

VIRGINIA: AT THE ANNUAL/ORGANIZATIONAL MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD JANUARY 14, 2020 AT FOUR O'CLOCK P.M. IN THE TAZEWELL COUNTY ADMINISTRATION BUILDING, 197 MAIN STREET, TAZEWELL VIRGINIA 24651

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

ABSENT: NONE

Supervisor Stacy called the annual/organizational meeting to order and presided with all those in attendance.

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

The County Attorney announced that Supervisor Hackworth was in attendance by phone.

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 Supervisor Hackworth's attendance by phone.

AGENDA APPROVED AS AMENDED

Chairman Stacy added the County Decal for discussion under Board Concerns.

Upon motion of Supervisor Hymes, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the January 14, 2020 agenda as amended.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same,

the Tazewell County Board of Supervisors hereby approves the December 3, 2019 and December 18, 2019 Tazewell County Board of Supervisors meeting minutes as written.

ORGANIZATIONAL STRUCTURING 2020

ELECTION OF A CHAIRMAN

The County Administrator called for nominations for a Chairman of the Board of Supervisors for a term of one-year or until his successor is duly elected.

The name of Charles Stacy was placed in nomination by Supervisor Asbury, with Supervisor Hackworth seconding the foregoing. The County Administrator then called for additional nominations of a Chairperson of the Board of Supervisors, and there being none he declared nominations closed. Then, upon motion of Supervisor Hymes, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby elects Charles A. Stacy as Chair of the Tazewell County Board of Supervisors for calendar year 2020 or until his successor is duly elected.

ELECTION OF A VICE CHAIRMAN

The newly elected Chairperson, Charles A. Stacy then proceeded with the election of a Vice Chair of the Board of Supervisors for calendar year 2020.

The name of Tom Lester was placed in nomination by Supervisor Hymes with Supervisor Asbury seconding the foregoing. Chairman Stacy sought further nominations from the floor for Vice Chair and there being none he declared the nominations closed with Supervisor Hackworth moving and with Supervisor Hymes seconding the foregoing, and by acclamation, hereby elects Tom Lester as Vice Chair of the Tazewell County Board of Supervisors for calendar year 2020 or until his successor is duly elected.

ROBERT'S RULES OF ORDER ADOPTED

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 adopts Robert's Rules of Order as the official rules of procedure for conducting meetings/business of the Tazewell County Board of Supervisors for calendar year 2020.

CLERK OF THE BOARD OF SUPERVISORS

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 C. Eric Young, County Administrator as Clerk to the Board of Supervisors for calendar year 2020.

DIRECTOR OF EMERGENCY MANAGEMENT FOR TAZEVELL COUNTY

Upon motion of Supervisor Hackworth, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints the County Administrator, C. Eric Young, as the Director of Emergency Management for Tazewell County for calendar year 2020.

COORDINATOR OF EMERGENCY MANAGEMENT

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 appoints Dave White, as the Coordinator of Emergency Management for Tazewell County for calendar year 2020.

DEPUTY COORDINATOR OF EMERGENCY MANAGEMENT

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 Barry Brooks, as the Deputy Coordinator of Emergency Management for Tazewell County for calendar year 2020.

REGULAR MEETINGS, DATE, PLACE AND TIME – CALENDAR YEAR 2020

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the PROPOSED 2020 BOS MEETING DATES list as provided to the Board and upon further motion continues to have the Tazewell County Board of Supervisors meetings in the Tazewell County Administration Building, 197 Main Street, Tazewell, VA 24651 at 4:00 PM for calendar year 2020.

LEGISLATIVE CONTACT TO WORK WITH VACo – 2020

Upon motion of Supervisor Hackworth, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Supervisor Mike Hymes to serve as Tazewell County's legislative contact to work with VACo during the upcoming 2020 General Assembly.

TAZEVELL COUNTY BUDGET COMMITTEE FY2020-2021

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 appoints Supervisor Stacy and Supervisor Hackworth to the Tazewell County Budget Committee for Fiscal Year 20-21.

PERSONNEL COMMITTEE – CALENDAR YEAR 2020

Upon motion of Chairman Stacy, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Supervisor Lester and Supervisor Asbury as the Tazewell County Personnel Committee for calendar year 2020.

CHRIS PLASTER - COMMONWEALTH'S ATTORNEY**PROPOSED TAZEWELL COUNTY COMMUNITY WORK PROGRAM**

Commonwealth's Attorney, Chris Plaster proposed the idea of developing a Tazewell County Community Work Program (CWP) that would complement the drug court program that is already in place. The CWP would be intended as an alternative sentencing program for non-violent offenders that would otherwise be incarcerated. He directed the Board to look at the Tazewell County Work Program Proposal that was handed out to them showing the proposed savings the CWP would have. Overall the anticipated savings with 15 participants in the program would add up to a little over \$300,000.00 a year in costs. He mentioned that there would be upfront costs but considering the potential savings for the County it would be helpful. Mr. Plaster stated it would also help those individuals in recovery to have something to do every day. He made clear that those on Suboxone would not be allowed.

The Board, County Administrator, and Mr. Plaster discussed in depth about the proposed program and its many opportunities. The Chairman suggested the County Administrator coordinate with Mr. Plaster regarding the financial implications for implementing a CWP and to add it to the February agenda for further discussion.

ASSISTANT COMMONWEALTH'S ATTORNEY POSITION FUNDING REQUEST

(Approximately 30 minutes into the meeting)

Mr. Plaster handed out a letter received in June 2019 from the Compensation Board stating that every Commonwealth's Attorney office that serves a locality or jurisdiction that has an excess of 75 or more body cams requires an additional Commonwealth's Attorney position. The difficulty is there is no funding for it and the State leaves it up to the locality to pay for it. He mentioned that after a locality reaches 150 body cams then it's required to have two Commonwealth Attorneys in addition to what is normally allocated to perform that. Mr. Plaster said it was for ethical reasons and that it was difficult on Commonwealth Attorney's to watch hours of body cam footage per arrest. He reported that there were 124 body worn cameras in Tazewell County and that the work load has increased significantly. Mr. Plaster hopes by adding the statutorily required position that it will be able to spread the workload out on these cases and allow them to work on other cases in a timelier manner to get them out of the system more quickly.

The County Administrator informed the Board that they had been advised of this by the prior Commonwealth's Attorney last fall and that if they didn't do something they may end up in trouble with the State. Mr. Plaster said this would allow them to focus more time on their murder and rape cases where some of the individuals have been sitting in jail for 2-3 years.

The County Administrator mentioned that they County has some savings due to turnover in payroll positions. Mr. Young said he spoke with Mrs. Matney and that they could possibly fund the Assistant Commonwealth's Attorney position if they started in March through the remainder of this fiscal year with the monies the County already has in the budget noting this would be an additional item in the budget next year to keep in mind. The County Administrator asked Mr. Plaster if they could wait until July 1 to start the Community Work Program. Mr. Plaster responded yes, that it wasn't an immediate need but beneficial to the County and he wouldn't have an objection to it.

Chairman Stacy asked Mr. Plaster to come back in February to bring his plan on how to move forward and if he wanted to move forward in hiring the Assistant Commonwealth's Attorney he could poll the Board as necessary.

EMILY VIERS – FY19 COUNTY AUDIT PRESENTATION ROBINSON, FARMER, COX ASSOCIATES

Emily Viers, CPA with Robinson, Farmer, Cox Associates provided the Board with documentation and presented the Annual Financial Report for the year ended June 30, 2019.

Ms. Viers stated that the County's financial statements as reported were materially correct. She reported material weakness related to audit adjustments that were proposed during the course of the audit. Meaning they found some numbers that were not quite correct so they proposed entries to adjust the numbers in accordance with the implacable standard. She mentioned that the County has had this finding in the past in 2017 but it wasn't an entirely uncommon finding. Ms. Viers said some of them relate to the second finding at the School Board. The reimbursement request had not been prepared in a timely manner, the same issue in last year's audit. She said it makes it hard because the principal revenues and expenditures needed to match each other and when the reimbursement requests are not filed in a timely manner it makes it difficult to match the principal. Chairman Stacy noted that the Budget Committee needed to add this to its list of discussions with Dr. Chris Stacy from the School Board.

(Approximately 1 hour into the meeting)

She reminded the Board that the State of Economic Interest and Conflict of Interest forms were due February 1, 2020.

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 accepts the Audit for year ended June 30, 2019 as

presented by Emily Viers, CPA. A copy of the Audit Presentation is on file in the County Administration Office, 197 Main Street, Tazewell, VA 24651.

EXECUTIVE/CLOSED MEETING – 5:13 P.M.

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

- A(1) Contract for County Attorney
- A(5) Project Jonah
- A(5) Discussion of potential expansion of existing business “Peak”
- A(5) Back of the Dragon
- A(7) Negotiations regarding PBE lien
- A(29) PBE Project
- A(29) Contract negotiations regarding Baptist Valley Transfer station
- A(29) Contract negotiations for Richlands EMS/Fire

RETURN/CERTIFICATION/REPORT OF ACTION – 6:47 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

The County Administrator reported that they would go back into Executive Session later in the meeting to discuss A (1) Contract for County Attorney.

CONSENT CALENDAR

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

December 2019

Payroll

Ordered that Warrant Nos. 144552 through 144573, and direct deposits totaling \$239,443.38 from the General, covering payroll for the various County agencies, for the period ending November 30, 2019, be approved.

Ordered that Warrant Nos. 144575 through 144597, and direct deposits totaling \$242,582.75 from the General Fund, covering payroll for the various County agencies, for the period ending December 15, 2019, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 488496 through 488600, and electronic transfers (ACH) totaling \$336,394.38 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the various County agencies issued November 25, 2019, be approved.

Ordered that Warrant Nos. 488602 through 488616, for \$149,776.78 from the General, covering payroll deductions for the various County agencies for the period ending November 30, 2019, be approved.

Ordered that Warrant Nos. 488618 through 488724, and electronic transfers (ACH) totaling \$1,609,237.82 from the General, Landfill Enterprise, Capital Outlay and Law Library Funds, covering operating expenses for the various County agencies issued December 10, 2019, be approved.

Ordered that Warrant Nos. 488726 through 488741, for \$135,306.76 from the General Fund, covering payroll deductions for the various County agencies for the period ending December 15, 2019, be approved.

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Ordered that Warrant No. 802075 for \$1,500.00 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the month of November 2019, be approved.

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

- \$664.52 to Acct. 31020-1150 (received from Cumberland Mountain Community Services for the CITAC officer)
- \$600.00 to Acct. 31020-6010 (received from Dogtown Auto Parts for sale of 2010 Ford Explorer)
- \$1,408.90 to Acct. 31020-1150 (received from Cumberland Mountain Community Services for the CITAC officer)
- \$1,650.00 to Acct. 31020-6010 (received from Regency Real Estate and Auction Comp., Inc.)
- \$3,719.04 to Acct. 31020-6009 (received from VACORP for 2017 Ford Police Explorer accident VIN#1FM5K8B92EGC02429)

Library Account – 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 Gerald Brennan)
- \$100.00 to Acct. 7301-3099 (received from Hometown Grocery, LLC dba Grants Supermarket)
- Authorized the amount of \$4,302.15 from Acct. 91050-7023 to the Commonwealth of Virginia, Virginia Department of Transportation, 1401 E. Broad Street, Richmond, VA 23219; attn Fiscal Division – Cash Receipts. This invoice is for the RT 644 Speed/Safety/Truck Restriction Traffic Study. 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.

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

- \$91.00 to Acct. 12210-6014 (received from V H Holmes Sons Inc for scrap metal)
- Authorized \$8,070.00 to J & S Transport Inc, P.O. Box 1043, North Tazewell, VA 24630, for overpayment on their 2019 personal property taxes. 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.

SPECIAL PRESENTATION – NATIONAL STALKING AWARENESS MONTH PROCLAMATION

The Chairman introduced and welcomed to the meeting, Ms. Jennifer Bourne, Family Crisis Services Director, Clinch Valley Community Action, Inc. Ms. Bourne requested that the Board of Supervisors proclaim January 2020 as National Stalking Awareness Month.

Now, Chairman Stacy presented, read and moved to adopt the National Stalking Awareness Month January 2020 proclamation with Supervisor Hymes seconding and with all members present and voting in favor thereof and no one against the same. A copy of the proclamation is on file in the County Administration Building, 197 Main Street, Tazewell, VA 24651.

KENNETH DUNFORD – DIRECTOR OF ENGINEERING

Mr. Dunford provided the Board with the Orphan Road Ranking List for 2020 and requested that they approve it.

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the Orphan Road Ranking List as presented to the Board by Mr. Dunford. A copy of the list is in the County Administration Building, 197 Main Street, Tazewell, VA 24651.

The Director of Engineering stated he had a phone conference regarding the Clearfork Flood Study and that he was waiting on them to let him know what is needed for approval. He contacted the residents to let them know the status.

Mr. Dunford mentioned having a phone conference that included the Landfill and DEQ about recycling plastic and the issues along with it. He said it was recommended that they not stop accepting it because the County has a 15% recycling goal they have to meet.

Mr. Dunford said that Clinic Road's substantial completion walk through was scheduled for the following Friday.

(Approximately 1 hour and 30 minutes into the meeting)

He then provided an update on the Smart Scale project and notified the Board that he placed the plan in their packet for review. Mr. Dunford presented to the Board crash data found on VDOT's website that showed dangerous areas in the Claypool Hill section of the County: <http://vdot.maps.arcgis.com/apps/webappviewer/index.html?id=59225a23ef694c15bb352d2de1432600> . VDOT cautioned that Fill Street near Claypool Hill Mall was one of the worst areas with a heavy concentration of crashes and Mr. Dunford pointed out that the Claypool Hill corridor was covered with accidents as well.

Mr. Dunford also reported that: he contacted the landowners regarding Cordelia Street to let them know that the Rasnick's did not want to bring the road into the Orphan Road system; the Enterprise Zone maps were approved; and that the Veteran's Road Safety Study was in progress.

BARRY BROOKS – DIRECTOR OF FIRE AND EMS OPERATIONS

APPROVED TRANSFER OF 1993 BAPTIST VALLEY FIRE ENGINE TO DOWNTOWN COMMUNITY TELEVISION CENTER, INC.

Mr. Brooks handed out a letter from Jon Alpert and reported DCTV was interested in the County donating an old 1993 fire engine from Baptist Valley that is currently at the landfill. Mr. Collins asked Mr. Brooks to confirm nonprofit status.

Upon motion of Supervisor Asbury, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the transfer from the Landfill of an old 1993 fire engine originally belonging in Baptist Valley to Downtown Community Television Center, Inc. located in Lower Manhattan, New York City subject to legal review and confirmation of 501c3 status.

Mr. Brooks announced election results from the Chief Association: Scott Cornwell, President; Danny Evans, Vice President; and Trish Heffinger, Treasurer.

Mr. Brooks mentioned that he and Randy Ann from the Sheriff's Office were appointed by Mr. Young to the Regional Preparedness Advisory Committee.

AUTHORIZED CAPITAL BUDGET CHANGES

The County Administrator explained that the Board previously allocated \$200,000.00 in the Capital Expense Budget for an ambulance in hopes they would receive a grant to purchase the ambulance. The County did not receive the grant and then planned to pay for it out of the Capital Budget allocation. Mr. Young says now they are running into some issues with the 945 rescue squad building similar to the ones they had with the Bluefield Virginia Volunteer Rescue Squad. He mentioned wiring problems, issues with restrooms/showers, and other improvements to the building. Mr. Young said the County had agreed to do fire protection for the Town of Pocahontas and they needed somewhere to house their truck and currently there is not adequate parking space. The County Administrator asked for permission to change the original Capital Budget allocation plan. He hoped to still be able to purchase the ambulance with another grant and use the initial allocation towards improvements to the 945 rescue squad facility.

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 authorize the removal of the ambulance from the capital budget to include the building of the bay for the 945 building for the Pocahontas fire truck in the capital budget and allow the County Administrator to come back to the Board as necessary for other capital budget items such as wiring and internal workings for the 945 rescue squad facility.

A.J. ROBINSON – TOURISM AND COMMUNITY DEVELOPMENT DIRECTOR

Mrs. Robinson mentioned partnering with Virginia Tourism to start off the first set of motorcycle shows. She attended one in Toronto, Canada and reported that during the process she saw more than 50,000 people come through which is the largest show the County's ever attended. Mrs. Robinson was surprised at the amount of people who knew about Back of the Dragon in Canada. Also in her partnering with Virginia Tourism she learned new ways to set up marketing and stands for trade shows. She said this would cut traveling workforce down from four to two.

She reported the next trade show would be in Cleveland, Ohio and she would leave from the Richmond conference to attend there.

The Back of the Dragon Welcome Center ribbon cutting will be in April with hopes of opening for business in May.

Mrs. Robinson discussed the possibility of using geofencing in her marketing. Geofencing is the use of GPS or RFID technology to create a virtual geographic boundary, enabling software to trigger a response when a mobile device enters or leaves a particular area. She said this information would be useful in determining what economic impact Back of the Dragon is having on Main Street and the Town of Tazewell. Supervisor Hymes asked where the information would be captured at. Mrs. Robinson responded that the company would capture the data and report it back to her. She noted that only telephone numbers were identified and other information is kept private.

Mrs. Robinson reported that the Clinch River Valley Initiative (CRVI) is applying for nonprofit status soon and will have a Board member that represents Tazewell County. She said the County does not have a say that the Board member will be because CRVI appoints the members themselves. She stated Scott County did not want to participate.

Mrs. Robinson wanted to eliminate rumors and make clear that Tazewell County is not a part of the Clinch River State Park.

She announced that the Winter Honey Festival was scheduled for the first week in February and is a weeklong event held at the Richlands Police Department.

(Approximately 2 hours into the meeting)

Mrs. Robinson mentioned the possibility of a rock climbing crew coming to Tazewell County to raise interest in Dial Rock which may also help the County to get a bike and running clubs for its trails. She emphasized the importance of having sustainable trails and that this would be a very important first step for the County.

IDA LIAISON – SUPERVISOR ASBURY

Supervisor Asbury reported that the IDA was still discussing the hydroelectric pump station.

CPPD LIAISON – SUPERVISOR HYMES AND SUPERVISOR STACY

Supervisor Hymes reported that CPPD would be meeting at the end of the month and discussing Cprop grants.

UNSCHEDULED CITIZEN COMMENTS

1. Will Adams – Governor G C Peery Hwy., North Tazewell, VA referenced the recently adopted Militia Resolution passed by the Board on December 3, 2019. He discussed concerns regarding the Militia and recommended that the County put into place regulations. He posed several questions:
 - Who's in charge of the Militia?
 - Who's eligible to be in the Militia?
 - What flags would be used for the Militia?
 - What are the gun and ammunition requirements/recommendations for the Militia?
 - Who would take care of food for the Militia?

County Attorney, Mr. Collins responded that the Code of Virginia outlined exactly what a militia is as referenced in the Virginia Constitution of the United States in section 44-1 and within the code it breaks down into three component parts: the National Guard, the Virginia Defense Force, and the unorganized militia. Mr. Collins further responded that most of these questions were addressed by the Code already. The County Administrator stated their intention was to create an atmosphere or environment where its residents could own weapons, learn to operate, receive minimum survival training, and rudimentary military training in the secondary school system (i.e. boy/girl scouts and ROTC). The Board wanted to create and reserve an environment from any statutes from the State that might restrict that.

Chairman Stacy commented that a large group of Tazewell's citizens would like to see the Board's delivery of what is in place. Mr. Adam's commented he would like some framework for the militia.

APPOINTMENTS

BEAUTIFICATION COMMITTEE

Supervisor Lester tabled an appointment until the next meeting.

LIBRARY BOARD OF TRUSTEES

Upon motion of Chairman Stacy, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Connie Bailey, 2268 Virginia Avenue Bluefield, VA 24605, to the Library Board of Trustees, with a term continuing and expiring on January 31, 2024.

Upon motion of Supervisor Hackworth, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Regina Roberts, PO Box 25, Pounding Mill, VA 24637, to the Library Board of Trustees, with a term continuing and expiring on January 31, 2024.

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 appoints Suzanne Brinegar, PO Box 134, Pocahontas, VA 24635, to the Library Board of Trustees, with a term effective immediately and expiring January 31, 2023. This appointment fills the unexpired term of Tom Brewster.

ROAD VIEWERS

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 appoints Scott Rasnick, 1498 Mundy Town Road, North Tazewell, VA 24630, to the Tazewell County Road Viewers, with a term effective immediately and expiring June 30, 2020. This appointment replaces the resignation of Ray Howell.

IDA

The Board tabled the IDA appointment until the next meeting.

DONATIONS FROM PUBLIC TO MILITIA TABLED

The County Administrator explained that there were two donations received from the public totaling \$750.00 to the Treasurer of Tazewell County to be used towards defending the Militia Resolution that the County passed in early December 2019. The Board discussed account allocation options and tabled this matter until February for further discussion.

PROMEDICA REQUEST FOR PERSONAL PROPERTY EXEMPTION

Mr. Collins stated that the Commissioner of Revenue had received a request from ProMedica for personal property tax exemption. There was no action taken by the Board.

ELDERLY TAX DEFERRAL PROGRAM

(Approximately 2 hours and 30 minutes into the meeting)

The Chairman deferred the Elderly Tax Deferral Program discussion to the Budget Committee to determine course of action.

Supervisor Hymes then requested that discussion regarding the County decal sticker also be deferred to the Budget Committee.

TAZEWELL BASEBALL BOOSTERS CPROP GRANT APPLICATION

The County Administrator said that the Town was asking for permission to apply for a Cprop grant for a ball field. Supervisor Hymes mentioned that Cprop grants are limited to one from the County and one from each of the Towns per year. He stated that the Town of Tazewell had made an application for the Little League field in 2019 to be dealt with in January 2020 and that if the Board supported the Tazewell Baseball Boosters request it would be the only grant opportunity for 2020.

Mr. Young suggested moving forward to start an advertising period for those who wanted the Board's support where they can make a presentation or submit a request for the Cprop grants. He mentioned having a committee or the IDA evaluate the entries and having the ones selected recommended to the Board. The Chairman recommended that staff work on the supposed framework on what to do moving forward.

RICHMOND TRIP UPDATE

The County Administrator announced that they would be meeting the following week in Richmond with VDOT, VRA, Virginia Tourism Corporation, and DHCD.

REGISTRAR'S OFFICE BUDGET AUTHORIZED TO SPEND UP TO \$2,500.00

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 to allow the Registrar's Office to spend up to \$2,500.00 from its budget for the list of items presented to the Board. These items will be purchased for conference room use.

CONSIDER VIDEO BROADCASTING OF BOS MEETINGS

Chairman Stacy revisited the idea of video broadcasting BOS meetings to make them accessible by the public. He suggested a six-month trial to gauge public interest. The County Attorney forewarned that video broadcasting without meeting the requirements of the Americans with Disabilities Act could cause legal concerns. If the Board was in favor of video broadcasting he strongly suggested closed captioning and hiring an interpreter. Supervisor Asbury pointed out that the Board of Supervisors audio recordings of the meetings are already available on the Tazewell County website. Supervisor Hymes was concerned it would encourage grandstanding and that interested persons should be in attendance.

Chairman Stacy made a motion to video broadcast Board of Supervisors meetings during a six-month trial, motion seconded by Supervisor Lester and failed by a vote of 2 to 3 with members Hymes, Hackworth, and Asbury opposed.

CENSUS UPDATE

The County Administrator encouraged all residents of the County to participate in the US Census. Mr. Young emphasized the importance of participation stating funding the County receives is distributed by the population we have in Tazewell County and they already are anticipating a decline in the County's population since the last census. They will be forming a redistricting committee this spring and they will be responsible for drawing new districts based on population numbers they receive and then the recommendation will come to the Board and it will need to pass an ordinance in 2021 showing the new districts.

ADOPTED VACo RESOLUTION IN SUPPORT FOR EQUAL TAXING AUTHORITY FOR VIRGINIA COUNTIES

The County Administrator explained that he had received a request from VACo asking the Board of Supervisors to pass a resolution asking the assembly to give counties the same tax authority as towns and cities. He stated this is a critical difference for county and has been happening over 20-30 years in Virginia. People who live in counties are expecting more and more services like people receive when they live in cities and towns, such as: EMS protection, more intense law enforcement, water, and sewer. The counties are having a difficult time providing these types of services because they don't have the same ability to tax as the towns do.

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 adopt a RESOLUTION OF THE TAZEWell COUNTY BOARD OF SUPERVISORS SUPPORT FOR EQUAL TAXING AUTHORITY FOR VIRGINIA COUNTIES. 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, VA 24651.

Citizen Will Adams spoke from the audience expressing his opposition to the Resolution.

RESOLUTION ESTABLISHING A FEE SCHEDULE FOR FOIA REQUESTS

(Approximately 3 hours into the meeting)

The County Attorney discussed a recent FOIA request that took a significant amount of time from the Board and staff to research and provide. Through the FOIA request process the Board had inquired about fee calculations that could compensate the Board for the amount of personal time it took them to produce such documentation. Mr. Collins advised them that neither the code nor FOIA Council allows such compensation to Board members but that the fees would come back to the locality. The County Attorney provided to the Board a RESOLUTION TO ESTABLISH A SCHEDULE OF FEES FOR VIRGINIA FREEDOM OF INFORMATION ACT REQUESTS. Chairman Stacy tabled the discussion of the resolution until February.

BOARD CONCERNS

SUPERVISOR ASBURY

SCHOOL CHOICE WEEK PROCLAMATION

Supervisor Asbury received a request from Andrew Campanella, President of National School Choice Week to recognize January 26th – February 1, 2020 as Tazewell County School Choice Week. She asked Mr. Collins to read the School Choice Week Proclamation. Mr. Collins then explained per the documentation provided that National School Choice Week is entirely nonpolitical and nonpartisan, and that they do not advocate for or against any legislation. Their goal is to raise awareness, among parents, of the public and nonpublic K-12 education options available to their children.

Supervisor Hymes and Chairman Stacy were hesitant about adopting the Proclamation because they felt they did not have enough information to make an informed decision.

Upon motion of Supervisor Lester, seconded by Supervisor Asbury and adopted by a vote of 3 to 1 to 1, with Supervisor Hymes opposing and Chairman Stacy abstaining, the Tazewell County Board of Supervisors hereby adopt the Tazewell County School Choice Week Proclamation. A copy of the proclamation is on file in the County Administration Building, 197 Main Street, Tazewell, VA 24651.

SUPERVISOR STACY

TAZEWELL COUNTY BUSINESS REGISTRATION

The Board tabled this discussion until February.

MODEL GENERAL ASSEMBLY REQUEST FROM SCHOOLS

Chairman Stacy brought to the attention of the Board that he had been told that \$4,500.00 would be a sufficient donation to get students to the Model General Assembly. He discussed that year after year each school comes to the Board and requests around \$2,000.00 a year and usually ends up getting it and after each school asks for their donation the Board ends up donating around \$10,000.00 in total for the Model General Assembly. He suggested finding a way to put this in the School Boards budget.

The Board tabled this discussion until February.

AUTHORIZED LETTER OF SUPPORT FOR POSSIBLE HOTEL CONFERENCE CENTER IN BLUEFIELD, VIRGINIA

Chairman Stacy recalled Mrs. Robinson's recent report regarding the lack of lodging choices in Tazewell County. He stated tourism has about reached its peak if it didn't resolve this concern. Chairman Stacy mentioned speaking with Jim Baldwin of Cumberland Plateau to see how they could seek federal partners that could potentially help a project like this. Mr. Baldwin advised that the project could entail two cities, two states, and two counties to take the broad regional approach to get the most attention from the ARC. He also suggested, like Mrs. Robinson, the consideration of a hotel conference center. Mr. Baldwin recommended putting the hotel conference center in the city park portion of Bluefield, Virginia and have it be a companion project with Mercer County, WV and Bluefield, WV. The first step would be to send a letter of support before the County could be eligible to apply for a feasibility study or grant considerations. Letters of support from the Town of Bluefield, Mercer County, and Bluefield, WV have also been requested by Chairman Stacy.

Upon motion of Chairman 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 a letter of support for the Power Grant application through Cumberland Plateau intended for the consideration of a feasibility study designed for a hotel conference center at City Park in Bluefield, Virginia.

SUPERVISOR HYMES

D.A.R.E. T-SHIRTS

\$700.00 SOUTHERN DISTRICT
\$700.00 NORTHERN DISTRICT
\$700.00 NORTHWESTERN DISTRICT
\$700.00 WESTERN DISTRICT
\$700.00 EASTERN DISTRICT

Upon motion of Supervisor Hymes, seconded by Chairman 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 amount of \$700.00 from the

Southern District, \$700.00 from the Northern District, \$700.00 from the Northwestern District, \$700.00 from the Western District, and \$700.00 from the Eastern District for a total amount of \$3,500.00, to the DARE supplies Account No. 31060-6021.

SUPERVISOR LESTER

Supervisor Lester mentioned the idea of having a Board member as a School Board liaison to attend some of their meetings as well as inviting their members to attend the BOS meetings to bridge the gap and work closer together.

SUPERVISOR ASBURY

**FALLS MILLS FISHING CLUB – STOCKING DAM
1,000.00 NORTHERN DISTRICT**

Upon motion of Supervisor Asbury, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorized the amount of \$1,000.00 payable to Falls Mills Fishing Club; attn: Tom Scott. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

NOTE: This is a duplicated order from the December 3, 2019 BOS meeting. Supervisor Asbury worked with the Finance Department to adjust amounts accordingly.

SUPERVISOR HYMES

Supervisor Hymes was asked who was going to take care of grant applications since Derrick Ruble was no longer with the Sheriff's Department. The County Administrator said he would get in touch with Sheriff Hieatt to discuss.

EXECUTIVE/CLOSED MEETING – 9:03 P.M.

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

- A(1) Contract for County Attorney

RETURN/CERTIFICATION/REPORT OF ACTION – 9:51 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: One (1)

SOUTHWEST VIRGINIA COMMUNITY COLLEGE SCHOLARSHIP PROGRAM

(Approximately 3 hours and 30 minutes into the meeting)

Supervisor Hymes said he had been contacted in regards to a student who went to SVCC under the Boards assistance program and didn't do well. The Financial Aid Department had told the student that he only had one chance with the assistance program and then someone else had advised him that he could appear before the Board of Supervisors to ask for a second opportunity. Supervisor Hymes explained to the person that the money hadn't been allocated in that manner and that the Boards allocation was part of a match. Supervisor Lester stated that there's a 2.0 GPA requirement and if a student failed under that criteria they shouldn't be able to reapply. He was concerned about opening up a liability if the Board started making exceptions. Mr. Young explained that the plan was to roll over any remaining funds to the next year and if it was unclaimed or the college didn't have as many students as they thought there would be then the left over money would continue to roll to the next year to build up reserves for when there were more eligible students. Supervisor Hymes asked the County Administrator to contact SVCC to give them direction on the situation.

REPORT OF ACTION FROM EXECUTIVE SESSION

APPROVED COUNTY ATTORNEY CONTRACT

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 approves the County Attorney Contract for Chase Collins subject to the revisions requested by the Board. A copy of the contract is on file in the County Administration Building, 197 Main Street, Tazewell, Virginia 24651.

ADJOURN

Now, there being no further business to be transacted and upon motion of Supervisor Hackworth, seconded by Supervisor Lester and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adjourns this meeting to February 4, 2020 at 4:00 p.m.

Charles A. Stacy, Chair

By: WP

Adjourn time: 9:59 p.m.