VIRGINIA: AT A REGULAR MEETING OF THE TAZEWELL

COUNTY BOARD OF SUPERVISORS HELD NOVEMBER 7, 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 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.

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

Chairman Hackworth congratulated Supervisors Asbury and Stacy on winning another election term and thanked the people of the Northwestern District for reelecting himself to represent them another term.

AGENDA APPROVED AS AMENDED

Supervisor Stacy added discussion of the Review of the Disability Insurance Policy.

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 November 7, 2019 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 October 1, 2019 Tazewell County Board of Supervisors meeting minutes as written.

CONSENT CALENDAR

Chairman Hackworth made it known that he would be abstaining from voting on item (G.) regarding Hackworth Investments, LLC that he and his brother own.

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 following items (A. – F., H. and I.) 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:

A. WARRANTS October 2019

Payroll

Ordered that Warrant Nos. 144461 through 144481, and direct deposits totaling \$244,171.91 from the General, covering payroll for the various County agencies, for the period ending September 30, 2019, be approved.

Ordered that Warrant Nos. 144483 through 144504, and direct deposits totaling \$246,627.42 from the General Fund, covering payroll for the various County agencies, for the period ending October 15, 2019, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 487680 through 487791, and electronic transfers (ACH) totaling \$1,559,834.19 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the various County agencies issued September 25, 2019, be approved.

Ordered that Warrant Nos. 487793 through 487807, for \$145,772.68 from the General, covering payroll deductions for the various County agencies for the period ending September 30, 2019, be approved.

Ordered that Warrant Nos. 487809 through 487972, and electronic transfers (ACH) totaling \$18,871.00 from the General, Landfill Enterprise, Capital Outlay and Law Library Funds, covering operating expenses for the various County agencies issued October 8, 2019, be approved.

Ordered that Warrant Nos. 487974 through 488097, and electronic transfers (ACH) totaling \$1,234,777.65 from the General, Landfill Enterprise, Capital Outlay and Law Library Funds, covering operating expenses for the various County agencies issued October 10, 2019, be approved.

Ordered that Warrant Nos. 488099 through 488114, for \$128,561.02 from the General Fund, covering payroll deductions for the various County agencies for the period ending October 15, 2019, be approved.

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Ordered that Warrant No. 802073 through 802074 for \$17,500.00 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the month of September 2019, be approved.

- B. <u>Sheriff's Department</u> Transferred the following amounts from the Contingent Expenditures and Grant Account No. 91050-7041 to the Sheriff Department Accounts as follows:
 - ➤ \$1,951.60 to Acct. 31020-6009 (received from VACORP for 2013 Dodge Pickup accident VIN#1C6RR7FT0S621506)
 - ➤ \$1,141.20 to Acct. 31020-6009 (received from VACORP for 2014 Ford Explorer accident VIN#1FM5K8B99EGC02435)
 - ➤ \$563.25 to Acct. 31020-6009 (received from VACORP for 2017 Ford Police Interceptor VIN#1FM5K8AR4HGD59006)
 - \$1,322.06 to Acct. 31020-6009 (received from VACORP for 2013 Ford Taurus VIN#5774
 - ➤ \$1,122.79 to Acct. 31020-1150 (received from Cumberland Mountain Community Services)
- C. <u>Library Account</u> Transferred the following amounts from the Contingent Expenditures and Grant Account No. 91050-7041 to the Library Accounts as follows:
 - ➤ \$50.00 to Acct. 7301-3099 (received from Alisa Snapp)
 - > \$75.00 to Acct. 7301-3099 (received from Tri-Cities Skin & Cancer)
 - ➤ \$100.00 to Acct. 7301-3099 (received from Rita H. Smith)
 - ➤ \$100.00 to Acct. 7301-3099 (received from Copeland Law Firm)
 - \$450.00 to Acct. 7301-6012 (received from North Tazewell Lions Club)
 - ➤ \$2,000.00 to Acct. 7301-3099 (received from Community Foundation of the Virginias, Inc.)
- D. <u>Commissioner of Revenue</u> Transferred the following amounts from the Contingent Expenditures and Grant Account no. 91050-7041 to the Commissioner of Revenue Accounts as follow:
 - \$250.00 to Acct. 12090-6001 (ck#102626 dated 10-4-2019 received from Courthouse Retrieval System)
 - \$250.00 to Acct. 12090-6001 (ck#111637 dated 10-25-2019 received from Black Knight Infoserv LLC)
- E. Authorized the amount of \$100.00 from the Southern District Funds to the Treasurer of Tazewell County to pay Nuckolls Hall rental fees for the Rotary Club poinsettia delivers on December 2, 2019.
- F. Approved Mr. Young to carry forward an annual leave balance of up to 388 hours of annual leave in consideration of his employment in dual roles as County Administrator and County Attorney in 2018 and early 2019.

- H. Authorized the abatement for overpayment of taxes for \$64.39 and \$67.62 for a total amount of \$132.01 to Donna Lawson Whittington, 151 Kirby Road, Raven, VA 24639.
- I. Authorized the amount of \$1,000.00 from the Sothern District Funds to the Cove Community Center, 1987 Cove Road, Tazewell, VA 24651; attn. Clinton Bell. These monies will go to help with roofing. 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, VA.

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 4 to 0, with Chairman Hackworth abstaining, the Tazewell County Board of Supervisors hereby approves item (G.) presented on the "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:

G. Authorized the abatement for overpayment of taxes in the amount of \$98.60 and the seven corrected assessments account for depreciation upon personal property for \$274.92 totaling together \$373.52 to Hackworth Investments, LLC, P.O. Box 324, Cedar Bluff, Virginia 24609.

EXECUTIVE/CLOSED MEETING – 4:15 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 regarding an IDA member
- ➤ A(1) Personnel regarding Interim County Attorney
- ➤ A(1) Personnel regarding Interim County Engineer
- ➤ A(1) Personnel regarding Interim Director of Community Development and Tourism
- ➤ A(1) Personnel in Maintenance
- ➤ A(5) Project Jonah
- ➤ A(7) Legal consultation regarding Justice tax suit
- ➤ A(7) Marinus Litigation
- ➤ A(29) Contract negotiations regarding Courthouse HVAC
- ➤ A(29) Contract negotiations regarding Santek

RETURN/CERTIFICATION/REPORT OF ACTION – 6:15 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: None (0)

Chairman Hackworth announced that the Board would be returning into Executive Session later in the meeting.

SPECIAL PRESENTATIONS

WILLIE "ROGER" GRIFFITH MEMORIAL BRIDGE RESOLUTION

Supervisor Asbury welcomed the family of Willie "Roger" Griffith to present them a resolution requesting that the Commonwealth Transportation Board name the bridge on Route 16, "Stoney Ridge Road", over Horsepen Creek in the Bishop Community of Tazewell County as the "Willie "Roger" Griffith Memorial Bridge". Mr. Griffith, was a member Special Four B Company, 2nd Battalion, 502nd Infantry, 101st Airborne Division USARV and was killed at the age of 20 on May 18, 1967 in Vietnam following an act of heroism which won him acclaim from the United States government and the Republic of South Vietnam.

Now, Supervisor Asbury presented, read, and moved to adopt the *Willie "Roger" Griffith Memorial Bridge Resolution*, with Supervisor Hymes seconding and with all members present

TAZEWELL COUNTY CAREER & TECHNICAL CENTER – SkillsuSA $\mathbf{1}^{ST}$ PLACE MASONRY COMPETITION WINNERS

Chairman Hackworth welcomed instructor Robert Spot Steele, Anthony Ball, and Cole Watts from the TCCTC to present them a resolution for their success in placing 1st place in the SkillsUSA Masonry Competition.

Now, upon motion of Chairman 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 adopts a resolution entitled, "A Resolution Commending SkillsUSA 1st Place Masonry Competition Winners". 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.

DR. CHRIS STACY, SUPERINTENDENT OF TAZEWELL COUNTY PUBLIC SCHOOLS - 2018 STANDARD OF LEARNING TEST SCORES

Superintendent Stacy reported that last year TCPS were ranked as 10th out of 132 divisions for best performing school district in the commonwealth for SOL scores. Mr. Stacy said without the Boards support they could not be as successful and thanked the Board by giving each supervisor a t-shirt celebrating the test scores.

PUBLIC HEARING – PROPOSED ORDINANCE TO AUTHORIZE THE OPERATION OF OFF-ROAD RECREATIONAL VEHICLES ACROSS A PORTION OF VIRGINIA STATE SECONDARY ROUTE 783

6:32 P.M. – 6:35 P.M.

Mr. Collins said that Spearhead put in a lot of effort to get the Jawbone Trail completed to be used for Jeeps and off-road recreational vehicles in the Doran area of Tazewell County. He referenced a map of the area and explained that a portion of Virginia State Secondary Route 783 (Acme Road) was approximately a 300ft section that the Board would need to authorize the use of off-road recreational vehicle travel on. He explained that the Jawbone Trail is intended for Jeeps and that the Spearhead Trail is used for ATV's/UTV's and that it would be appropriate for the Board to consider adding this section of road so that it may be traveled by off-road recreational vehicles. Mr. Collins noted that the Ordinance also included special safety measures for children between the ages of twelve and sixteen as well as children under the age of twelve.

Chairman Hackworth mentioned the Jawbone Trail being in his district and stated that the trail head had recently been closed down due to vandalism but that they were working through it to get it back opened up.

The Chairman called to order a public hearing that was duly advertised according to law regarding AN ORDINANCE TO AUTHORIZE THE OPERATION OF OFF-ROAD RECREATIONAL VEHICLES ACROSS A PORTION OF VIRGINIA STATE SECONDARY ROUTE 783.

Now, the Chairman called for public comments from the floor three times with regard to the public hearing. There being no comments he declared the public hearing closed.

Upon motion of Supervisor Lester, seconded by Supervisor Hymes, and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopt AN ORDINANCE TO AUTHORIZE THE OPERATION OF OFF-ROAD RECREATIONAL VEHICLES ACROSS A PORTION OF VIRGINIA STATE SECONDARY ROUTE 783. A copy of the Ordinance can be found on file at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

CITIZEN COMMENTS

Chairman Hackworth asked Ms. Shortt to attend the meeting to discuss the lack of broadband service in her area and asked the County Administrator to first provide a brief update.

Mr. Young recalled speaking with a couple of other community members a few months back to discuss their lack of high speed internet concerns. He then spoke with the closest internet provider, Spectrum, and they advised him that it would cost approximately \$130,000.00 to extend internet to the community. One of the given reasons was that they would have to boost their signal if they were a certain distance out. Spectrum stated that they would put about half of the funds up themselves but that they would have to have the other half somewhere else, needing about \$65,000.00 to make it happen. Mr. Young spoke with Mike Tank(?) and asked him to put this in writing to let us know that they can do this. Mr. Young mentioned speaking with Merchant McIntyre, a firm hired for federal grants, and they believed that there was a Community Connect grant that may be available for this. They stated that if Mr. Young could give the letter to the provider that they could possibly put in the grant application in the spring. If possible, Mr. Young hopes to bundle the application with other areas as well. He clarified that this would take some time but that the County was working on it.

• Linda Shortt, Shortts Ridge Road, Raven, VA – mentioned speaking to her senator about the lack of internet services in her community and he directed her to speak with her BOS representative to try and get it resolved. She understood that they needed federal money to take the project and urged that the Board get grant applications in as soon as possible. Ms. Shortt stated that she felt impaled to represent the rural communities in the County and expressed her concern for the younger generations that need internet services for their education and jobs.

Chairman Hackworth mentioned that the County has made progress and invited Ms. Shortt to regularly attend the meetings. Supervisor Stacy briefly updated Ms. Shortt about the BVU settlement that allowed them to receive money to offset some of the last mile build outs. He

stated that he had a Cumberland Plateau meeting the following week and he would ask them if the funds would be able to be used with another provider other than Point Broadband.

Supervisor Lester pointed out that internet service providers are a business and that it would be inappropriate to ask them to lose money, so they needed to find out the threshold to offset the costs.

Mr. Young referenced agenda page 5, item (L.) Broadband AML Grant Letter of Support, and stated that Joseph Puckett with Point Broadband requested from the Board a letter of support regarding an application to AML for a grant to serve 500 homes in Jewel Ridge spending up to \$10,000.00 per home.

Upon motion of Supervisor Hymes, seconded by Chairman Hackworth, and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves a letter of support in favor of supporting a Point Broadband initiative project regarding Jewel Ridge. A copy of the letter is found on file in the County Administration Office, 197 Main Street, Tazewell, VA 24651.

PUBLIC HEARING – PROPOSED ORDINANCE TO ADJUST THE BOUNDARIES OF THE ENTERPRISE ZONE FOR TAZEWELL COUNTY, VIRGINIA

6:55 PM - 7:01 PM

Mr. Collins recalled that in January 2016 the Board of Supervisors established an Enterprise Zone pursuant to Section 59.1-538 of the Code of Virginia and he explained that as they've went along they have seen other areas that may be better served by being placed in the Enterprise Zone. As an example he mentioned Ammar's in Bluefield, Virginia, which is now closed. He stated that establishing tax incentives for an industry moving into the building may be the difference in paving new industry for Tazewell County and keeping an existing industry in Tazewell County or losing them and losing those jobs. Mr. Collins discussed meeting with Mr. Young and Mrs. Warden and identifying properties for the Enterprise Zone that could be added to the existing ordinance which is permitted by Section 15-64 of the Tazewell County Code of Ordinances.

The Chairman called to order a public hearing that was duly advertised according to law regarding AN ORDINANCE TO ADJUST THE BOUNDARIES OF THE ENTERPRISE ZONE FOR TAZEWELL COUNTY, VIRGINIA.

Now, the Chairman called for public comments from the floor three times with regard to the public hearing. There being no comments he declared the public hearing closed.

(Approximately 1 hour into the meeting)

Mr. Collins mentioned that the incentives possibly included real estate, personal property, as well as machinery and tools taxes exemptions for those industries included.

Upon motion of Supervisor Lester, seconded by Supervisor Hymes, and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopt AN ORDINANCE TO ADJUST THE BOUNDARIES OF THE ENTERPRISE ZONE FOR TAZEWELL COUNTY, VIRGINIA. A copy of the Ordinance can be found on file at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

PUBLIC HEARING – CONSIDERATION OF GRANTING A VARIANCE TO THE TAZEWELL COUNTY FLOOD DAMAGE PREVENTION ORDINANCE

The Interim County Attorney discussed that the PSA had received grants and loans for their capital improvement projects and as a part of the project it included rehabilitating pump stations and infrastructure throughout the County. Mr. Collins explained that Gratton Pump Station No. 1 is located in a flood plain zone that is covered by the ordinance which limits construction and rehabilitation. He referenced a letter dated August 22, 2019 from Mr. Ball, PSA Administrator, requesting the Board to grant a variance from the flood plain ordinance to permit them to rehabilitate the pump station to fortify their infrastructure in Gratton.

7:02 P.M. The Chairman called to order a public hearing that was duly advertised according to law regarding the CONSIDERATION OF GRANTING A VARIANCE TO THE TAZEWELL COUNTY FLOOD DAMAGE PREVENTION ORDINANCE.

7:02 P.M. Now, the Chairman called for public comments from the floor three times with regard to the public hearing. There being no comments he declared the public hearing closed.

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury, and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby finds sufficient cause for granting the variance, that a failure to grant the variance will result in exceptional hardship to the Tazewell County Public Service Authority and the variance will not result in unacceptable or prohibited increases in flood heights, additional threats to public safety, extraordinary public expense; creation of new nuisances, fraud or victimization of the public, and no conflict with local laws or ordinances.

ROBERTS RULES OF ORDER SUSPENDED – AGENDA ORDER CHANGED

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy, and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby suspend Roberts Rules of Order for the purposes of changing the order of the November 7, 2019 agenda.

SCHEDULED CITIZEN COMMENTS

1. Ms. Randy Ann Davis, 762 Freestone Valley Road, Broadford, VA – provided handouts to the Board that included accident data and pictures of wrecks. She works for 911 but

was at the meeting representing Tannersville Fire and Rescue. Ms. Davis alerted the Board that in the last four weeks she had worked three vehicle accidents about 0.3 of a mile near the intersection of Veterans Road. She stated that VDOT does a great job of providing salt and gravel but there have been several wrecks into a 10-12 foot deep ditch. At this time there haven't been any fatalities or serious injuries but she suggested putting in a guardrail.

Supervisor Hymes stated that he reached out to J.R. Watson but hadn't received a response. Supervisor Asbury mentioned she was told that there wasn't any guardrail money for a particular request that she had. Mr. Dunford suggested a Safety Study and Mr. Collins stated that he would coordinate with Mr. Watson and Mr. Buchanan to get this done.

KENNETH DUNFORD - INTERIM DIRECTOR OF ENGINEERING

Mr. Dunford asked for approval of the Recycling Plan to send to DEQ.

Upon motion of Supervisor Stacy, seconded by Supervisor Hymes, and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve the LaBella Recycling Action Plan dated July 2019. A copy of the plan can be found on file at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Mr. Dunford reported that the Clearfork Road Study was submitted, comments were received back, then comments were submitted again and he was now waiting on the review process from FEMA.

The Landfill Management Plan was submitted to DEQ and he's waiting on comments back from them.

Leachate tank bids have been received and he provided the Board with the bid tabulation sheet specifying the costs. He stated that the tank has been cleaned and presented the Board with before and after photos. Mr. Dunford said that there may not be a need to put the aerators back into the tank because the sediment had been removed. They believed that the sediment could have been causing ammonia issues but they will monitor the tank to see if they will need to put the aerators back in. He noted that it was recommended to clean the tank about every year and a half to two years. Mr. Dunford stated that this project was budgeted at \$100,000.00 and it ended up only costing \$30,000.00. The County Administrator commended Mr. Dunford for being patient and not panicking, saving the County \$70,000.00.

Mr. Dunford stated that the monitoring well that has caused issues for several years was being replaced that week.

He reported that Clinic Road was scheduled for completion on November 18, 2019.

Mr. Dunford said that he was waiting on a response from VDOT regarding revenue sharing. He mentioned that he was currently working on Smart Scale projects and applications with them. Mr. Young mentioned meeting with VDOT and their discussion on dangerous intersections in the County, Rt. 19 460 in Claypool Hill being the most dangerous one, and the intersection near the Fort.

The Engineering Department is working on maps for the Enterprise Zone submittal package.

Mr. Dunford and Mr. Young met with John Rogich, giving him a copy of the emergency easement. As of that time, Mr. Collins hadn't heard back from Mr. Rogich regarding the easement.

The Road Committee met and went to look at Cordelia Street and then brought it forth before the Planning Commission. They took no action on the road because they had not seen the petition at that time and wanted to make sure they would be able to get the right-of-way. He reported since then they have received the petition and that five home owners had not signed it.

Mr. Dunford reported that Hawkins Drive had several issues including draining problems, the width of the road, and having no place to turn around.

Supervisor Stacy recommended finding a more formal process to communicate with citizens regarding pending road applications, whether it is by letters or website notification. Mr. Dunford and Ms. Parsons will work towards a solution.

(Approximately 1 hour and 30 minutes into the meeting)

BARRY BROOKS – DIRECTOR OF FIRE AND EMS OPERATIONS

Mr. Brooks requested that the Board approve the stipend formula for the county department volunteer fire fighters:

Formula for determining stipend:

Total Number of Drills/Meetings = the sum of the number of drills/meetings for each month January 2019 through August 2019; Total Compensation Due = Total Number of Drills/Meetings x Determined Amount.

There are several formulas in the spreadsheet:

The determined amount is 9.00 per drill/meeting attended with the exception of those that only attended one (1) drill/meeting = 10.00.

The original amount per drill/meeting was going to be \$10.00 however to remain within the \$20,000.00 limit set by the BOS, Eric advised me to change it to \$9.00 with the exception noted above.

Upon motion of Supervisor Stacy, seconded by Supervisor Hymes, and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve the stipend formula and authorizes the stipends given to the individuals listed in the, "2019 Tazewell County Fire Agencies Annual Training Drill & Meeting Attendance Report". A copy of the report can be found on file in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Mr. Brooks discussed the SCBA purchase contract and approval from Mr. Collins that they would be able to bid on Scott air packs. The ESC is aware and ready to move forward. Mr. Young recalled that the previous bids were rejected because the equipment did not meet expectations. Mr. Brooks stated that the price went up 5% on November 1, 2019 and that it caused the price to go up \$2,100.00. Mr. Collins stated that the day they opened bids was the day that the 2018 specifications replaced the 2013 specifications.

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy, and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve 121 SCBA air packs for \$800,000.00.

Mr. Brooks then discussed fire truck purchasing and said that \$100,000.00 was in the budget for them. The Clearfork Fire Department negotiated a deal for \$54,000.00, pending, that the County would pay \$50,000.00 and the fire department would pay the additional \$4,000.00. The Tazewell County Fire Department isn't as far in their process but is looking at a fire truck for around \$44,000.00. Mr. Brooks stated that he would like to move forward with the Clearfork fire truck.

Upon motion of Supervisor Hymes, seconded by Supervisor Stacy, and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve the acquisition of the fire truck from the Clearfork Fire Department subject to the approval of the procurement by the County Attorney.

Mr. Brooks discussed having several departments needing turn out gear. He explained that the FPA set a standard of ten years from the manufacture date for the gear and after that it's no good. The gear is used for training and juniors and he mentioned if anyone was to get hurt with out of date gear it could be a liability. He said that he has started budgeting money to buy so many sets per year that at the end of the ten years they are ready to start again. Mr. Brooks mentioned that he was currently working with two companies on this. Mr. Young asked him how much money it was going to cost and Mr. Brooks responded that he had budgeted \$140,000.00. Mr. Young advised him that he would have to put it out to bid and the Board would then have to find the best low bidder and approve that contract.

Mr. Brooks announced that the ESC voted to form a committee to look at EMS in the future trying to help the Town of Tazewell, Richlands, and Thompson Valley to see what can be done and recruiting people that can handle the volunteer stations.

(Approximately 2 hours into the meeting)

A.J. ROBINSON – INTERIM TOURISM AND COMMUNITY DEVELOPMENT DIRECTOR

Mrs. Robinson stated that a P.O.W. chair would be getting placed in the Veteran's Memorial next to the Bluefield Visitor's Center. She then discussed working with Supervisor Stacy on radio ads for the Small Town Business Day which encourages people to shop local. She said it would be held the Saturday after Thanksgiving.

Mrs. Robinson then mentioned signage for Back of the Dragon and the Appalachian Trail, stating that VDOT would be putting up the signs.

She discussed attending a Regional Civil Wars Trail meeting and talked about plans to get a Cedar Bluff site recognized. Mr. Young requested that she also look into the Molly Tynes area of Gratton.

Mrs. Robinson spent time with Lindsay Davis, a Canadian blogger contracted through the Virginia Tourism Corporation. She took Ms. Davis on Back of the Dragon, to Painted Peak Brewery, and to eat lunch at Mattie's Place in Burkes Garden. Her Virginia Tourism partner then took her to ride on the OP trail.

Mrs. Robinson also discussed the Christmas Market, Rally in the Valley, Fishers Off Road visiting the OP Trail, the Jawbone Trail, the Virginia Tourism State Conference to be held in Arlington, the maps she has been working on are almost completed, and CProp applications.

Chairman Hackworth asked about the Richlands Section House being a tourism center. Mrs. Robinson stated that she hadn't heard anything back from them. She suggested looking into putting a center closer to the Jeep trail to get more traffic. Mr. Young agreed that this was a better idea.

RDA LIASION – SUPERVISOR MARGARET A. ASBURY

Supervisor Asbury announced that the Rally in the Valley event would be November 9th at 9:00 a.m. – 10:00 a.m. She said the trail head would be selling punch cards and the proceeds would be donated to the Emma Yates Library.

CPPD LIASISONS – SUPERVISOR STACY AND SUPERVISOR HYMES

Supervisor Hymes said the CPPD would be meeting the following Thursday night. They will have CProp applications to review, one from the County and one from the Town of Tazewell.

RDA – COUNTY ADMINISTRATOR

The County Administrator asked to revisit topic RDA. Mr. Young mentioned that he and AJ had a great meeting with the steering committee regarding the hiking trails. He reported that the Thompson Foundation was interesting in investing money into the trails and is also interesting in putting a biking trail into the Bluestone. He said they would be going to Knoxville to look at their trails that have become a real attraction. The Thompson Foundation indicated that they are willing to pay to build the trails.

APPOINTMENTS

CUMBERLAND MOUNTAIN COMMUNITY SERVICES BOARD

Supervisor Hymes tabled his appointment for the Cumberland Mountain Community Services Board.

TRANSPORTATION SAFETY COMMISSION

Supervisor Asbury mentioned that she had been in contact with her potential appointee and that she would poll the Board if the gentleman decides he would like to fill the seat.

TAZEWELL COUNTY ROAD VIEWERS

Supervisor Asbury tabled her appointment to find a replacement for Ray Howell who resigned.

TALL STRUCTURES APPEALS BOARD

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 appoints Joyce Johnston, 619 Fairway Drive, Bluefield, VA 24605, to the Tall Structures Appeals Board, effective immediately with a term expiring June 30, 2020. This appointment fills the At Large unexpired term of Kay Bayless who no longer lives in the area.

(Approximately 2 hours and 30 minutes into the meeting)

BEAUTIFICATION COMMITTEE

Mr. Young mentioned that those appointed would be receiving a letter that would mention meeting date, time, and orientation. The Board discussed options for finding someone to staff the committee.

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 appoints Suzanne Brinegar, Pocahontas, VA; Dennis Vandyke, P.O. Box 686, Raven, VA 24639, (276-971-5173); JC Owens (276-971-9989); Ron Coleman, Pounding Mill, VA, (276-345-6635); Dairel Bobbitte, (276-963-6323); and Will Adams, (276-988-3142) to the Beautification Committee.

ADOPTED RESOLUTION TO REQUIRE ELECTED OFFICIALS IN TAZEWELL COUNTY TO CERTIFY CURRENT STATUS REGARDING LOCAL TAXES

Mr. Collins presented the changes he made since the last Board meeting to the Resolution that would make an addition to the annual conflict of interest disclosure requirements of each elected official in Tazewell County. Chairman Hackworth asked that Mr. Collins amend the language on the State and Local Statement of Economic Interests Addendum A-1 and A-2 forms to say "I hereby certify the following to the best of my knowledge".

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 adopt a "RESOLUTION TO REQUIRE ELECTED OFFICIALS IN TAZEWELL COUNTY TO CERTIFY CURRENT STATUS REGARDING LOCAL TAXES" with an amendment to include the language *I hereby certify the following to the best of my knowledge* on the State and Local Statement of Economic Interests Addendum A-1 and A-2 forms. 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.

REGISTRAR'S OFFICE UPDATE

The County Administrator reported that the Maintenance Department had completed their work at the Registrar's Office. The I.T. Department has completed the wiring but is currently putting in wall jacks. He's hoping by the end of the month that it will be completed.

USE OF COUNTY LOGO

Supervisor Hymes mentioned an issue with the County logo being used for political purposes. He stated that he didn't mind if it was used for political purposes but that he thinks the County should be notified in advance.

Supervisor Stacy suggested going through the formal process to get the County logo registered. The Board requested Mr. Collins look into it and let them know of the cost and application process at the next meeting.

FALLS MILLS DAY CARE - GROUND BREAKING CEREMONY

The County Administrator announced that the ground breaking ceremony for the Falls Mills Day Care would be on Tuesday, November 12, 2019 at 10:00 a.m.

BAPTIST VALLEY CONVENIENCE AREA

Mr. Young stated that at the request of a property owner, he went with Mr. Dunford, Mr. White, and Santek representatives, to the Baptist Valley convenience area to explore a traffic issue. He said that they would probably be adding a second bay. With the second bay they could drop off an empty dumpster and pull out the full dumpster. Another issue they discovered was that there wasn't any sign specifying that the convenience area was for Tazewell County residents only. They will be putting up signs.

TRAIN DEPOT (TAZEWELL VISITOR CENTER)

\$250.00 DEPOSIT FEE POLICY SET

(Approximately 3 hours into the meeting)

Mr. Young said that the County was now operating the Tazewell Visitor's Center with staff from the park and they plan to hire a couple of part-time employees to assist in tourism. He mentioned that the Chamber of Commerce had realized they weren't able to staff the Visitor's Center and Chamber at the same time. As a result the County took over the furniture that it had bought them for the Depot. Mr. Young mentioned renting the Depot out for various events and requested that the Board set a deposit fee policy of \$250.00.

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 apply the rental policy for the Fuller Peery building to the Train Depot at the Tazewell Visitor Center and set a deposit fee of \$250.00.

ELDERLY EXEMPTIONS REPORT

Mr. Collins and the Board briefly discussed elderly exemptions. The last time the Board looked into the exemptions was in 2013. The Board tabled the topic until the December meeting requesting more research by Mr. Collins.

BURN BAN LIFTED

The County Administrator announced that the burn ban had been lifted.

310 MARKETING FIRM

Mr. Young mentioned that 310 Marketing is coming to give an assessment of our County; 310 is a Marketing firm we are using a CProp grant to pay for. They will provide an assessment of the businesses they thing would be a good fit for our county.

EXECUTIVE/CLOSED MEETING - 9:08 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 regarding an IDA member
- ➤ A(1) Personnel regarding Interim County Attorney
- ➤ A(1) Personnel regarding Interim County Engineer
- ➤ A(1) Personnel regarding Interim Director of Community Development and Tourism
- ➤ A(1) Personnel in Maintenance
- ➤ A(5) Project Jonah

RETURN/CERTIFICATION/REPORT OF ACTION – 10:49 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: Three (3) Nays: Two (2) Absent: None (0)

Absent during vote: None (0) Report of Action: One (1)

DOYLE RASNICK REMOVED FROM IDA BOARD

Upon motion of Supervisor Asbury, seconded by Supervisor Lester and adopted by a vote of 3 to 2 with Supervisor Hymes and Supervisor Stacy opposing, the Tazewell County Board of Supervisors hereby vote pursuant to Section 15.2-4904(A) of the Code of Virginia, to remove Doyle Rasnick as a member of the Tazewell County Industrial Development Authority, based upon (1) Mr. Rasnick's absence from three consecutive meetings of the IDA and (2) Mr. Rasnick's absence from four meetings of the IDA within the preceding 12 month period.

Chairman Hackworth explained that Mr. Rasnick is having health problems.

BOARD CONCERNS

SUPERVISOR HYMES

TAZEWELL POLICE DEPARTMENT - COMMUNITY DINNER

\$500.00 SOUTHERN DISTRICT

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 authorizes \$500.00 from the Southern District Fund, payable to Tazewell Police Department, P.O. Box 608, Tazewell, VA 24651; attn: David Mills. These monies go towards the Community Dinner to be held on November 9, 2019. 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.

APPROVED A RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION TAKE MEASURES TO ASSIST WITH CERTAIN ISSUES ALONG WHITLEY BRANCH ROAD IN TAZEWELL COUNTY, VIRGINIA

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 adopt a RESOLUTION REQUESTING THAT THE VIRGINIA DEPARTMENT OF TRANSPORTATION TAKE MEASURES TO ASSIST WITH CERTAIN ISSUES ALONG WHITLEY BRANCH ROAD IN TAZEWELL COUNTY, VIRGINIA.

SUPERVISOR STACY

TABLED SANDERS HOUSE VDOT QUESTION

VIDEO LIVE STREAMING BOS MEETINGS

Supervisor Stacy revisited the idea of video streaming BOS meetings to make them more available to the public. There was a brief discussion among the Board. Mr. Young reminded them that audio recordings of the meetings were found on the County website that the public could access. Supervisor Stacy requested that the topic be discussed further at a later meeting.

BLUESTONE PUBLIC ACCESS

Supervisor Stacy mentioned that he had received numerous complaints regarding the Bluestone not being open to the public. He requested that the chains be taken down during the day to allow public access. Mr. Young suggested just leaving the chains down altogether so they wouldn't have to occupy staff daily to chain it back up. Chairman Hackworth expressed concerns of vandalism, poaching, and illegal activity. Supervisor Stacy stated he wouldn't mind if they closed the Bluestone at night but during the day he wanted the public to have full access. Mr. Young mentioned that he would like to have a barrier near the parking area to keep people away from the building because he was also concerned about vandalism.

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 authorize that the Bluestone chains be taken down allowing public access.

Supervisor Stacy mentioned that he would like to do a resolution honoring WWII veteran Frank Johnson who passed away earlier that week at the December or January meeting.

TOURISM DEPARTMENT - SMALL BUSINESS SATURDAY EVENT

\$125.00 EASTERN DISTRICT

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 \$125.00 from the Eastern District Fund, payable to the Tazewell County Tourism Department; attn: A.J. Robinson. 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.

DUDLEY PRIMARY PTO – FALL FESTIVAL

\$250.00 EASTERN DISTRICT

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 \$250.00 from the Eastern District Fund, payable to Dudley Primary PTO, 1840 Tazewell Avenue, Bluefield, VA 24605; attn: Brooke Bragg. This is a delayed payment for the Dudley Primary Fall Festival that was held

October 4, 2019. 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.

GRAHAM HIGH SCHOOL BAND BOOSTERS - ORLANDO TRIP FEBRUARY 2020

\$1,000.00 EASTERN DISTRICT

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes \$1,000.00 from the Eastern District Fund, payable to Graham High School Band Boosters, 210 Valley Dale St., Bluefield, VA 24605; attn: Kristy Stout. 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.

GRAHAM MIDDLE SCHOOL - "SPECIAL FORCES" FIELD TRIP

\$150.00 EASTERN DISTRICT

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes \$150.00 from the Eastern District Fund, payable to Graham Middle School, #1 Academic Circle, Bluefield, VA 24605; attn: Melissa Linkous. 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.

GRAHAM HIGH SCHOOL – WRESTLING TEAM 2019-2020 SEASON

\$1,500.00 EASTERN DISTRICT

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes \$1,500.00 from the Eastern District Fund, payable to Graham High School, 210 Valleydale St., Bluefield, VA 24605; attn: Tim Woodward. 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.

GRAHAM INTERMEDIATE SCHOOL – SUPPLIES AND MATERIALS FOR STUDENTS IN NEED

\$2,500.00 EASTERN DISTRICT

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 \$2,500.00 from the Eastern District Fund, payable to Graham Intermediate School, 808 Greever Ave., Bluefield, VA 24605; attn:

Terri Buckner. These monies will go towards the needs stated in Terri L. Buckner's letter dated September 25, 2019. 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.

BLUEFIELD VIRGINIA FIRE DEPARTMENT – TURN OUT GEAR

\$2,500.00 EASTERN DISTRICT

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 \$2,500.00 from the Eastern District Fund, payable to Bluefield Virginia Fire Department, P.O. Box 1026, Bluefield, VA 24605; attn: Danny Evans. 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

Supervisor Lester requested that Mr. Collins request an audit or record of every account held by the TCPS. He mentioned that he was curious considering the amount of funding requests that the Board receives regarding school trips, events, etc. Supervisor Lester wondered if some of those accounts could be used to cover some of their own expenses. Mr. Collins answered that he would FOIA request the information to present at the December meeting.

(Approximately 3 hours and 30 minutes into the meeting)

RICHLANDS HIGH SCHOOL – WHITE CHRISTMAS EVENT

\$400.00 WESTERN DISTRICT \$400.00 NORTHWESTERN DISTRICT

Upon motion of Supervisor Lester, seconded by Chairman 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 authorizes the amount of \$400.00 from the Western District Fund and \$400.00 from the Northwestern District Fund, for a total amount of \$800.00, payable to Richlands High School White Christmas Event, 138 Tornado Alley, Richlands, VA 24641; attn. Chris Brown. 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 MIDDLE SCHOOL – 8^{TH} GRADE WILLIAMSBURG TRIP

\$500.00 WESTERN DISTRICT \$500.00 NORTHWESTERN DISTRICT Upon motion of Supervisor Lester, seconded by Chairman 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 authorizes the amount of \$500.00 from the Western District Fund and \$500.00 from the Northwestern District Fund, for a total amount of \$1,000.00, payable to Richlands Middle School, 294 Learning Lane, Richlands, VA 24641; attn: Barbara Blankenship & Jin Tillie. 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

Chairman Hackworth mentioned taking Will Payne to the Bluestone. Mr. Payne is with Invest Virginia and is also on the SWVA Energy Research Committee that Mr. Hackworth is on. Supervisor Hackworth stated that Mr. Payne was impressed said that he knew a client who was looking for a 25,000 square foot building to move into. Pam Warden will be sending him information on some buildings. Supervisor Hackworth said that they were also looking for a data center and that they would recommend it to the search committee.

COUNTY ADMINISTRATOR

Mr. Young announced that the Annual Christmas Dinner would be held December 18th at Nuckolls Hall from 11:00 a.m. – 1:00 p.m. He explained that after the dinner the Board plans to have an informal meeting but the public is still invited to attend. The idea of the meeting is to address broad issues and where the Board wants to take Tazewell County in the next year and years to follow.

ADJOURN

Now, there being no further business to be transacted and upon motion of Supervisor Stacy, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adjourns this meeting to December 3, 2019 at 4:00 p.m.

Travis Hackworth, Chair

By: WP

Adjourn time: 11:16 p.m.