

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEVELL COUNTY BOARD OF SUPERVISORS HELD APRIL 21, 2020 AT FOUR O’CLOCK P.M. IN THE TAZEVELL COUNTY ADMINISTRATION BUILDING, 197 MAIN STREET, TAZEVELL, VIRGINIA 24651

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

ABSENT: NONE

Chairman, Charles Stacy called the regular meeting to order and presided.

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

The Chairman welcomed Jim Talbert who was in attendance and citizens who were participating by conference call. Citizens were able to call in and participate in the meeting by calling (425) 436-6388 and entering the access code 836650.

APPROVED SUPERVISOR ASBURY’S MEETING ATTENDANCE VIA PHONE

Upon motion of Supervisor Lester, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Hackworth not yet in attendance, the Tazewell County Board of Supervisors herby approves Supervisor Asbury’s meeting via phone attendance for April 21, 2020.

AGENDA APPROVED AS AMENDED

Upon motion of Supervisor Hymes, seconded by Supervisor Lester and adopted by a vote of 4 to 0, with Supervisor Hackworth not yet in attendance, the Tazewell County Board of Supervisors hereby approves the April 21, 2020 agenda as amended.

Supervisor Hackworth enters the meeting at 4:02 p.m.

MINUTES APPROVED AS WRITTEN

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 approves the March 3, 2020, March 20, 2020, March 24, 2020, and March 30, 2020 Tazewell County Board of Supervisors meeting minutes as written.

CONSENT CALENDAR

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 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 March 2020

Payroll

Ordered that Warrant Nos. 144705 through 144726, and direct deposits totaling \$241,758.70 from the General, covering payroll for the various County agencies, for the period ending February 29, 2020, be approved.

Ordered that Warrant Nos. 144728 through 144750, and direct deposits totaling \$240,186.09 from the General Fund, covering payroll for the various County agencies, for the period ending March 15, 2020, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 489226 through 489337, and electronic transfers (ACH) totaling \$582,283.59 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the various County agencies issued February 25, 2020, be approved.

Ordered that Warrant Nos. 489339 through 489351, for \$146,311.79 from the General, covering payroll deductions for the various County agencies for the period ending February 29, 2020, be approved.

Ordered that Warrant Nos. 489353 through 489471, and electronic transfers (ACH) totaling \$494,885.01 from the General, Landfill Enterprise, Capital Outlay and Law Library Funds, covering operating expenses for the various County agencies issued March 10, 2020, be approved.

Ordered that Warrant Nos. 489473 through 489561, and electronic transfers (ACH) totaling \$18,036.74 from the General, Landfill Enterprise, Capital Outlay and Law Library Funds, covering operating expenses for the various County agencies issued March 11, 2020, be approved.

Ordered that Warrant Nos. 489563 through 489576, for \$130,625.83 from the General Fund, covering payroll deductions for the various County agencies for the period ending March 15, 2020, be approved.

Handwritten

No Warrants were issued from the General, Landfill Enterprise, Capital Outlay, and Law Library funds, covering operating expenses for the month of February 2020.

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

- \$3,911.09 to Acct. 31020-6009 (received from VACORP for 2016 Ford Taurus accident VIN#1FAHP2MK4GG148357)
- \$250.00 to Acct. 31020-6009 (received from VACORP for 2015 Ford Taurus accident VIN#1FAHP2MK9EG156452)
- \$500.00 to Acct. 31020-5520 (received from Stelio & Betty Tracy Corte)
- \$100.00 to Acct. 31020-5520 (received from Center for Christian Action)
- \$100.00 to Acct. 31020-5520 (received from J&S Transport)
- \$100.00 to Acct. 31020-5520 (received from Gallumbeck & Kegley)
- \$100.00 to Acct. 31020-5520 (received from Richwood Inc.)
- \$100.00 to Acct. 31020-5520 (received from Faletti & Gonzalez)
- \$1,000.00 to Acct. 31020-5520 (received from Sallie Harman)
- \$100.00 to Acct. 31020-5520 (received from Kimberly's Greenhouse)
- \$100.00 to Acct. 31020-5520 (received from Army Navy Goods, Inc.)
- \$100.00 to Acct. 31020-5520 (received from Stiltner Construction)
- \$100.00 to Acct. 31020-5520 (received from Kelly Morton Kidd)
- \$100.00 to Acct. 31020-5520 (received from Bluefield Church of Christ)
- \$100.00 to Acct. 31020-5520 (received from Muthusami Kuppusami)
- \$300.00 to Acct. 31020-5520 (received from Consolidated Steel)
- \$100.00 to Acct. 31020-5520 (received from Ihsan Safi)
- \$100.00 to Acct. 31020-5520 (received from Fisher Enterprise)
- \$200.00 to Acct. 31020-5520 (received from National Bank)
- \$150.00 to Acct. 31020-5520 (received from Mountain View Church)
- \$743.79 to Acct. 31020-1150 (received from Cumberland Mountain Community Services)
- \$50.00 to Acct. 31020-6021 (received from Joseph Smeltzer)
- \$2,000.00 to Acct. 31020-6009 (received from Walmart)
- \$5,000.00 to Acct. 31020-6010-5 (received from City of Frankfort)
- \$932.40 to Acct. 31020-1150 (received from Cumberland Mountain Community Services)

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

- \$42.00 to Acct. 7301-5230 (cash received)
- \$300.00 to Acct. 7301-3099 (received from American Library Association)
- \$6,309.57 to Acct. 7301-5230 (received from E-rate Deposit)

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

- \$150.00 to Acct. 12090-5510 (cancellation of land use training class for Chief Deputy. CORVA refunded class enrollment fee. Ck#1681)

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

- \$437.34 to Acct. 81100-8210 (received from the RDA)

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

- \$91.00 to Acct. 12210-6014 (received from V H Holmes Sons Inc for scrap metal)
- \$67.00 to Acct. 12210-6014 (received from V H Holmes Sons Inc for scrap metal)

- Declared Bandy 1980 Ford Fire Engine as Surplus VIN#F91MVHA5111
- Declared Clear Fork 1981 Ford Fire Engine as Surplus VIN#1FDYC80H8BVJ27057

AGENDA ITEM ADDED TO SECOND EXECUTIVE SESSION

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 approves the County Administrators request to add agenda item A(5) Project Empty Arms to the second scheduled Executive Session.

Mr. Young stated the discussion pertains to the relocation of a business to Tazewell County.

EXECUTIVE/CLOSED MEETING – 4:06 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(5) Project Jonah
- A(6) Project Babe
- A(19) Potential Organization of Militia
- A(29) Richlands EMS Contract Negotiations

- A(29) Tazewell EMS Contract Negotiations
- A(29) Contract Negotiations with Bland and Wythe Counties Regarding Solid Waste Disposal at the Landfill

RETURN/CERTIFICATION/REPORT OF ACTION – 6:08 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: Two (2)

APPROVED ENDING 2015 PERFORMANCE AGREEMENT WITH TOBACCO COMMISSION AND PROJECT JONAH

Upon motion of Supervisor Lester, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve of ending the 2015 performance agreement with the Tobacco Commission and Project Jonah provide the creation of 218 jobs and investment of \$228 million dollars of taxable assets in Tazewell County by the LLC named in the amendment to the agreement presented in executive session shall constitute performance of the 2015 performance agreement by the original corporate entity named in the 2015 agreement and upon further motion, that the Chairman is authorized to execute such amendment on behalf

of the County then upon execution of said amendment for all the parties that it may be made a part of the minutes of this meeting.

EXTENDED SOLID WASTE DISPOSAL AGREEMENT WITH BLAND AND WYTHE COUNTIES

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 extend the solid waste disposal agreement with Bland and Wythe Counties until December 31, 2020 and authorize the County Administrator to extend the agreement beyond December 31, 2020 for an additional ninety days (90) depending on the availability of disposal space remaining in the landfill at that time.

SCHEDULED CITIZEN COMMENTS

1. Attorney Michelle Waller, Christian Law Firm – spoke on behalf of Lawrence W. Bender who owns approximately 99 acres on Cedar Creek subdivision in Pounding Mill, Virginia. Mr. Bender requested that the subdivision within his land be vacated and that there also be a 50 foot portion of the road vacated. Ms. Waller stated that she had sent the written request to vacate to Kenneth Dunford and Chase Collins. The 50 foot right-of-way is all gravel and is maintained by the Bender's. She commented that there was a double wide about half a mile from their house that would not be affected by this vacating of the 50 foot right-of-way or by vacating that portion of the subdivision.

Supervisor Asbury suggested that this matter go before the Planning Commission. Mr. Collins stated that there were two mechanisms that the Board could consider: (1) If the Board makes the finding that Mr. Bender is the only property owner affected in the vacation of the streets right-of-way where the vacation will not impede or alter the access for any other lot owners other than himself then the Board may do that based upon its own motion. (2) Holding a public hearing for an ordinance to vacate it.

Chairman Stacy asked Ms. Waller if there was any urgency to prevent this matter to be considered by the Planning Commission. Ms. Waller stated that there really wasn't. The only urgency was that the Bender's have asked for special growing permits through the Department of Agriculture. She explained that some of the permits were held up due to the fact that the Bender's have so many parcels of land and not one large parcel, which is part of the drive to vacate the subdivision.

Mr. Collins informed Ms. Waller that the Planning Commission will next meet on Thursday, May 14th at 6:30 p.m. He said he would make the recommendation that the Planning Commission approve the requests.

Upon motion of Supervisor Lester, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby defer Mr. Lawrence W. Bender's requests to the Planning Commission and upon further motion, approve the vacation of the subdivision within his land and vacation of a 50 foot portion of that road contingent upon the Planning Commission's approval.

PHIPPS VACATION OF NORTH STREET/FIRST STREET

The County Attorney discussed the Phipps' request to vacate portions of North Street and First Street. Mr. Collins explained that the platted subdivision's two streets have never been opened for public vehicular travel. He informed the Board that Mr. Phipps was the only contiguous property owner, owning land on all sides.

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 defer Mr. Phipps request to vacate portions of North Street and First Street to the Planning Commission and contingent upon their approval and recommendation the Board will vote to approve the vacations at the June 2, 2020 Board of Supervisors meeting.

COVID-19 UPDATE

The County Administrator gave an update regarding COVID-19.

PUBLIC HEALTH

Mr. Young was advised by VDH earlier that day to expect the County's exposure of Coronavirus to peak within the following 7 days. He stated that Tazewell County has only had 4 positive cases diagnosed and according to VDH all 4 of those persons had recovered. He mentioned at this time there wasn't anyone under quarantine unless it was someone who had taken a test and awaiting test results. The County continues to advertise compliance with the Governor's Executive Order No. 55 to stay at home, stay clean, stay safe, and stay informed. He encouraged everyone to avoid leaving their homes unless it was necessary for work, food, or other necessities. Mr. Young advised everyone to wash their hands regularly and to avoid touching door knobs, light switches, and hand rails. He urged anyone feeling ill to contact a physician and get tested to see if they may have the virus. For up-to-date information he directed everyone to read information found on Virginia Department of Health and CDC websites. Mr. Young informed the Board that they had a delivery of PPE and they were working with other government agencies to distribute the PPE. He stated that the PPE is mainly going to be distributed for the purposes of the public that comes in contact with our state agencies, for example: people that get arrested, people who are picked up by the rescue squad, or children who

are being taken into protective custody. Mr. Young expects additional PPE to be delivered the next day through VDEM. Mr. White will be traveling to Marion to pick it up.

The County Administrator commented that they were still under a state of Federal, State, and Local Emergencies. He said the County's local emergency was due to expire at midnight that evening. Mr. Young requested based on the Governor's Executive Order No. 55 to continue the Local State of Emergency until May 15, 2020.

CONTINUTES LOCAL STATE OF EMERGENCY DUE TO CORONAVIRUS

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 due to the spread of Coronavirus throughout the United States and Commonwealth of Virginia the Board finds imminent threat to the public health and safety of Tazewell County and therefore continues the previously declared State of Emergency until May 15, 2020. A copy of the adopted Resolution is one file in the County Administration Building, 197 Main Street, Tazewell, Virginia 24651.

TABLED RESOLUTION ENCOURAGING LOCAL BUSINESSES TO PRACTICE SOCIAL DISTANCING

Mr. Young stated he had received complaints regarding local stores and how they are managing social distancing among their shoppers. Mr. Collins discussed a resolution that Danville, Virginia adopted to encourage store owners to take certain actions to protect their patrons. He made clear that this was not a mandatory resolution it just made recommendations. He asked for feedback from the Board and if they wanted to adopt a similar resolution. The Board believed that at this time businesses needed their support but not interference. The Board tabled this matter until May 5th BOS meeting.

BUSINESS RECOVERY EFFORT

Mr. Young said that the IDA would be having a special-called meeting the next day at 2:00 pm. The IDA will be discussing a \$100,000 loan authorized to them by VCEDA to be used to help small businesses. He stated that the IDA is considering matching that with \$100,000 in grant money for small businesses. They will be discussing the best way to allocate these funds. Supervisor Hackworth stated that restaurants, barber shops, and salons may have been hit the hardest during this pandemic. There was much discussion among the Board. Mr. Young suggested beginning with businesses that were mentioned in the Governor's Executive Order No. 53.

Mr. Young mentioned Margie Douglas at SVCC has been holding Zoom conferences for businesses to help them apply for grant funds. He discussed the possibility of the County setting up Zoom conferences to talk with other businesses and see how they may be able to help them.

GOVERNMENTAL FUNCTIONS

Mr. Young said they would be continuing the County's altered schedules, shortened hours, and its limited public in person interaction with government until May 15th. He was optimistic the pandemic concern for the County would end by that date.

BUDGET IMPACTS

The County Administrator anticipates \$75,000-\$100,000 in direct costs related to COVID-19. He stated that they spent \$20,000 with AASC to bolster their delivery meals to seniors. Another \$20,000 was spent on fumigation equipment to be used in the courthouse, schools, emergency departments, ambulances, and county offices as needed. The fumigation equipment emits hydrogen peroxide which has proven effective on the virus. They have also spent approximately \$30,000 in advertising costs.

The County is expecting huge losses of sales tax revenue in the final quarter of fiscal year 2020. Mr. Young says the County typically receives \$817,000 in the last 3 months of the fiscal year in sales taxes. He explained by ordering people not leave their homes due to the virus that it was very difficult to expect sales tax from that outcome. The projected losses is approximately \$755,000.

GRANTS

Mr. Young informed the Board that DHCD has a COVID-19 cost recovery program that the County is going to apply for, pertaining to the direct costs of the virus.

The County Administrator stated that they still have pending claims from reimbursement from the State for the flood emergency that happened in February. He hopes to receive grant money.

APPOINTMENTS

REDISTRICTING COMMITTEE APPOINTMENTS

The County Administrator and Board discussed potential appointments for the 2020 Redistricting Committee. Mr. Young informed the Board that their appointments needed to include: the Electoral Board members, mayors from each town, 2 Board of Supervisors members, County Administrator, County Attorney, and 5 citizen appointees. The Board discussed areas of the County that would be most affected by this census. They anticipate significant losses in population in the Northern and Northwestern Districts of the County.

The Board tabled their appointments and discussion until the next meeting.

CLINCH VALLEY COMMUNITY ACTION AGENCY

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 appoint appoints Chris Plaster, 106 Avenue,

Richlands, VA 24641 to serve as a member on the Clinch Valley Community Action Agency, with a term commencing immediately and expiring on June 30, 2020. This appointment fills the unexpired term of Michael Dennis.

APPROVED 2020 MEMORANDUM OF AGREEMENT FOR TAZEWELL COUNTY OFFENDER WORKFORCE PROGRAM

The County Attorney briefed over the agreement that had been tabled since February. He commented that the agreement would keep the costs of the Regional Jail bill down and give the offenders better opportunities and ways to contribute to society.

Upon motion of Supervisor Hackworth, seconded by Supervisor Lester and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve the 2020 MEMORANDUM OF AGREEMENT FOR TAZEWELL COUNTY OFFENDER WORKFORCE PROGRAM. A copy of the agreement is on file in the County Administration Building, 197 Main Street, Tazewell, VA 24651.

TAZEWELL COUNTY BUSINESS REGISTRATION

Mr. Collins previously sent the Board a memorandum discussing his concerns regarding business registrations. He stated he spoke with the Commissioner of Revenue, David Anderson, and found that under the Code of Virginia if you impose a business license fee, that fee is calculated by both the amount of the license and the amount of sales within the jurisdiction. In doing so it would forgo Merchants Capital Tax. Mr. Anderson did not think it was wise to forgo Merchant's Capital Tax. Chairman Stacy requested Mr. Collins to reach out to the Attorney General for assistance on how to capture data of businesses locating in your locality insuring compliance with personal property tax filings.

The Board tabled this matter for further discussion at the next meeting.

BROADBAND UPDATE

Mr. Young discussed working with the County's grant firm, Merchant McIntyre, to get federal grants for broadband in our area. He explained that the federal broadband maps do not seem to match up with the feedback the County is receiving from citizens on underserved areas. Mr. Dunford will be in contact with someone that will come in and perform an audit to get a better idea of the underserved areas within the County. The auditor will then graph those areas and place them on a map in their report and modify the map as needed which makes those areas eligible for signal.

The Board questioned the status of Mr. Clemons project in Thompson Valley area. Mr. Collins stated that Mr. Clemons reported that he had already preordered the equipment and in the next two to three weeks can have tower sites constructed in Thompson Valley and the Cove.

MoU BETWEEN TOWN OF BLUEFIELD AND THE TAZEWELL COUNTY CWA OFFICE

The County Attorney announced that Town of Bluefield attorney Matthew Freeman has accepted another position in Lynchburg, Virginia. Mr. Collins stated that the Town of Bluefield needs criminal prosecution for its misdemeanor cases. He explained that the proposal was for the Town of Bluefield to enter into an agreement with the CWA's office in order to prosecute the town's misdemeanor case brought by town officers or citizens' complaints. Mr. Collins informed the Board that there will be a transfer of funds from the Town of Bluefield to the Tazewell CWA's office. He commented that Mrs. Matney was notified that the funds would be \$850 per month until the Town of Bluefield is able to hire their own council. They expect this to last approximately six months.

CONSIDERATION TO HOLD PUBLIC HEARING TO CONSIDER COURTHOUSE SECURITY FEE INCREASE

Mr. Collins informed that the General Assembly has bumped up the amount the Board can charge by ordinance for courthouse security fees. The amount they can charge went from \$10 up to \$20. The Board has the authority to now impose the fee effective July 1, 2020. He made clear that the offender is the one who pays the fee and that court costs would go from \$81 up to \$91. Mr. Young stated in 2007 the County estimated a \$3,000-\$6,000 return but anticipates that it is more than that now. The County Administrator asked for Boards approval to advertise the security fee increase in June. Chairman Stacy recommended running the numbers through the Budget Committee to see what the anticipated return would actually be.

AUTHORIZED PUBLIC HEARING TO ABOLISH COUNTY DECAL

Mr. Young recalled the Board previously discussing the idea of eliminating the County decal. This would not eliminate the license fee but it would get rid of the required windshield sticker. David Larimer, Treasurer told Mr. Collins that he would be able to save approximately \$3,000-\$6,000 yearly if he did not have to print the decals.

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 authorizes and directs the County Attorney to advertise for a public hearing to consider the elimination of the County decal sticker.

RATIFIED EMAIL POLL APPROVING NEW ELEVATOR CONTRACT

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 ratifies an email poll approving an elevator contract with ThyssenKrupp Elevator Corporation. A copy of the contract is on file in the County Administration Building, 197 Main Street, Tazewell, Virginia 24651.

RATIFIED EMAIL POLL APPROVING 2020 MOWING CONTRACT

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 ratifies an email poll approving the TAZEWell COUNTY CONTRACT FOR GRASS AND TRIMMING for 2020. A copy of the contract is on file in the County Administration Building, 197 Main Street, Tazewell, Virginia 24651.

AUTHORIZED PUBLIC HEARING TO IMPOSE CIGARETTE TAX IN FY21

Mr. Collins stated that all counties in the Commonwealth can impose a cigarette tax but that it does not come effective until July 1, 2021. He suggested holding a public hearing in May or June 2021 to consider imposing the tax.

The County Attorney announced that there was some bad news regarding the Meals Tax. He stated that the General Assembly rolled out statutory changes to where a referendum is no longer required, however if you have had a Meals Tax referendum defeated in your locality you are not able to bring it up for a period of 6 years until after the date the referendum was defeated. This means the County is not able to consider the Meals Tax until November 2024. Supervisor Hackworth recommended the Board sending a letter to their legislators requesting them to reconsider their decision.

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 asks our local legislators to advocate for making the statute authorizing imposition of the meals tax without referendum be made effective immediately for all counties.

MUTUAL AID AGREEMENTS – TAZEWell COUNTY SHERIFF'S OFFICE

Sheriff Hieatt received requests from Buchanan, Russell, Smyth, and Bland counties to enter into mutual aid agreements that would allow each of the counties police officers to cross over county lines in the event that they would need to continue an ongoing pursuit. The Board discussed the agreement.

Upon motion of Supervisor Hackworth, seconded by Supervisor Hymes and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve the MUTUAL AID AND COOPERATION AGREEMENT FOR LAW ENFORCEMENT SERVICES FOR BUCHANAN, RUSSELL, SMYTH, BLAND, AND TAZEWEEL COUNTIES. A copy of the agreement is on file in the County Administration Building, 197 Main Street, Tazewell, VA 24651.

AUTHORIZED THE IDA TO ADMINISTER THE CPROP GRANT AND TO RECEIVE PAYMENT REQUESTS

The County Administrator stated that the County was awarded a Cprop grant from CPPD to pay for an economic development consultant. The consultant conducted a 6-month study and has sent their first bill. Mr. Young explained that the IDA retained her and has been working with her but the grant is in the Board of Supervisor's name. He requested that the Board authorize the IDA to administer the grant which allows them to request draws for Cumberland and pay bills submitted to the IDA for the grant.

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the IDA to administer the awarded Cprop grant from CPPD regarding the economic development consultant.

EXECUTIVE/CLOSED MEETING – 7:30 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) Renewal of County Administrator Contract
- A(1) Personnel Issue Regarding Position in Engineering
- A(5) Project Empty Arms

RETURN/CERTIFICATION/REPORT OF ACTION – 8:22 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)

BOARD CONCERNS

SUPERVISOR HYMES

BOY SCOUTS OF AMERICA – TROOP 92

\$500.00 MILITIA DONATION FUNDS

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 authorizes the amount of \$500.00 from the Militia Donation Funds, payable to the Boy Scouts of America – Troop 92, 2641 Witten's Mill Road, North Tazewell, VA 24630; attention: Jerry Buchanan. Said warrants shall be issued by the County Administrator in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

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 May 5, 2020 at 4:00 p.m.

Charles A. Stacy, Chair

By: WP

Adjourn time: 8:36 p.m.