

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD AUGUST 4, 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
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
(present by phone)

ABSENT: NONE

Chairman, Charles Stacy called the regular meeting to order and presided, with all members in attendance.

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

The Chairman welcomed those 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.

AGENDA APPROVED AS AMENDED

The County Administrator added the following items to the agenda:

- Administrative - Consideration of approving Cumberland Mountain’s Community Services Contract
- Administrative – Consider sponsoring Soil and Water Conservation’s annual Cleanup Day
- Consent Calendar – Commissioner of Revenue – Transfer the following amounts from the Contingent Expenditures and Grant Account No. 91050-7041 to the Commissioner of Revenue Accounts as follows:
 - \$290.00 to Acct. 12090-5510 (received from CORVA for reimbursement for training classes that were canceled due to COVID-19)
- Executive Session – A(29) Contract Negotiations regarding Merchant McIntyre
- Executive Session – A(29) Contract Negotiations regarding Project Hemp

Upon motion of Supervisor Hackworth, seconded by Supervisor Lester and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the August 4, 2020 agenda as amended.

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 June 25, 2020 Tazewell County Board of Supervisors meeting minutes as written.

PUBLIC HEARING SET TO CONSIDER AN ORDINANCE RELOCATING THE POLLING PLACE FOR THE CEDAR BLUFF PRECINCT (301)

Registrar, Brian Earls approached the Board. Ms. McClanahan and Ms. Mitchell from the Electoral Board were also present at the meeting. Mr. Earls proposed relocating the polling place for the Cedar Bluff precinct from Cedar Bluff Town Hall to the Trinity Assembly of God to provide more adequate voting facilities. Trinity Assembly of God is located at 503 Indian Creek Road, Cedar Bluff, Virginia 24609. Mr. Earls stated that after the November 2019 election the town placed the voting area to the rear of the Town Hall building in a different space because they are in the process of moving their police department in the space that was originally occupied for voting. This causes issues because the voting area of that building is now the farthest from the parking area and neither of the nearest two entrances has ramps making them noncompliant. Mr. Earls stated that he met with someone at Town Hall in February and it was indicated that by the June primary they would have ramps and doorways replaced to make the voting area compliant. It is getting closer to the November election and there still have not been any revisions. The Registrar discussed various location options and advised that Trinity Assembly of God would be a good choice. He stated that the church was a beautiful accommodating facility with three handicapped accessible entrances and a large parking lot, meeting all requirements. Mr. Earls mentioned the costs that would be associated with notifying voters and precinct agreement payments.

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 and directs the County Attorney to advertise for a public hearing on September 1, 2020 to consider relocating the polling place for the Cedar Bluff precinct.

CONSENT CALENDAR

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 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 July 2020

Payroll

Ordered that Warrant Nos. 144890 through 144909, and direct deposits totaling \$242,204.77 from the General, covering payroll for the various County agencies, for the period ending June 30, 2020, be approved.

Ordered that Warrant Nos. 144911 through 144931, and direct deposits totaling \$244,263.47 from the General Fund, covering payroll for the various County agencies, for the period ending July 15, 2020, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 490228 through 490369, and electronic transfers (ACH) totaling \$551,483.47 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the various County agencies issued June 25, 2020, be approved.

Ordered that Warrant Nos. 490371 through 490383, for \$329,374.31 from the General, covering payroll deductions for the various County agencies for the period ending June 30, 2020, be approved.

Ordered that Warrant Nos. 490385 through 490488, and electronic transfers (ACH) totaling \$226,444.65 from the General, Landfill Enterprise, Capital Outlay, Law Library and CARES Act Funds, covering operating expenses for the various County agencies issued July 1, 2020, be approved.

Ordered that Warrant Nos. 490490 through 490495, and electronic transfers (ACH) totaling \$150,000.00 from the General, Landfill Enterprise, Capital Outlay, Law Library and CARES Act Funds, covering operating expenses for the various County agencies issued July 2, 2020, be approved.

Ordered that Warrant Nos. 490497 through 490502, and electronic transfers (ACH) totaling \$100,000.00 from the General, Landfill Enterprise, Capital Outlay, Law Library and CARES Act Funds, covering operating expenses for the various County agencies issued July 8, 2020, be approved.

Ordered that Warrant Nos. 490504 through 490509, and electronic transfers (ACH) totaling \$100,000.00 from the General, Landfill Enterprise, Capital Outlay, Law Library and CARES Act

Funds, covering operating expenses for the various County agencies issued July 9, 2020, be approved.

Ordered that Warrant Nos. 490511 through 490516, and electronic transfers (ACH) totaling \$100,000.00 from the General, Landfill Enterprise, Capital Outlay, Law Library and CARES Act Funds, covering operating expenses for the various County agencies issued July 13, 2020, be approved.

Ordered that Warrant Nos. 490518 through 490612, and electronic transfers (ACH) totaling \$1,450,710.57 from the General, Landfill Enterprise, Capital Outlay, Law Library and CARES Act Funds, covering operating expenses for the various County agencies issued July 10, 2020, be approved.

Ordered that Warrant Nos. 490614 through 490625, for \$143,806.10 from the General Fund, covering payroll deductions for the various County agencies for the period ending July 15, 2020, be approved.

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Ordered that Warrant No. 802093 for \$105,830.00 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the month of June 2020, 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:

- \$474.72 to Acct. 31020-6009 (received from VACORP for Zack Smith's accident)
- \$707.23 to Acct. 31020-6009 (received from VACORP for damaged equipment on Brandon Blanton's 2016 Ford Taurus)
- \$10,475.00 to Acct. 31020-6009 (received from VACORP for damages from deer accident on Brandon Blanton's 2016 Ford Taurus)
- \$536.10 to Acct. 31020-6009 (received from VACORP for 2011 Ford Crown Victoria damages to back passenger window made by arrestee)
- \$1,484.60 to Acct. 31020-6009 (received from VACORP for repairs on 2017 Ford Explorer VIN#9006)
- \$200.00 to Acct. 31020-5520 (received from David A Kincaid for Golfing Tournament to raise money for DARE)
- \$200.00 CASH to Acct. 31020-5520 (received for Golfing Tournament to raise money for DARE)
- \$1,090.22 to Acct. 31020-1150 (received from Cumberland Mountain Community Services – June overtime for CITAC officers)
- \$1,306.60 to Acct. 31020-1150 (received from Cumberland Mountain Community Services – May overtime for CITAC officers)
- \$10,000.00 to Acct. 31020-6009 (received from Town of Richlands)
- \$20.00 to Acct. 31020-6010 (received from Joseph & Barbara Smeltzer)
- \$1,525.20 to Acct. 31020-6009 (received from VACORP for Ford F150 Vin#1598)

- \$250.00 to Acct. 31020-6010 (received from G&K Trucking Inc.)
- \$3,000.00 to Acct. 31020-6010 (received from Consolidated Steel)
- \$2,500.00 to Acct. 31020-6010 (received from Technifab of VA)
- \$100.00 to Acct. 31020-5520 (received from R&S Graphics)

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

- \$50.00 CASH to Acct. 35600 – 8109-15 (donation received for Project Lifesaver)
- \$35.00 to Acct. 35600-6001 (received from Bristol Herald Courier)
- \$20.00 to Acct. 35600-6001 (received from The Charles A. Stacy Law Office Personal Injury Center PLLC for a FOIA request)

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

- \$65.00 to Acct. 12060-5510 (received from Virginia Tourism Corporation)

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

- \$290.00 to Acct. 12090-5510 (received from CORVA as reimbursement for training classes that were canceled due to COVID-19)
- Ratified email poll and payment in the amount of \$2,000.00 from the Northwestern District Fund payable to the Raven Theatre. These monies go towards making sure the theatre's insurance doesn't lapse in coverage.
- Ratified email poll and payment in the amount of \$2,000.00 from Account No. 11010-3600 payable to Tazewell Today for the "PROM" event that was held on Saturday, July 25th; attn: Amanda Hoops.
- Approved up to \$40,000.00 for Dry Fork flood relief payable to Clinch Valley Community Action

TAZEWELL COUNTY COMPREHENSIVE PLAN – JOINT PUBLIC HEARING WITH THE TAZEWELL COUNTY PLANNING COMMISSION

Madam Chair Ann Robinson of the Planning Commission called their recessed meeting to order and presided.

County Attorney, Chase Collins, mentioned that Mr. Dunford has been working with VDOT on a Smart Scale application to address some safety issues at intersection US Route 460

in Virginia, secondary Route 610 Indian Paint Road. In order to obtain Smart Scale funding, VDOT advised the County that an amendment was needed to the Comprehensive Plan.

Chairperson Robinson then called for public comments from the floor three times regarding amendments to the Comprehensive Plan. Chairman Stacy called for public comments three times from those participating by phone. No one asked to speak.

Upon motion of the Planning Commission by Member Hart, seconded by Member Moss, and adopted by a vote of 4 to 0, with members Eddie Pauley, Darrell Addison, and Jason Herndon absent from the meeting, the Planning Commission does hereby certify to the Board of Supervisors to change certain language pertaining to the 2017 Comprehensive Plan to be included in the Transportation Plan to improve the intersection at U.S. Route 460 and Virginia Secondary Route 610(Indian Paint Road) and to include the projected cost for the VDOT revenue sharing project.

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 adopts, "AN ORDINANCE TO AMEND THE 2017 TAZEWEEL COUNTY COMPREHENSIVE PLAN". A copy of the Ordinance can be found on file at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Upon motion of Member Hart, seconded by Member Moss, and adopted by a vote of 4 to 0, with members Eddie Pauley, Darrell Addison, and Jason Herndon absent from the meeting, the Planning Commission Recessed Meeting is hereby adjourned until the next regularly scheduled meeting on Thursday, August 13, 2020 at 6:30 P.M.

EXECUTIVE/CLOSED MEETING – 4:34 P.M.

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

- A(1) Performance of employee in EMS
- A(1) Performance of employee in EMS
- A(1) Personnel matter regarding employee in County Garage
- A(5) Project Jonah
- A(5) Project Claw
- A(7) Santek Contract Performance
- A(29) Contract Negotiations regarding Justice Easement
- A(29) Contract Negotiations regarding SVCC MoU
- A(29) Fire Protection Contract with Bluefield
- A(29) Contract Negotiations regarding Merchant McIntyre

- A(29) Contract Negotiations regarding Project Hemp

RETURN/CERTIFICATION/REPORT OF ACTION – 6:41 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)

APPROVED REGIONAL PROJECT HEMP (GROW) PARTICIPATION AGREEMENT

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 the CIFA Regional Project HEMP (GROW) Participation Agreement, as amended, in substantially similar form as presented to the Board in Executive Session, which shall be subject to legal review.

PUBLIC HEARING – PROPOSED ORDINANCE TO INCREASE THE PENALTY FOR DISPOSING OF WASTE FROM OUTSIDE TAZEWELL COUNTY AT THE TAZEWELL COUNTY LANDFILL OR A TAZEWELL COUNTY CONVENIENCE AREA

The Chairman called to order a public hearing that was duly advertised according to law regarding a PROPOSED ORDINANCE TO INCREASE THE PENALTY FOR DISPOSING OF WASTE FROM OUTSIDE TAZEWELL COUNTY AT THE TAZEWELL COUNTY LANDFILL OR A TAZEWELL COUNTY CONVENIENCE AREA.

The County Administrator discussed a fifty percent increase in trash received at the landfill since the beginning of the COVID-19 crisis. Over the years the County has tolerated disposal of trash from residents of other counties and states and never vigorously enforced the class III misdemeanor ordinance that's already in place. Mr. Young stated that the Department of Environmental Equality could fine Tazewell County because it is allowing trash from other counties and states. He briefly discussed the Sheriff's Office having cameras in place at various transfer stations as a strong deterrent. Supervisor Lester asked if signage was in place at the different sites to notify perpetrators that it is illegal. Mr. Young commented that some of the sites have signs and others do not. He directed Mr. Dunford to work with Mr. Collins on new language for signage and to pay for them out of the Landfill Fund.

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 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 adopt an ORDINANCE TO INCREASE THE PENALTY FOR DISPOSING OF WASTE FROM OUTSIDE TAZEWELL COUNTY AT THE TAZEWELL COUNTY LANDFILL OR A TAZEWELL COUNTY CONVENIENCE AREA. A copy of the Ordinance is on file in the County Administrator's Office, 197 Main Street, Tazewell, Virginia 24651.

PUBLIC HEARING – PROPOSED ORDINANCE TO INCREASE THE PENALTY FOR LITTERING ON PUBLIC ROADS, STREETS, HIGHWAYS, AND PRIVATE PROPERTY

The Chairman called to order a public hearing that was duly advertised according to law regarding PROPOSED ORDINANCE TO INCREASE THE PENALTY FOR LITTERING ON PUBLIC ROADS, STREETS, HIGHWAYS, AND PRIVATE PROPERTY.

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.

Mr. Young discussed the reason the public hearing was recommended. With the volume of trash the County has been receiving, if the Board was to close the gates to convenience areas people may start to dump their household trash, wash machines, couches, etc. outside of the fence, causing overflow into the road and surrounding property. A lot of these properties are leased from property owners. It also causes Santek to get behind on their workload when they

have to stop and do a cleanup of each property before moving on to the next property. Mr. Young recommended tabling the matter until the next meeting because this Ordinance would impose penalties on County residents.

The Board tabled this discussion until a later meeting.

DRY FORK FLOODING EFFORTS

Flooding occurred the previous week in the Dry Fork and Baptist Valley areas, washing out several homes, driveways, and roads. The flooding also caused some residents to lose water service. Bottled water was given out to those that didn't have water. The County Administrator discussed working with the Red Cross and PSA to restore water and provide shelter opportunities for those affected. Mr. Young mentioned speaking with Dave Taylor from the Department of Social Services who informed him about programs that may help residents repair their homes. Mr. Young announced that he had been working with Doug Sheets from Clinch Valley Community Action and they have arranged for the County to establish a fund with CVCA to help pay for flood relief. In an email poll of the Board of Supervisors, the Board approved \$40,000.00 for the efforts. Mr. Young stated he would like to deploy \$25,000.00 to CVCA of the allotted \$40,000.00 and keep the other \$15,000.00 in reserve to see what other needs the County may have other than CVCA's program.

Mr. Young stated that the number of homes affected and the value of property damage would not qualify for any state or federal relief.

CITIZEN COMMENTS SCHEDULED

1. Lisa McCall, 494 Buckhorn Street, North Tazewell - Had complaints regarding a neighbor who is creating disturbances. She has called the Sheriff's Department many times to report it. She asked the Board to consider adopting a noise ordinance. After a lengthy discussion the Board said that the best course of action would be to continue documenting the disturbances and file a civil suit.
2. Michael Clemons, GigaBeam Networks – reported that the project to get internet to the Thompson Valley and Cove areas was coming along but they were a little behind due to various circumstances that couldn't be helped. Mr. Clemons stated that the main backhaul has been upgraded and that all site work at Morris Knob has been completed. They have built all sites down through the Cove area and he said that he currently had two people testing the internet connection but GigaBeam has not yet sold services to any customers. Clemons informed that there would be five more sites built the following week and that they are sixty percent completed with the project. Supervisor Hymes asked Mr. Clemons when the project would be completed. Mr. Clemons responded that if nothing unforeseen happened, they

would be able to finish the project in two or three more weeks. Supervisor Hymes mentioned speaking with Bob Moss about GigaBeam not being able to install their utility pole because their truck couldn't make it up the hill. Clemons responded that they have had problems because their work truck isn't four wheel drive and too large to get up the hill. In some places they have had to use a tractor to pull their equipment up but Mr. Moss' land was too steep to do that. He said they are ordering a backyard derrick to assist in these situations. Supervisor Hymes asked if GigaBeam was working on this project daily. Clemons responded that on average they work on this project two to three days a week, depending on what all was going on. Chairman Stacy had questions regarding internet services and if GigaBeam would be able to handle device load since a lot of kids will be doing school online this year due to COVID. Mr. Clemons responded that GigaBeam has excess capacity and that they worked on this issue before COVID was even a concern. The amount of bandwidth needed in a household depends on several factors but for homeschooling the amounts will vary based on the school system, especially if they do live streaming. The County Administrator discussed CARES Act funding and how some of the money could be used towards broadband. He recommended sitting down and having a conversation with Mr. Clemons on the project. The County Attorney recalled Mr. Clemons partnering with AEP to put hotspots throughout the county and asked him if he had established them yet. Mr. Clemons responded that they have built thirteen hotspots in multiple counties and that two of them are allocated for Tazewell County. He has put one at his office in Bluefield, VA and stated he is willing not to count that one towards AEP's plan. Mr. Clemons asked the Board where they would like them placed. Supervisor Hackworth commented he would like to see a hotspot placed at the Jewel Ridge Community Center.

3. Brandy Brewster, Johnson's Branch Road, Bandy – discussed flooding and the damage it caused to her property and her neighbors. Their family had to spend \$1,000.00 on an excavator to get three families out because there was no way to get out. She stated that they called 911 three times and no one had showed up until hours later at around 10:00pm. Her husband had to leave work to come get her and their children. She stated she has lived there for 43 years and has never seen Johnson's Branch flood like it did the previous week. The County Administrator asked if anybody was sick or gotten hurt. Mrs. Brewster responded no. Mr. Young explained that during the flooding event, 911 was getting slammed with calls and that they had to prioritize and respond to them accordingly. Mrs. Brewster responded that Bishop Fire Department was who responded. The Brewster's discussed concerns about DAD Fire Department. After a lengthy discussion, Mr. Young directed the Brewster's to contact CVCA to apply for help with their damages related to flooding.
4. Phillip Crisp, 786 Johnson's Brand Road, Bandy – stated that his property divides with DAD Fire Department land. Over the years there have been several trees from the fire department fall, causing damage to his house, deck, and buildings, yet he has never made a claim. Mr. Crisp stated 2-3 years prior two enormous trees fell across the creek and now water backs up

causing problems. Supervisor Hackworth mentioned Mrs. Brewster stated that every since AEP came and put in high voltage lines that it has caused flooding issues.

5. Mr. Brewster, Johnson's Branch Road, Bandy – Supervisor Hymes asked Mr. Brewster what their immediate need was. Mr. Brewster discussed issues that flooding caused to his double wide. Mr. Young directed him and his wife to call CVCA and DSS for assistance, stating if they are unable to help them to come back and let him know.
6. Aaron Roberts, 261 Cove Road, Tazewell – the President of Cove Community Association approached the Board to discuss with them concerns that the association has. Before his concerns he notified the Board that he had received an email requesting that internet services be provided to a Circuit Court judge who lives in the Cove area. Mr. Roberts asked the Board for them to find a way to provide internet to his home and suggested that they could possibly install a repeater at the judge's home since he is not within line of sight.

The Cove Community Association has many concerns regarding the wireless internet project and Wireless Service Authority. Mr. Roberts asked the Board if there was project manager overseeing the project. The County Attorney responded that the grant application has been handled and submitted by the IDA, Pam Warden (Economic Development Manager), and himself. As the grants come in Mrs. Warden has been responsible for sending them to the Tobacco Commission (TC). If the TC has had any questions they send those back to the County and then the questions are directed to Mike Clemons for clarification as necessary. Mr. Collins informed that the WSA has an operation agreement with GigaBeam. Mr. Roberts thanked Mr. Clemons for his service and efforts. He then recalled being told a year ago in a WSA meeting that internet services would be installed throughout the cove in October 2019. He stated that nothing had been installed in 2019. Mr. Roberts discussed sending an email to the WSA on December 21, 2019, receiving no response from the WSA or GigaBeam. Multiple emails were exchanged between Mr. Roberts and the County Administrator, County Attorney, and Supervisor Hymes through January 17th but still no response was received from the WSA. He stated that a county official and member of the WSA sent an email to GigaBeam and there was no response, seven days later Mr. Collins made a phone call and was told the delay was due to the ordering of 5G equipment. Mr. Roberts asked if 5G had actually been installed. Mr. Collins directed the question to Mr. Clemons. Clemons responded that the tower has 4G LTE. It was not 5G. Mr. Roberts asked about a coverage map. The County Attorney responded that the map was provided for the TC grant application. Mr. Roberts' next question was if Mr. Clemons had user service agreements and rate plans. Mr. Clemons responded yes and that the rate plans were on GigaBeam's website. The Cove Community Association requested that the WSA and a couple of county representatives meet with them to discuss options available to the community. Supervisor Hymes questioned why the WSA wasn't overseeing the project as vigilantly as he thinks they should be. The County Administrator responded that it was an issue in man power. At one

time there were five members in the I.T. Department and some I.T. personnel staffing the WSA. The department got cut from five down to two employees. The WSA relied on expertise of staff committee members to push these types of projects forward. He responded that he could assign someone to it but he needed more people. Supervisor Hackworth suggested hiring someone so spearhead broadband projects.

7. Larry Wood, 745 Johnson Branch Road, Bandy –thanked the Board for listening to all of their flooding concerns.

COVID UPDATE

The County Administrator summarized a report received from the Virginia Department of Health. A slide displaying a map of Virginia was shown. Mr. Young explained that yellow stood for counties with a low risk of contracting COVID infections, orange was counties with a moderate risk, and red was counties with a high risk. He stated that the number of cases per day over the past few days had subsided. The map was based on the past fourteen days and showed Tazewell County as a moderate risk of COVID infections with the possibility of becoming a high risk. According to the report most of Tazewell County's cases were being contracted from Tennessee. If the County were to reach high risk levels the Board would need to consider going back to phase II, limiting meetings to fifty persons, closing dining areas for restaurants, and closing certain other establishments. Dr. Cantrell notified Mr. Young that evening that there were seven (7) more cases of COVID-19. Mr. Young stated that the daily case count was dropping by one a day but the number of healthcare workers affected was unfortunately going up. Mr. Young would like to revisit COVID reports at a later meeting. He said if Tazewell County becomes a high risk the Board may need to look into taking steps locally. The Governor is also looking at sections of the State and will make the call if he feels like sections of the State are overly burdened. Mr. Young commented when a positive case is confirmed, that person was probably exposed ten (10) days earlier. CDC reports that reaching a 10% case incident rate indicates for every one positive case there are around ten people that actually have the virus. The Chairman asked if there have been any reported cases in the County of an individual under the age of 18. Mr. Young responded yes, that one of the cases involved a child between infant and toddler ages as well as both of the child's parents. He disclosed that there had been 39 cases in the past eight days, six of them have been hospitalizations with four currently still in the hospital but no reported fatalities. The advertising campaigns have been revamped with more radio and Facebook ads encouraging people to wash their hands, to wear a mask, and reminding them to keep their social distance. The County Administration building is once again closed to in person visits. Mr. Young stated that court will continue as usual. He mentioned ordering automatic hands free faucets and flushers for bathrooms at the courthouse. They are also installing light switches that will automatically turn on when you walk in the room. Hopefully these steps will help slow the spread of COVID infections in the courthouse. Mr. Young said that he will continue to watch the case and hospitalization count and if something alarming happened he would call for a special board meeting.

CONTINUES LOCAL STATE OF EMERGENCY DUE TO CORONAVIRUS

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 extends the previously declared State of Emergency due to COVID-19 until September 4, 2020.

CARES ACT FUNDING

County Administrator, Eric Young discussed distribution of the CARES Act funds and the process that was approved to distribute the money. In Phase I \$550,000.00 was distributed to the towns and county based on population and number of retail establishments in each town. The Board of Supervisors retained approximately \$150,000.00 for reimbursement of COVID costs so far with costs excluding wage loss due to quarantine. Mr. Young stated that \$131,000.00 of the funds went towards economic distribution for business stimulation. The Board was polled by email about whether or not they wanted to approve letting the IDA distribute that money. Mr. Young recommended the IDA because they already have a process and application in place to be able to take care of the distributions. Chairman Stacy commented that he was okay with the IDA spearheading but wanted the Board of Supervisors to be able to officially approve the distributions. There was a lengthy discussion amongst the Board.

Mr. Young directed the Board to look at their CARES Act packets. He discussed Phase II of the CARES Act fund distribution that is to be dispersed to local governmental entities and human service agencies. Agencies from all across the County sent in applications requesting various amounts of funding. When reviewing the applications, any prior relief they had received was documented. Mr. Young, Chase Collins, Arlene Matney, Dave White and other staff then looked to see what was permissible under the CARES Act and what hadn't already been compensated for in some way. Other recommendations came from the COVID Preparedness Committee which is comprised of two hospital administrators, town managers, Regina Sayers, Dave White, Barry Brooks, Sheriff Brian Hieatt, and Mr. Young. The committee unanimously approved all staff recommendations with one change: to purchase rapid scan testing systems for AASC, Bluefield College, and hospitals.

APPROVED CARES ACT FUNDING, PHASE II**\$1,168,440.94 TO LOCAL GOVERNMENT AND HUMAN SERVICE AGENCIES**

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 authorizes \$1,168,440.94 to be divided and distributed to eligible agencies based on the staff committee and COVID Preparedness Committee recommendations presented to the Board and further draft letters to each agency

which will be subsequent to legal review. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action at such time as may be necessary and appropriate and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia 24651.

Supervisor Hackworth recommended hiring a CARES Act Coordinator to assist the County stating that it could possibly be a two or three year job. Mr. Young reminded the Board that the money had to be spent by December 21st and requested that they add this discussion to Executive Session later in the meeting.

VIRGINIA TELECOMMUNICATION INITIATIVE (VATI) GRANT APPLICATION

The County Attorney explained that to meet the requirements of the VATI grant application, DHCD requires two public hearings to be done by September 1st. Mr. Collins advised that the Board would need to recess to the third week in August to be able to hold the first public hearing and come back at the regularly scheduled BOS meeting in September and hold the second hearing. Mr. Young commented that the Board could make a significant impact on the broadband issue with some of this money and that they may be able to feed broadband to around a thousand homes with approximately \$1,500,000.00. The Board was welcoming to the idea. If the idea materializes, Supervisor Hackworth suggested that they hire someone to oversee the broadband project.

The County Administrator discussed working on applications for broadband grants with Spectrum and Point Broadband. He passed out their proposals to the Board. Spectrum proposed that they could connect 464 homes with \$711,000.00 from the County. The projected total cost of the project is \$3,500,000.00. Mr. Young stated that the VATI grant requires a match to be from the provider but Spectrum is saying that the County puts up the match.

Mr. Young then provided a brief summary of Point Broadband's proposal. He stated that they have an enormous \$15,000,000.00 proposal stretching across four counties. There were some concerns with buying into the grant with that many counties and how long it would take them to get broadband in Tazewell County. Mrs. Robinson met with Point Broadband and asked what they could complete by the end of the year and be contractually committed to by accomplishing by the end of the year. Point Broadband proposed that they could complete the Cove, Pocahontas, and Boissevain areas. Mr. Young stated that the County's cost for this project would be approximately \$688,000.00 and that it would feed an additional 607 homes. He explained that if the Board decided to work with both Spectrum and Point Broadband the County's cost would be approximately \$1,200,000.00 and that they could feed a thousand homes.

APPROVED UP TO \$711,660.00 FROM CARES ACT FUND FOR SPECTRUM BROADBAND PROJECT

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 supports Spectrum's VATI application for the projects listed in the agenda using the CARES Act funding and authorizes the County Administrator to spend up to \$711,660.00 negotiating as needed.

SUPPORTS POINT BROADBAND'S PROJECT PROPOSAL

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 supports Point Broadband's VATI application for the projects listed in the agenda using the CARES Act funding and authorizes the County Administrator to spend up to \$688,000.00 negotiating as needed.

APPROVED UP TO \$688,000.00 FROM CARES ACT FUND FOR POINT BROADBAND PROJECT

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 authorizes the County Administrator to negotiate a contract with Point Broadband to proceed with the Cove, Pocahontas, and Boissevain projects separately from the grant application and further authorizes the County to spend \$688,000.00 using the CARES Act funding.

RECESS

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

COVID BUSINESS ASSISTANCE COMMITTEE APPOINTMENTS

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 appoint Tiffany Goff, Lori Stacy, and Kyle Hurt to serve as members of the COVID Business Assistance Committee

TABLED RATIFICATION OF IDA DISTRIBUTING PHASE I CARES FUNDS FOR BUSINESS ASSISTANCE

APPOINTMENTS

CUMBERLAND MOUNTAIN COMMUNITY SERVICES BOARD

Supervisor Hymes tabled his appointment to find a replacement for Jelicia Reed.

TOURISM DEVELOPMENT COMMITTEE

Chairman Stacy tabled his appointment to find a replacement for Michael Brown. Supervisor Hackworth also tabled his appointment to find a replacement for Adrienne Cordle.

THE CROOKED ROAD BOARD OF DIRECTORS

Supervisor Hymes tabled his appointment to find a replacement for Charlotte Whitted.

AUTHORIZED COMMISSIONER OF REVENUE TO RENEW CAMRA SOFTWARE

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 authorizes the Commissioner of Revenue to process an invoice in the amount of \$3,000.00 payable to Stonewall Technologies Inc., 104 Industry Way, Staunton, VA 24401 for renewal of CAMRA Software.

APPROVED DEPARTMENT OF LABOR (DOL) GRANT APPLICATION FOR UP TO \$1,500,000.00

The County Administrator briefly discussed a Department of Labor (DOL) grant application. He stated the application was for an amount up to \$1,500,000 from the DOL. The grant pays for welding training, instructors, daycare for children of students, travel expense vouchers, etc. Mr. Young said no match by the County was required.

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 Department of Labor grant application for up to \$1,500,000.

PUBLIC HEARING SET REGARDING A RESOLUTION OF SUPPORT FOR VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR COVID-19 RESPONSE

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 and directs the County Attorney to advertise for a public hearing on August 18, 2020 regarding a RESOLUTION OF SUPPORT FOR VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR COVID-19 RESPONSE.

AGENDA ITEMS DEFERRED

The County Administrator deferred three agenda items until the recessed meeting:

- E. County Garage Update
- F. Update on CAMOIN 310 Marketing Economic Development Assessment
- G. Supplemental Paving Schedule

GROUNDWATER MONITORING PROCUREMENT

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 finds LaBella as the most qualified applicant based on the Groundwater Monitoring Procurement Committee's recommendations and authorizes the County Administrator to negotiate the groundwater monitoring contract.

C.L. DALE CONSTRUCTION SERVICES, LLC- BRUSH REMOVAL ON GOOSE CREEK ROAD

\$3,640.00 SOUTHERN

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 the amount of \$3,640.00 from the Southern District Fund, payable to C.L. Dale Construction Services, LLC, P.O. Box 1389, Lebanon, VA 24266. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action at such time as may be necessary and appropriate and

which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia 24651.

C.L. DALE CONSTRUCTION SERVICES, LLC – BRUSH REMOVAL ON POND STREET

\$3,640.00 WESTERN

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 the amount of \$3,640.00 from the Western District Fund, payable to C.L. Dale Construction Services, LLC, P.O. Box 1389, Lebanon, VA 24266. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action at such time as may be necessary and appropriate and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia 24651.

BOARD CONCERNS

SUPERVISOR HYMES

REQUEST FOR SPEED STUDY – WITTEN VALLEY ROAD

Supervisor Hymes requested a speed study for Witten Valley Road. He stated that there used to be a 35 mph sign that VDOT had since taken down and as a result there has been speeding issues and safety concerns.

EACH ONE TEACH 1 INC. – WARHAWK COMMUNITY PARK PROJECT

\$2,000.00 SOUTHERN

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 \$2,000.00 from the Southern District Fund, payable to Each One Teach 1 Inc., P.O. Box 112, North Tazewell, Virginia 24630; attn: Kondwani Ali Patterson. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action at such time as may be necessary and appropriate and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia 24651.

SUPERVISOR LESTER**AUTHORIZED INCREASING EACH DISTRICT FUND BY \$6,000.00**

Supervisor Lester discussed numerous complaints from citizens regarding brush overgrowth along County roadsides. Other Supervisors commented that they have been receiving similar complaints. They discussed road funds and realized that it couldn't accommodate all of the requests coming in. To combat this problem, Supervisor Lester proposed increasing each Supervisor's District Fund by \$6,000.00 to be used for brush removal and similar concerns.

Upon motion of Supervisor Lester, seconded by Supervisor Hymes and adopted by a vote of 4 to 1, with Chairman Stacy opposing, the Tazewell County Board of Supervisors hereby authorizes the transfer of \$30,000.00 from the Contingency Fund Account No. 91050-7023 to increase each Board of Supervisor member's District Fund by \$6,000.00.

SUPERVISOR ASBURY**BLUEFIELD VIRGINIA LITTLE LEAGUE**

\$1,000.00 NORTHERN

\$2,000.00 EASTERN

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 authorizes the amount of \$1,000.00 from the Northern District Fund and \$2,000.00 from the Eastern District Fund, for a total amount of \$3,000.00, payable to Bluefield Virginia Little League; attn: Jarrod McFarland. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action at such time as may be necessary and appropriate and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia 24651.

R&S GRAPHICS – SUPPORT BANNER FOR LADY RED DEVILS SOFTBALL TEAM

\$62.00 NORTHERN

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 authorizes the amount of \$62.00 from the Northern District Fund, payable to R&S Graphics, 2167 Fincastle Turnpike, Tazewell, Virginia 24651. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action at such time as may be necessary and appropriate and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia 24651.

R&S GRAPHICS – SUPPORT BANNER FOR WALKING TRAIL IN POCAHONTAS, VIRGINIA**\$62.00 NORTHERN**

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 authorizes the amount of \$62.00 from the Northern District Fund, payable to R&S Graphics, 2167 Fincastle Turnpike, Tazewell, Virginia 24651. The County Administrator is hereby authorized and directed to issue said warrants in accordance with this action at such time as may be necessary and appropriate and which said warrants will be converted to negotiable checks by the Treasurer of Tazewell County, Virginia 24651.

EXECUTIVE/CLOSED MEETING – 10:04 P.M.

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

- A(1) Personnel in County Administration
- A(29) Contract Negotiations regarding Merchant McIntyre

RETURN/CERTIFICATION/REPORT OF ACTION – 11:02 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)

COUNTY ADMINISTRATOR

TAZEWELL SOIL AND WATER CONSERVATION – COUNTY CLEANUP DAY

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 transfer \$5,000.00 from the Contingency Account No. 91050-7023 to the Tazewell Soil and Water Conservation Account No. 022-081010-4017 for hazardous materials for Tazewell County cleanup day.

The County Administrator requested that Tazewell Soil and Water Conservation hold off having Cleanup Day until late September due to landfill overflow that the County has experienced in recent months during the pandemic.

CUMBERLAND MOUNTAIN COMMUNITY SERVICES CONTRACT APPROVED

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 approve the Cumberland Mountain Community Services Contract. A copy of the contract is on file in the office of the County Administrator, 197 Main Street, Tazewell, VA 24651.

RECESS

Now, there being no further business to be transacted, and 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 recess this meeting to Tuesday, August 18, 2020 at 4:00 p.m.

Charles A. Stacy, Chair

By: WP

Adjourn time: 11:09 p.m.