

**VIRGINIA:** AT A SPECIAL CALLED MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD JULY 21, 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 (*present by phone*)  
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 ASSISTANT  
MEMBERS OF THE PRESS: JIM TALBERT, CLINCH VALLEY NEWS/RICHLANDS NEWS PRESS; WARREN HINKLE, THE VOICE NEWSPAPER (*present by phone*)

**ABSENT:** NONE

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Chairman, Charles Stacy called the special called meeting to order. Supervisor Hymes was present and Supervisor Asbury was present by phone. Supervisor Hackworth arrived later and Supervisor Lester joined the call later in the meeting.

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

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.

Chairman Charles Stacy read the procedures concerning the Special Called meeting for purposes of considering whether to hold a public referendum on relocation of the statue located at the Main Street entrance of the Tazewell County courthouse which is dedicated to confederate soldiers of Tazewell County who served the Commonwealth of Virginia between the years of 1861-1865. In the interest of time public comments was limited to one minute per speaker to allow the Board to accommodate as many speakers as possible. Due to public health concerns related to Covid-19 the Board asked that those in attendance consider leaving after they spoke to allow others who had signed to speak an opportunity to enter the building or who may want to hear public comment in person to do so. Also due to Covid-19 the Board asked that those in attendance keep their mask on when not speaking and to remain seated unless they were coming to or from the podium, leaving the building, or going to the restroom. The Chairman stated if anyone did not keep their mask on they would be asked to leave. Chairman Stacy made those attending by phone aware that if they had signed up to speak he would be calling their name in the order of which they were signed up. He asked all of those in attendance to understand that

they represent their own point of view when speaking or not and to remember to be respectful of others, stating that this is America and we are all entitled to our opinions and we all have a constitutional right to express those opinions to our government. However he strongly urged that everyone must do so in a manner that is respectful to others and warned that anyone who uses obscene language or gestures while speaking will be asked to leave. He cautioned that anyone making threats to other speakers will be removed and dealt with by law enforcement. Chairman Stacy concluded the evening's procedures by stating, "We will be judged far more by how we conduct ourselves this evening than by what kind of monuments we have at our courthouse, so we ask that you please govern yourselves accordingly".

### **COVID-19 UPDATE**

Supervisor Hackworth entered the meeting at 4:10 p.m.

The County Administrator reported that they were seeing 3-5 new cases everyday and anticipate that those numbers will climb. Primary cause of these cases has been outside travel linked to hotspots such as Dollywood, Gatlinburg, and Myrtle Beach. Mr. Young announced that the County had an employee whose spouse tested positive and that there was a possibility of going back to split shifts to avoid spreading the disease and crippling county operations. He commented that the County may need to consider at a later date, imposing stricter requirements than the State if the epidemic worsens in our area. The County Administrator encouraged people to keep their distance from others, wash their hands regularly, wear a mask, use hand sanitizer, and be cautious if they must travel outside of the County.

Chairman Stacy welcomed back Supervisor Hackworth. Supervisor Hackworth commented that he had had a mild case of Covid-19 and thanked everyone for their thoughts and prayers while he was sick.

### **AUTHORIZED TO ALLOW REMOTE PARTICIPATION BY SUPERVISORS ASBURY AND LESTER**

Upon motion of Supervisor Hymes, seconded by Supervisor Hackworth and adopted by a vote of 4 to 0, with Supervisor Lester not yet present, the Tazewell County Board of Supervisors hereby authorizes to allow remote participation by Supervisor Asbury and Supervisor Lester.

### **RATIFIED AN EMAIL POLL CALLING FOR A SPECIAL CALLED MEETING**

Upon motion of Supervisor Hackworth, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Lester not yet present, the Tazewell County Board of Supervisors hereby ratify an email poll calling for a Special Called meeting for July 21, 2020 at 4:00 pm.

### **MEMORIALS FOR WAR VETERANS – CODE OF VIRGINIA SECTION 15.2-1812**

The County Attorney discussed recent amendments of the language to Virginia Code Section 15.2-1812 stating that this longstanding section governs monuments erected not only for Civil War purposes but also other American wars such as the War of 1812, American

Revolution, Mexican-American War, World War I, and World War II. He explained that under the old language of Virginia Code Section 15.2-1812 once a monument was erected upon public grounds it stood forever but given the actions of the General Assembly and by the suggestion of our governor the language has been amended this year to permit the local governing body to take potential actions:

1. Remove the monument
2. Relocate the monument (e.g., to a confederate cemetery or historical society)
3. Contextualize the monument (i.e., erect other monuments to commemorate the military history of Tazewell County)
4. Cover the monument

The County Administrator summarized that the vote that night from the Board would be whether to have a referendum, not whether to remove the statue. Mr. Collins explained if the Board voted to have the referendum and based on the results decided to relocate the statue, a public hearing would be required to do so. Also, the County Attorney clarified that there was no obligation by the Board to proceed with action after receiving the results of the referendum and that they were not required to hold a public hearing if taking no action.

## **RELOCATION OF THE MONUMENT OF THE CONFEDERATE SOLDIER OF TAZEVELL COUNTY**

### **SCHEDULED CITIZEN COMMENTS**

1. Bill Bunch, 444 Dorsey Lane, Tazewell – represented the 472 enslaved Americans in Tazewell County stating that he didn't want anyone to ever forget the Civil War but he did want the statue to be removed from in front of the courthouse to a more appropriate location. The courthouse belongs to the public and he doesn't like what the statue represents to our black citizens every time they have to go past it. Mr. Bunch suggested making a Civil War memorial park on Fincastle Turnpike close to the cemetery and relocating the statue there.
2. Laura Roberts, 311 Surface Drive, Tazewell – provided copies to the Board of her lengthy research regarding the history of the confederate soldier statue. Ms. Roberts stated that it was important to know that the statue was possibly funded through an army confederate veterans camp and not publically funded. She said that all of these statues involved in the south was made by a company in Connecticut and does not represent anyone living in Tazewell County. According to her research the statue was mass produced to satisfy demand created by women's groups across the south to romanticize the "Lost Cause". She commented that this was a myth and that there was clear documentation to support this. Ms. Roberts mentioned that there were statues just like this one in Floyd and Hillsville with the manufacturer using the same mold for all of them. She stated the only difference was in some of the regalia that the statues wear and the inscription of either CS or US on the belt buckles.

3. Charlotte Whitted, 1115 Gose Mill Road, Tazewell – retired from Crab Orchard Museum in December 2019. Previous to this meeting she wrote a letter to the Board as an independent person documenting her own personal opinion. As she stood before the Board she discussed having conversations with museum professionals and colleagues across the Commonwealth. Ms. Whitted stated that they have been having abstract conversations regarding monuments for the last three years since the incidents in Charlottesville occurred. She also mentioned the recent George Floyd incident. Ms. Whitted encouraged the board to make a decision to relocate the statue. She clarified that the confederate statue was not a Civil War artifact and stated that it was a 1904 monument as an honorific. Ms. Whitted assured that there were plenty of artifacts at Crab Orchard Museum to interpret the Civil War but the monument was not necessary for that. She also had concerns regarding the business of Tazewell County and the future of its young people.
4. David Phineas Saunders, III, 4112 Gratton Road, Tazewell – spoke on behalf of his family and ancestors, stating he is black, white, and Cherokee Indian. Mr. Saunders mentioned Tazewell County’s rich history, some to be proud of and some not to be so proud of. The confederate statue does not represent this town. On one end of Main Street there is a LOVE sign (at the Tazewell County Historical Society) and in the opposite direction there is a confederate statue that does not represent the equality of all people, including women. It is time for the new and out with the old. Mr. Saunders challenged the Board to make this town and county a better place for young entrepreneurs like his self, to create love, which is truly what the town is about.
5. Carl Davis, Jr. – 192 Fudge Street, Tazewell – previously sent Supervisor Hymes an email expressing his views to the Board. Mr. Davis stated that everyone’s history is important but believed that the statue needed to be moved to a more appropriate location.
6. Eric Whitesell, Thompson Valley Road, Tazewell – exclaimed that there are 2,000 good reasons why the monument should remain where it is – found in the names of the Tazewell County men who went off to war and either died or endured its horrors. Mr. Whitesell provided a brief history, stating that the monument was erected 117 years ago in the memory of those 2,000 men who came from this County and fought in the Civil War. He claimed that they stood on the spot where the confederate monument presently stands and took the oath prescribed by the 1860 Virginia Code, administered by a judge of the court, as the statute directs those to, “Be faithful and true to The Commonwealth of Virginia and support the Constitution thereof”. Whitesell emphasized that they did not take an oath to uphold slavery. Some of the soldiers enlisted, but many were drafted or conscripted. He informed that the 1860 Census reveals that less than 6% of the families in Tazewell County owned slaves, meaning that 95% of the soldiers did not own slaves. He alleged that most of them were poor mountain farmers. He concluded his speech to the Board by stating that the notion that these men jumped into the war to protect the institution of slavery and the notion that this monument was placed where it is to impede the administration of justice is nothing but pure socialist hogwash, purposely designed to cause division among us.

7. Jason Shane Alsbrook, Kingsport, Tennessee – started a petition on [www.change.org](http://www.change.org) entitled, “Halt the removal of the Confederate Statue standing in front of Tazewell County Courthouse”. At the moment he addressed the Board he had 2,642 signatures on the petition. Mr. Alsbrook said that evaluating people who lived in a different time and under completely different circumstances through the lenses of 2020 morality and political correctness and then condemning them because they don’t meet these criteria is not only arrogant and unfair but also dangerous. The censorship and destruction of history has already been done in the past, always to disastrous results. In a free country, anyone has a right to find anything offensive, that’s part of what makes America unique. We have our differences and we exist with them. He claimed that a specific person or group does not have the right to install themselves as the keepers of morality or decide what is or is not offensive for the rest of us and erase what they deem to be offensive. He concluded that this was called fascism.
8. Irma Mitchell, 241 Pine Street, Tazewell – thanked each member for serving on the Board, stating that it wasn’t an easy job with the decisions that they sometimes have to make. She discussed her mixed feelings she has over the statue and stated, “...until I walk a mile in somebody else’s shoes...I really shouldn’t say things that hurt other people”. Ms. Mitchell asked that the Board place the matter on the ballot to give the people a choice. She concluded by saying it may be past time for us to step back and be more considerate of our brothers and sisters of a different color.
9. William Pruett, 413 Ridgeway Drive, Bluefield – discussed his ancestry in Tazewell County dating back approximately 225 years to when Henry Pruett and John Pruett signed the petition to form Tazewell County. Mr. Pruett named his second great grandfather, Benjamin Pruett, who is one of the 2,000 men on the list that the monument honors. He was a member of the 29<sup>th</sup> Regiment, Company H and was in Appomattox, Virginia with General Lee when he surrendered. Benjamin Pruett then walked home from Appomattox and went to work at the Thistle Foundry in Bluefield, Virginia. A pardon from Mr. Pruett’s service to the confederacy is engraved on his tombstone. Mr. Pruett asked that the Board allow the monument to stand at its present location to honor these veterans.
10. Robert B. Altizer, 174 Sunnyside Drive, Tazewell – commented that the statue in front of the courthouse is a historic symbol, a historic monument. Mr. Altizer stated that the statue is a representative of the history of Tazewell County and was placed there by the citizens of this county not to be a symbol of racism or injustice, or a symbol of hatred, nor a political statement or to be used as an intimidation or threat to anyone who lives in this county. It was placed there to honor the men of Tazewell County who fought in the Civil War. His second great grandfather, William A. Altizer serviced during the Civil War. He was 44 years old and signed up in Company 22 of the Virginia Calvary. He did not own slaves. Mr. Altizer stated none of his ancestors ever owned any slaves. William A. Altizer did not fight to maintain the institution of slavery. He fought to represent his community, state, and country. Mr. Altizer stated he was proud of the sacrifices our ancestors made to this county, state, and country. He stated that they were not perfect men but neither were we. The statue has stood for 117 years and it has not hated anyone,

it has not discriminated against anyone, and it has not denied justice to anyone. It has only honored those veterans who have served our community.

11. Kathy Torres, 319 Dove Street, Pounding Mill – stated Mr. Saunders speech really resonated with her. Ms. Torres and her daughter have various mixed ancestry in their blood that includes: Caucasian, Indian, African American, and Latino. She was concerned with removing the statue and what it would represent. The Harman's in her ancestry fought during the Civil War. She used her daughter as an example, claiming if the statue was to be removed because it represents a white man then it would be teaching her daughter to be racist against her own people because she has a great grandparent who was a slave. Ms. Torres stated that we should love all people. She said we have to accept our mistakes and own them as people and love and forgive each other and make the best of it.
12. Jerry Chambers, 4205 Witten's Mill Road, North Tazewell – discussed his ancestors who fought in the Civil War. He believes the statue should remain at its present location to honor these veterans and their sacrifices.
13. Samuel Johnson, Jr., Baptist Valley, North Tazewell – stated that you cannot kill racism by tearing down a rock; racism is born in the hearts and minds of evil people. Mr. Johnson believes that removing or relocating statues in this Country will not resolve any issues it has. Removing or relocating the confederate statue is just perpetuating and spreading conflict within the community.
14. Bruce Remines, 327 Gulfport Drive, Bluefield – stated that he was offended that his hospital [Bluefield Regional] was closing and the Board decided to have a meeting over a piece of rock. Mr. Remines was frustrated to find out that it did not matter what the citizens of Tazewell voted because the Board was not obligated to make their decision based upon the direct results. He questioned the Board and asked once the votes are known if they would fold like a cheap table to anyone who comes through the door and says that they are offended.
15. Supervisor Hymes announced that Walter and Kathy Wright had planned to be in attendance at the meeting but were not going to make it. They are in support of letting the confederate statue stand in its present location.
16. Penny Vance Altizer, 124 Raywood Drive, North Tazewell – was representing her Altizer and Dunford ancestors who fought in the Civil War. Ms. Altizer claimed that none of her family owned slaves. They fought for their country, state, and families. She discussed different times in which people would steal your land, animals, and abuse your wife and children. They had to fight for these things because during the Civil War it was neighbor against neighbor and brother against brother. Ms. Altizer does not want the statue removed or relocated. She would be in support for contextualizing the monument if it, to represent everyone.

17. Pastor Henry Johnson, 182 Pisgah Road, Tazewell – represented other pastors throughout the County; both Caucasian and African American. Mr. Johnson stated that a statue is a symbol and the symbol symbolizes different things to different people. To some people the statue represents the noble aspect of our forefathers who understood that the war at its heart dealt with the problem of the overturning of the constitutional republic that our forefathers established beginning in 1776. He stated to other's the statue symbolizes slavery. Mr. Johnson explained that slavery was one of the big reasons why the confederate states left. Documentation was later provided to the Board from the state legislatures noting their reasons for leaving. Mr. Johnson proposed on behalf of the pastors represented that the statue be moved from its present location to its original location which is near where the war memorial is now. They do not believe that the statue should be the focal point of the center of our civil government because this symbol means different things to different people. Mr. Johnson said they do not want to deny history or see the statue destroyed because it needs to remain to remind us of history so that we can learn from it and press on to love one another and treat one another with dignity and love and respect.
18. Regina Roberts, 261 Cove Road, Tazewell – was representing her family. Ms. Roberts quoted George Washington, "You do well to wish to learn our arts and ways of life and above all the religion of Jesus Christ". Ms. Roberts is in favor of leaving the statue in its present location as a part of our history. She stated that it was not a matter of color, culture, or religion but it is a part of who we are. Ms. Roberts concluded by saying that those who do not learn from history will repeat it.

#### **UNSCHEDULED CITIZEN COMMENTS**

19. Kenny Maxfield, 838 Carter Hill, North Tazewell – believed that the statue needed to remain at its present location. He asked that the Board put the matter on the ballot in November to let the people have their voices heard.
20. Amoth Hayes, P.O. Box 543, North Tazewell – stated, "God bless America!"
21. Ron Ireson, Ireson Road, North Tazewell – commented, "When we become so impatient that we can't honor our veterans, we do not deserve to be sitting here today."

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#### **BOARD COMMENTS**

The Board asked if Supervisor Lester was on the call. Supervisor Lester responded that he was.

Supervisor Hymes thought the Board should place the matter on the ballot and give the citizens an opportunity to speak out for or against the relocation of the monument. He stated that he will not go against what his citizen's vote for.

Supervisor Hackworth thanked and appreciated everyone who spoke that evening. Supervisor Hackworth stated, “Where does this stop? On December 3, 2019 this Board made a statement that got national attention that we was going to not only be a 2<sup>nd</sup> Amendment sanctuary county but we also exercised a Resolution for a right to a well funded regulated militia. We did that because we wanted to stand up and say that there are some things that we are not going to be bulldozed over. Christopher Columbus, George Washington, Thomas Jefferson...you’ve seen the news, where does it stop?” Supervisor Hackworth mentioned Sophia Nelson, a black journalist and award winning author, who wrote an article called, “*Opinion: Don’t Take Down Confederate Monuments. Here’s Why.*” In the article she quoted George W. Bush, “A great nation does not hide its history; it faces its flaws and corrects them”. He further summarized the article. Supervisor Hackworth quoted another writer who asked if we were the only country dumb enough to start another civil war because we are offended by the first one. Supervisor Hackworth said, “Bruce Remines is right, we are spending time arguing about a rock, while Bluefield Hospital is shutting down.” He mentioned the numerous citizens who had reached out to him over the statue and their pleas to keep the statue in its present location. He stated, “If we keep crushing and bowing to everything people deem offensive then where are we going to be in the next decade? Where are our grandchildren going to be? I think we put it on the referendum and let the voters decide...”

Supervisor Asbury stated that when she was elected to office she was elected to serve the people. She felt very strongly that Tazewell County citizens would speak at the polls in November’s election.

The Chairman stated that he was delighted when the General Assembly gave the authority on this issue back to local government, allowing our Board the ability to hear the opinion of its voters. As a lawyer he said that he could passionately and effectively argue both sides of the issue. Chairman Stacy stated that the best course of action would be to place the matter on a referendum so that the Board gives each voting citizen a chance to voice their opinion. Chairman Stacy stated, “Now the law may not make us bound by [the referendum] but I can tell every one of you from the standpoints of us, those elected by you, to think we will disregard that is preposterous. We will do what our people have sent us to do...”

**VOTED TO PETITION THE TAZEVELL COUNTY CIRCUIT COURT FOR AN ADVISORY REFERENDUM ON THE QUESTION OF RELOCATION OF THE MONUMENT OF THE CONFEDERATE SOLDIER OF TAZEVELL COUNTY**

Upon motion of Supervisor Asbury, seconded by Chairman 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 resolve to direct the Tazewell County Attorney to draft and submit a PETITION FOR WRIT FOR ADVISORY REFERENDUM ON RELOCATION OF CONFEDERATE SOLDIER MONUMENT before the Tazewell County Circuit Court, pursuant to Sections 15.2-1812 and 24.2-684 of the Code of Virginia (1950), as amended and upon further motion that such language that is requested to be placed on the advisory referendum shall read as follow:



*“Should the Tazewell County Board of Supervisors relocate the Monument of the Confederate Soldier of Tazewell County from the grounds of the Tazewell County Courthouse?*

[ ] YES

[ ] NO”

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 makes the petitions, emails, and letters that have been received in the County Administration Office on this issue a part of the minutes and a part of the record. Petitions, emails, and letters are incorporated herein by reference thereto and can be found on file in the County Administration Building, 197 Main Street, Tazewell, Virginia 24651.

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## **BOARD CONCERNS**

### **SUPERVISOR HYMES**

Supervisor Hymes mentioned that Mr. Dunford went over to look at the Tannersville Community Association walking trail because they want to have it paved. He stated that the association had raised a lot of money to have it paved but still needed additional funds. Supervisor Hymes asked if it was legal to assist and help them with a bid so they can get the road paved. He commented that they were a non-profit organization. The County Administrator responded that if they wanted to proceed this way, the County is having a second round of paving this fall and that this road could be included in this round of bidding to possibly help them get a better deal. Supervisor Hymes requested that Mr. Young notify Mr. Dunford of this plan.

### **SUPERVISOR HACKWORTH**

Jim Reynolds sent Supervisor Hackworth a video about the Raven transfer station. Supervisor Hackworth showed the County Administrator and asked that Santek be contacted regarding the concern.

### **CHAIRMAN STACY**

Chairman Stacy talked about his dissatisfaction in how the meeting was conducted that evening. He was not satisfied with the one minute time restraint put on citizens to speak on their views regarding the confederate soldier monument. He suggested implementing a policy with various time restraints depending on the number of people who have signed up to speak. The County Administrator commented that the Board thought there would be a whole lot more people in attendance to speak regarding the issue and it was also difficult to know who would be calling in and speaking via conference call. This is something the Board will look into.

**COUNTY ADMINISTRATOR**

The County Administrator asked to add two items to executive session:

- 1) A(5) Project Jonah
  - 2) A(29) Negotiations of a MoU Regarding Workforce Training Center Grant
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**EXECUTIVE/CLOSED MEETING – 5:30 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(5) Project Jonah
- A(29) Negotiations of a MoU Regarding Workforce Training Center Grant

**RETURN/CERTIFICATION/REPORT OF ACTION – 6:04 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)

**ADJOURN**

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

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Charles A. Stacy, Chair

By: WP

Adjourn time: 6:04 p.m.