. Young said they had hopes that they could get Bluefield State College to do the engineering but that they didn't agree to do so. He explained that if the County engineers the road it is going to be expensive. He believes the emergency access road would provide improvement until we figure out how much money is needed to do what was planned.

Supervisor Hackworth and Mr. Young directed Mr. Dunford to revisit and see what pricing Mr. Anderson had quoted for Rogich Road engineering work.

APPOINTMENTS

AIRPORT AUTHORITY BOARD

Supervisor Hymes tabled his nomination of a replacement for Carolyn Barber until the next BOS meeting.

CUMBERLAND MOUNTAIN COMMUNITY SERVICES BOARD

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 appoints Cathy McClanahan, 812 Sage Hill Road, Cedar Bluff, VA 24609 to serve as a member of the Cumberland Mountain Community Services Board, with a term effective immediately and expiring January 31, 2022. This appointment fills the expired term of Shane Clem.

CUMBERLAND PLATEAU PLANNING COMMISSION DISTRICT

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 appoints, Michael Hoops, 227 Church Street, Tazewell, VA 24651 to serve as a member of the Cumberland Plateau Planning Commission District, with a term effective immediately and expiring December 31, 2020.

LIBRARY BOARD OF TRUSTEES

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 reappoints Beth Quesinberry, P.O. Box 112, Pocahontas, VA 24635 to serve as a member of the Library Board of Trustees, with a term continuing and expiring January 31, 2023.

SVAM GRANT REQUEST APPROVED

Mr. Young recalled that we entered into an agreement with SVAM (Southwest Virginia Advanced Manufacturing). They had received a substantial grant from the Tobacco Commission to pay for \$800,000.00 of equipment to teach advanced welding techniques at our Workforce Training Center located on Camp Joy Road. The equipment has been in place at the County's expense and modifications were made to the building. The County has housed equipment and paid utilities and the drawback is money is needed to operate. SVAM has been awarded the grant from DHCD for \$300,000.00 to operate the facility. He said that we are the grantee and we contracted with SVAM to form the duties of the grant. Mr. Young expressed that this was critical if we want our people to fill these jobs.

Upon motion of Supervisor Hymes, 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 accepting a \$300,000.00 block grant agreement from the Department of Housing and Community Development and an Agreement with SVAM to use the grant proceeds to perform workforce training in Tazewell County to give our citizens the skills to get the jobs which are being created in our region in the now growing economy and upon further motion the authorizes the Administrator to execute such documents as may be necessary to accept such grant.

EQUALIZATION BOARD REPORT

Mr. Young said that there wasn't a significant impact on revenue from the Equalization Board. There were some big appeals that had been submitted but were denied. He read from their report that 126 appeals were received; 78 were residential, 29 were commercial, 1 was industrial, and 18 were agricultural. Out of the 126 appeals only 68 of them were reduced. He noted that there were various reasons for deductions and that it had been an uneventful adjustment period.

APPROVED ABATEMENT FOR OVERPAYMENT OF TAXES \$98.60

Upon motion of Supervisor Stacy, seconded by Supervisor Lester and adopted by a vote of 4 to 0, with Supervisor Hackworth abstaining, the Tazewell County Board of Supervisors authorizes the abatement for overpayment of taxes in the amount of \$98.60 to Hackworth Investments, LLC, P.O. Box 324, Cedar Bluff, Virginia 24609, attn: Travis Hackworth.

APPROVED \$13,814.80 TREASURER'S REQUEST FOR POSTAGE, SECOND NOTICES, DECALS

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 authorizes the Treasurer's request to restore \$13,814.80 that was used for postage, second notices, and decals.

EMERGENCY OPERATIONS PLAN 2019

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 adopts a resolution approving the *Emergency Operations Plan 2019 for Tazewell County, Virginia*. A copy of the resolution in a form as hereby adopted is on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia 24651.

TABLED - CONTRACT MODIFICATION EXTENSION WITH ROBINSON, FARMER, COX ASSOCIATES

The Board reviewed the contract with Robinson, Farmer, Cox Associates provided to them in their revised agenda packet. Mr. Young explained that previously we had advertised for

a contract and they were the ones chosen to conduct our annual audits. The contract can be extended for up to five years, one year at a time. This would be our last extension and if the County would like to change auditors now is the time to start looking into that.

The Board wanted more time to consider their options and gave Mr. Young the authority to negotiate with the auditors when needed. Mr. Young said that Robinson, Farmer, Cox Associates usually don't start their preliminary work until late May or June.

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 table the contract extension with Robinson, Farmer, Cox Associates until further information is provided to them.

EXECUTIVE/CLOSED MEETING - 8:14 P.M.

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

- A(1) Personnel matter regarding the County Administrator
- A(1) Personnel matter regarding the County Attorney
- A(7) Legal consultation regarding Santek contract

RETURN/CERTIFICATION/REPORT OF ACTION – 9:26 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, 2.2-3711 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:

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 appoints Charles Eric Young as County Administrator effective March 1, 2019 and upon further motion approve a two year contract that was prepared by Wythe County Attorney, Scott Farthing. The contract is a part of the file and is on file in the County Administration Office.

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 appoints Chase D. Collins as Interim County Attorney effective March 1, 2019.

Mr. Collins thanked members of the Board and expressed his excitement to serve as Interim County Attorney for Tazewell County.

Upon motion 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 approved that the Board negotiate with Scott Farthing of Wythe County and Sands Anderson of Christiansburg for two separate retainer agreements whereby they provide the Board with additional legal service on an as needed basis only and upon further motion authorize the County Administrator to determine which projects are assigned to Mr. Collins, which are assigned to Mr. Farthing, and which are assigned to Sands Anderson, based on expertise, expediency, and cost containment.

Upon motion of Supervisor Lester, 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 authorizes the County Administrator to negotiate with localities in Southwest Virginia and Southern West Virginia for agreements to dispose of their waste at the County landfill for a rate per ton charge and multiyear terms which were discussed in executive session.

Upon motion of Supervisor Lester, 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 authorizes the County Administrator and the Chairman to negotiate with Santek for a long term agreement, whereby Santek operates the landfill and the transfer states and convenience sites at their expense and charges the Board of Supervisors a price per ton for disposing of Tazewell County residents' waste, instead of the monthly fee we now pay, and which includes the Board receiving a credit toward such charge

equal to a portion of the proceeds from the fees charged to other localities for disposal of their waste at our landfill, according to the terms discussed in executive session.

Upon motion of Supervisor Lester, 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 authorizes the county Administrator to apply to DEQ to modify the County's permit at the landfill to increase the maximum waste we can accept at the landfill per day to 1,000 tons.

BOARD CONCERNS

SUPERVISOR STACY

Supervisor Stacy tabled the following items until the next Board meeting; he would like to see if the Budget Committee wants to make any recommendations:

- Land Use Exemption Revaluation
- Business Registration
- Fee for Late Filing of Machinery & Tools Tax Returns

Mr. Stacy mentioned speaking to Mr. Young about a presentation he attended that was presented to the City of Bluefield, West Virginia. He said the Community Solutions Group was outstanding in their presentation on how parks could be economic drivers if they were developed properly. Supervisor Stacy would like to see if our IDA or anyone would consider letting them evaluate the Bluestone and see if they had any ideas or ways to add a recreational component to the park.

GRAHAM HIGH SCHOOL - PROJECT GRADUATION

\$1,500.00 EASTERN

\$500.00 NORTHERN

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 authorizes the amount of \$1,500.00 from the Eastern District Fund and \$500.00 from the Northern District Fund, for a total of \$2,000.00 payable to GHS Project Graduation 2019, 210 Valleydale Street, Bluefield, Virginia 24605, attn: Suzanne Brinegar. Said 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.

Supervisor Stacy asked Ms. Parsons to prepare a special recognition resolution to the GHS State Championship Football Team for their achievements.

SUPERVISOR HYMES

TAZEWELL HIGH SCHOOL – PROJECT GRADUATION

\$1,000.00 SOUTHERN

\$500.00 NORTHERN

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 authorizes \$1,000.00 from the Southern District Fund and \$500.00 from the Northern District Fund, for a total of \$1,500.00 payable to the Tazewell High School Project Graduation – Class of 2019, 167 Cosby Lane, Tazewell, Virginia 24651, attn: Ms. Lafferty. Said 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.

COMMUNITY DEVELOPMENT COMMITTEE APPOINTMENT

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 appoints Irma Mitchell, 166 Scranton Avenue, Tazewell, VA 24651 to serve as a member of the Community Development Committee.

Supervisor Hymes asked that Ms. Parsons prepare a resolution recognizing Kasey Addair for her accomplishments in martial arts.

TAZEWELL COUNTY FAIR 2019 – RODEO

\$250.00 SOUTHERN

\$250.00 NORTHERN

\$250.00 EASTERN

\$250.00 NORTHWESTERN

\$250.00 WESTERN

Supervisor Hymes said Donnie Yates who works with the Tazewell County Fair called and told him that they do not have enough old cars to have a demolition derby this year so they are requesting funds from the Board to do a Rodeo instead.

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 authorizes \$250.00 from each district fund for a total of \$1,250.00. Said 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.

NOTE: 2-7-2019 Supervisor Hymes requested that we hold off on payment until directed otherwise due to confusion with Tazewell County Fair personnel's request.

TAZEWELL BASEBALL BOOSTERS, INC.**\$1,000.00 SOUTHERN****\$500.00 NORTHERN**

Upon motion of Supervisor Asbury, 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 authorizes \$1,000.00 from the Southern District Fund and \$500.00 from the Northern District Fund, for a total of \$1,500.00 payable to the Tazewell Baseball Boosters, Inc., P.O. Box 1393, North Tazewell, VA 24630, attn: David Larimer. This will help purchase cleats for the Tazewell Varsity, J.V. Middle and High School teams. Said 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.

*Supervisor Hymes left the meeting at 9:37 P.M.

SUPERVISOR ASBURY**FALLS MILLS FISHING CLUB****\$2,000.00 NORTHERN**

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 4 to 0, with Supervisor Hymes absent, 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, P.O. Box 74, Falls Mills, Virginia 24613, attn: Tom Scott. Said 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.

SUPERVISOR LESTER**RICHLANDS HIGH SCHOOL – DECA CLUB****\$500.00 WESTERN****\$500.00 NORTHWESTERN**

Upon motion of Supervisor Lester, seconded by Supervisor Hackworth and adopted by a vote of 4 to 0, with Supervisor Hymes absent, the Tazewell County Board of Supervisors hereby authorizes \$500.00 from the Western District Funds and \$500.00 from the Northwestern District Funds for a total of \$1,000.00, payable to RHS DECA Club, 138 Tornado Alley, Richlands, VA 24641, attn: Paula Bandy. These funds will help the students traveling to the Virginia DECA State Leadership Conference. Said 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.

RICHLANDS HIGH SCHOOL – PROJECT GRADUATION**\$250.00 WESTERN****\$250.00 NORTHWESTERN**

Upon motion of Supervisor Lester, seconded by Supervisor Asbury and adopted by a vote of 4 to 0, with Supervisor Hymes absent, the Tazewell County Board of Supervisors hereby approves \$250.00 from the Western District Funds and \$250.00 from the Northwestern District Funds for a total of \$500.00, payable to RHS Project Graduation 2019, mail to: Project Graduation P.O. Box 444, Pounding Mill, VA 24637. Said 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.

RICHLANDS HIGH SCHOOL – BASEBALL TOURNAMENT**\$250.00 WESTERN****\$250.00 NORTHWESTERN**

Upon motion of Supervisor Lester, seconded by Supervisor Hackworth and adopted by a vote of 4 to 0, with Supervisor Hymes absent, the Tazewell County Board of Supervisors hereby approves \$250.00 from the Western District Fund and \$250.00 from the Northwestern District Funds for a total amount of \$500.00, payable to RYBC, 138 Tornado Alley, Richlands, VA 24641, attn: Aaron Buchanan. Said 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.

SUPERVISOR HACKWORTH**JEWELL RIDGE FIRE DEPARTMENT – FIRE TRUCK REPAIR****\$1,650.00 NORTHWESTERN**

Upon motion of Supervisor Hackworth, seconded by Supervisor Stacy and adopted by a vote of 4 to 0, with Supervisor Hymes absent, the Tazewell County Board of Supervisors hereby approves the amount of \$1,650.00, payable to the Jewell Ridge Fire Department, P.O. Box 197, Jewell Ridge, VA 24622, attn: Brian Lowe. These funds will be used to help pay for pump repairs for a fire truck. Said 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.

ADJOURN

Now, upon motion of Chairman Hackworth, seconded by Supervisor Stacy and adopted by a vote of 4 to 0, with Supervisor Hymes absent, this meeting is hereby adjourned.

Travis Hackworth, Chair

By: WP

ADJOURN TIME: 9:40 P.M.