

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD NOVEMBER 10, 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 Hackworth gave the invocation followed by The Pledge of Allegiance to the United States flag led by Supervisor Lester.

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

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 November 10, 2020 agenda as amended.

MINUTES APPROVED AS WRITTEN

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 approves the October 15, 2020 and October 27, 2020 Tazewell County Board of Supervisors meeting minutes as written.

CONSENT CALENDAR

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 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
October 2020****Payroll**

Ordered that Warrant Nos. 145024 through 145046, and direct deposits totaling \$257,770.83 from the General, covering payroll for the various County agencies, for the period ending September 30, 2020, be approved.

Ordered that Warrant Nos. 145048 through 145067, and direct deposits totaling \$253,068.49 from the General Fund, covering payroll for the various County agencies, for the period ending October 15, 2020, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 491108 through 491218, and electronic transfers (ACH) totaling \$801,524.27 from the General, Landfill Enterprise, Capital Outlay, Law Library and CARES Act Funds covering operating expenses for the various County agencies issued September 24, 2020, be approved.

Ordered that Warrant Nos. 491200 through 491230, and electronic transfers (ACH) totaling \$349,591.08.40 from the General, covering payroll deductions for the various County agencies for the period ending September 30, 2020, be approved.

Ordered that Warrant Nos. 491232 through 491247, and electronic transfers (ACH) totaling \$224,749.04 from the General, Landfill Enterprise, Capital Outlay, Law Library and CARES Act Funds, covering operating expenses for the various County agencies issued October 6, 2020, be approved.

Ordered that Warrant Nos. 491249 through 491374, and electronic transfers (ACH) totaling \$1,560,896.71 from the General, Landfill Enterprise, Capital Outlay, Law Library and CARES Act Funds, covering operating expenses for the various County agencies issued October 9, 2020, be approved.

Ordered that Warrant Nos. 491376 through 491386, and electronic transfers (ACH) totaling \$139,356.15 from the General, covering payroll deductions for the various County agencies for the period ending October 15, 2020, be approved.

Handwritten

Ordered that Warrant No. 802096 through 802097 for \$160,000.00 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the month of September 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:

- \$250.00 to Acct. 31020-5510 (received from BSTS, LLC DBA Blue Shield Tactical Systems)
- \$1,246.13 to Acct. 31020-1150 (received from Cumberland Mountain Community Services)
- \$5,000.00 to Acct. 31020-5520 (received from Rev. Max C. Linkous)
- \$711.71 to Acct. 31020-5510 (received from County of Bedford)
- \$7,075.00 to Acct. 31020-6009 (received from VACORP for Rodney Whited accident)
- \$320.00 to Acct. 31020-5510 (received from FBI NAA, Inc.)
- \$6,144.77 to Acct. 31020-6009 (received from VACORP for Cody Rowe's vehicle repairs)

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:

- \$250.00 to Acct. 12090-6001 (received from Zillow Group, ck#60512 dtd. 10-14-2020)

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

- \$10,000.00 to Acct. 4-100-012060-5650-1 (received from Virginia Tourism Corporation)
- Ratified approval of a poll accepting \$1,200.00 as full and final satisfaction in the matter of Tazewell County v. Rosa J. Austin, permitting the County Attorney to enter a Certificate of Satisfaction as to the same.

- Ratified approval of a poll permitting Project HEMP to store/hang product in the barn at the Tazewell County Fairgrounds, subject to the same terms and conditions as exist in the lease for the Bluestone Shell Building.
- Ratified approval of a poll to approve expenditure of Tazewell County CARES Round One, Phase II Public Health/COVID Preparedness funds as follows:
 - \$12,000.00 to Bluefield College for COVID-19 rapid test testing supplies
 - \$2,100.00 to DSS for a client beeper system for the waiting area and a hand held fumigation device with supplies
 - Reserve \$31,000.00 for housing special needs adults who may be quarantined or isolated by VDH
 - Additional funds for COVID-19 testing kits and supplies in the amount of \$25,000.00 each for Clinch Valley Medical Center, Tazewell Community Health, AASC, and Bluefield College
- Ratified approval of a poll to spend an amount up to \$5,000.00 with Sparkle n Shine for cleaning the polling places after the election and pay for it from CARES Round 2 contingency funds.

KENNETH DUNFORD – DIRECTOR OF ENGINEERING

OUTSTANDING CONTRACTOR BALANCES AT LANDFILL

The Director of Engineering mentioned that they were in the process of working on a policy that they could put into place to collect outstanding balances from contractors who dump at the landfill. Mr. Dunford hopes to have a draft policy for the Board's review in December.

APPROVED RESOLUTION AUTHORIZING VDOT TO INCORPORATE CLINIC ROAD INTO THEIR SYSTEM

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 approves a RESOLUTION FOR HIGHWAY SYSTEM CHANGES RESULTING FROM THE CONSTRUCTION OF VIRGINIA DEPARTMENT OF TRANSPORTATION PROJECT 9999-092-R17, N501 (UPC 98304). A

copy of the Resolution is on file in the County Administration Building, 197 Main Street, Tazewell, Virginia 24651.

AMENDED CONTRACT AUTHORIZING AN ADDITIONAL \$2,000.00 FOR PAVING PROJECT ON HOLLYBROOK STREET

Mr. Dunford informed the Board that the contractor paving Hollybrook Street requested an additional \$2,000.00 worth of stone that they missed on their original estimate. He asked that the Board amend their contract for the additional money, stating that there is enough money out of the authorized \$300,000.00 budget to fix this issue. The original contract was for \$51,000.00.

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 amends the contract to include an additional \$2,000.00 to go towards purchasing more stone for the paving project on Hollybrook Street.

PROPOSED RESOLUTION SUPPORTING THE CLOSING OF ROUTE 666 FOR REPLACEMENT OF VA STRUCTURE #6257

Mr. Dunford notified that VDOT would like to close a portion of Route 666 to replace a drainage pipe on Gose Mill Road located in Burkes Garden. The road closure would last from November 30th until December 10th, weather permitting. He asked that the Board adopt the Resolution allowing VDOT to do so.

The Board tabled this matter because they did not believe VDOT provided enough notice for the road closure and wanted the residents of Burkes Garden to be notified appropriately.

REVENUE SHARING UPDATE

The County Administrator recalled applying for revenue sharing for two access points on US Rt. 19/460 that were approved for both. However, he has been notified that the money is not available until 2025. Mr. Young stated that they needed to discuss options with VDOT since the County is supposed to match that money and that they could probably do one of these intersections with that match. He suggested talking them into letting the County spend its match in 2021 and then in 2025 they could complete the other project with their dedicated match. The Board suggested that the CST committee hold a meeting regarding this matter.

TRAFFIC LIGHT CONSIDERATIONS DUE TO DANGEROUS INTERSECTION ON POUNDING MILL BRANCH ROAD

Supervisor Hackworth discussed the recent fatalities around an intersection at the Pounding Mill convenience store. He suggested that they consider placing a traffic light there to help alleviate future accidents and fatalities. Mr. Dunford stated that VDOT was currently

looking into accidents at that area to see if a safety study is warranted at that intersection. He commented that it was a part of the Star Study for Smartscale and has already shown up on that study. The Board asked that this matter be placed on December's agenda.

CALEB HOLLOW ROAD

Supervisor Lester asked if the Planning Commission had it on their agenda to discuss Caleb Hollow Road. Mr. Dunford replied that he has yet to receive any petitions from those residents and that they needed to send in their petitions before the Planning Commission would take up their concern.

EXECUTIVE/CLOSED MEETING – 4:31 P.M.

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

- A(1) Personnel in Engineering
- A(1) Personnel in Economic Development
- A(5) Project Jonah
- A(5) Project Claw
- A(5) Project Bonanza
- A(29) Contract Negotiations regarding Project Biscuit
- A(29) Contract Negotiations Groundwater Monitoring Landfill

RETURN/CERTIFICATION/REPORT OF ACTION – 6:03 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: Three (3)

GROUNDWATER MONITORING AT LANDFILL

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 move that the Board advertise for professional services via a Request for Qualifications regarding Groundwater Monitoring and Corrective Action at the Tazewell County Landfill, and appoint Mr. Hymes and Mrs. Asbury to the interview committee to conduct individual interviews of qualified firms.

PROJECT BISCUT – HARDEES IN POUNDING MILL/CLAYPOOL HILL

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 fund the IDA at an amount not to exceed \$30,000.00 per year ~~for five (5)~~ ***for a period not to exceed seven (7) years** from the sales tax proceeds from the Hardee's located at Pounding Mill/Claypool Hill.

*Amended at a Board meeting held on February 23, 2021.

CREATED POSITION FOR DIRECTOR OF ECONOMIC DEVELOPMENT TO BE FUNDED BY C-PROP GRANT

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 authorizes the County Administrator to create a position entitled "Director of Economic Development" funded by the C-Prop Grant, and further direct the County Administrator to conduct interviews for that position.

SPECIAL PRESENTATION

RESOLUTION HONORING THE MEMORY OF DR. JOE MILTON ADAIR

Supervisor Lester welcomed Ginger Branton and the friends of Dr. Joe Milton Adair.

Now, Supervisor Lester, presented, read and moved to adopt the RESOLUTION HONORING THE MEMORY OF DR. JOE MILTON ADAIR with Supervisor Hackworth seconding and with all members present and voting in favor thereof and no one against the same. A copy of the Resolution is on file in the County Administration Building, 197 Main Street, Tazewell, VA 24651.

For decades, Dr. Adair practiced dentistry in the Towns of Richlands and Cedar Bluff as well as serving his community by volunteering countless hours with Habitat for Humanity and Good Samaritan Food Pantry.

Supervisor Lester mentioned that there would also be a sign presenting ceremony in spring for naming the road in Dr. Adair's honor. Family is expected to be traveling in for that ceremony.

ADOPTS AN ORDINANCE TO NAME AN UNNAMED PUBLIC STREET CONNECTING INDIAN PAINT ROAD AND US ROUTES 19/460 INTERSECTION AS ADAIR DRIVE

The County Attorney recalled the public hearing held in October regarding the unnamed intersection in Claypool Hill. Mr. Collins stated that the public comment period ends that night regarding the hearing. He requested that since there have been no comments that the Board adopt the resolution naming the intersection as Adair Drive.

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 adopts AN ORDINANCE TO NAME AN UNNAMED PUBLIC STREET CONNECTING INDIAN PAINT ROAD AND THE UNITED STATES ROUTES 19 AND 460 INTERSECTION AS ADAIR DRIVE. A copy of the Ordinance is on file in the County Administrator's Building, 197 Main Street, Tazewell, VA 24651.

CITIZEN COMMENTS - SCHEDULED

1. Frank Sinicrope, CFO, Mr. Jeff Lilley, CEO; Princeton Community Hospital – approached the Board requesting a personal and real property exemption on properties that Princeton Community Hospital purchased on October 1, 2019.

PUBLIC HEARING SET TO CONSIDER GRANTING PRINCETON COMMUNITY HOSPITAL'S REQUEST FOR PERSONAL AND REAL PROPERTY EXEMPTIONS

Upon motion of Chairman Stacy, seconded by Supervisor Hackworth and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the County Attorney to advertise for a public hearing on December 1, 2020 to consider granting Princeton Community Hospital's request for personal and real property exemptions on properties purchased in Tazewell County.

2. John Williams, High Performance Building Specialist provided the Board with a HVAC Trane demonstration. Mr. Williams explained the new technology and how the new system will optimize and make smarter decisions. The older system was costly and unable to compete with current technology. Mr. Young stated that the new HVAC system will be beneficial to our maintenance department and personnel in the courthouse by reducing the amount of time it takes to perform repairs, monitor, and maintain the HVAC system.
3. Lasandra Thompson, 210 Hopkins Street, Tazewell, VA – presented a speech to the Board, “I stand before you asking that you relocate the confederate statue. I’m asking you not to represent just the majority but every citizen including your minority, specifically black citizens and asking you to denounce false history. Our history has been ignored, erased, and depressed for over 400 years. The confederate statue is idolized and exalted upon whereas black history is forgotten. Twenty percent of our community said yes, that is twenty percent who can understand and respect our history. When the confederate soldier was erected my black ancestors did not have a say as to whether they would approve. No one cared how they felt. I can never imagine watching the confederate statue be upheld at the courthouse while living under Black Code and Jim Crow laws. Their history and culture being blatantly denied. I see Tazewell promoting love, business, and tourism but ignoring the symbol of southern ideology that fosters the idea of slavery and a divide of equality. I see Tazewell promoting a false understanding of history and homage to the confederate supremacy. Confederate heritage is well known in this area without glorifying enslavement. We want you to relocate the statue because not only do you serve the majority but you serve and represent all of us”.

The Chairman responded that there isn't any formal action that is required by the Board. He explained that the Board used the advisory referendum on the ballot to gauge citizen's views on the matter. Supervisor Asbury commented that had the people voted in favor of moving the confederate statue she believes the Board would have relocated it. Supervisor Hymes asked if Ms. Thompson considered the idea of placing something in front of the courthouse to recognize black heritage. Ms. Thompson responded that she had thought about it but that it would more appropriately make sense to put the statue in a more respectable area, stating that this was our judicial courthouse and that everyone should

feel welcome and represented walking through those doors. She urged the Board to take it upon themselves to take the step in relocating the statue.

The County Administrator made the audience aware that if anyone else would like to speak, the Board would take unscheduled comments at approximately 7:00 pm.

PUBLIC HEARING – PROPOSED ORDINANCE PROVIDING FOR BIENNIAL PAYMENT DUE DATES FOR PAYMENT OF REAL ESTATE TAXES IN TAZEWELL COUNTY, VIRGINIA

6:38 PM – 6:45 PM

The Chairman called to order a public hearing that was duly advertised according to law regarding AN ORDINANCE PROVIDING FOR BIENNIAL PAYMENT DUE DATES FOR PAYMENT OF REAL ESTATE TAXES IN TAZEWELL COUNTY, VIRGINIA, PURSUANT TO SECTION 58.1-3916 OF THE CODE OF VIRGINIA (1950), AS AMENDED.

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.

The County Attorney discussed the proposed changes. Effective January 1, 2022. The proposed ordinance would require that real estate taxes due and owing to the County would be due and payable in two (2) equal installments, on or before June 5th and the second to be December of the year the tax is assessed. The ordinance would also increase the Treasurer's administrative fee for voluntary prepayment programs from 0.50 cents a month to 0.55 cents per month. In addition, the ordinance would give the Treasurer the authority to convert the voluntary prepayment programs to an Automated Clearing House (ACH) electronic fund transfer, in which event there would be no administrative cost payable to Tazewell County, as well as the proposed ordinance requiring that any person exempt from real estate taxation to file his/her exemption by March 1 of the taxable year instead of the current deadline of April 1 of the taxable year.

The County Administrator said the ordinance would help the County's cash flow problem and that the Commissioner of Revenue and the Treasurer would make the necessary staff adjustments to make the changes by January 1, 2022. Both the Commissioner of Revenue and Treasurer would need appropriate time and resources to implement the changes as well as preparing for the incorporation of the proposed revenues and expense changes in the FY21-22 county budget.

Then, upon motion of Supervisor Hackworth, seconded by Chairman Stacy and adopted by a vote of 4 to 1, with Supervisor Hymes opposed, the Tazewell County Board of Supervisors hereby adopts AN ORDINANCE PROVIDING FOR BIENNIAL PAYMENT DUE DATES

FOR PAYMENT OF REAL ESTATE TAXES IN TAZEWELL COUNTY, VIRGINIA, PURSUANT TO SECTION 58.1-3916 OF THE CODE OF VIRGINIA (1950), AS AMENDED. A copy of the Ordinance as adopted and as advertised and proposed for adoption as well as the certification of publication is attached hereto and incorporated herein by reference thereto and is on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia 24651.

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

The Chairman then called to order a public hearing to order that had been duly advertised according to law, entitled, An Ordinance to Increase the Penalty for Littering on Public Roads, Streets, Highways, and Private Property. A copy of same is attached hereto and incorporated herein by reference thereto, as well as the certificate of publication.

The County Attorney stated that the Board of Supervisors has received numerous concerns pertaining to unlicensed automobile graveyards and junkyards in the County. The current ordinance does not have any penalties for violation of the ordinance. Other provisions in the current ordinance do not apply to our County, such as an Interstate System. The Board of Supervisors would like to necessitate/create a penalty that would enact an appropriate deterrent from illegal automobile graveyards and junkyards. The proposed ordinance would increase the penalty to a Class 1 misdemeanor, i.e. a fine up to \$2,500.00 and/or twelve months in prison.

Supervisor Hackworth stated that the junked car situation in the Northwestern District is particularly bad with Supervisor Asbury reiterating same in the Northern District. Supervisor Hackworth stated that he would like to see some type of screen incorporated in the ordinance that would be required to be erected to eliminate the eyesore from public view. Supervisor Lester stated that he had concerns with interfering with private property owners and felt the ordinance should regulate businesses only. Sheriff Brian Hieatt was present and supported the ordinance. Supervisor Hackworth stated that he supported the ordinance and the Board should adopt it.

Now, the Chairman called for further comments from the floor, and there being none, he declared the public hearing closed.

Then upon motion of Supervisor Hackworth with Supervisor Stacy seconding the foregoing and with all members present voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby adopt AN ORDINANCE TO INCREASE THE PENALTY FOR LITTERING ON PUBLIC ROADS, STREETS, HIGHWAYS, AND PRIVATE PROPERTY. A copy of the ordinance in a form as hereby adopted is attached hereto and incorporated herein by reference thereto.

UNSCHEDULED CITIZEN COMMENTS**SHERIFF BRIAN HIEATT - LITTERING**

Tazewell County Sheriff, Brian Hieatt stated that he recently received complaints by the Board of Supervisors regarding various transfer stations in the County where people throw trash outside and over the transfer station gates after the stations are closed. Santeck personnel were frustrated because they were not able to open the gate until they moved the trash.

He said that some of the stations have put up cameras that are monitored. Several people have been caught, and four (4) people have been charged who were all County residents, but charges were dismissed in court because the Judge felt it was better to place the garbage near the dumpster instead of putting in over a hill or somewhere else. The Judge did not want to charge the individuals because they made an effort to dispose their garbage properly.

It was previously suggested that the county attorney and sheriff go and meet with the Commonwealth's Attorney and review the littering ordinance and get his opinion on potential changes to ordinance.

Supervisor Stay stated that he felt it was a clear message from court that this ordinance as written is not going to be enforced as a public policy mechanism and the judge should/needs to have input on proposed changes pursuant to Virginia Code and to let Mr. Collins know.

The County Administrator reiterated the importance of getting at least two convictions to get the point across. Supervisor Asbury stated that the Sheriff and his deputies have worked very hard reviewing cameras.

COVID-19 UPDATE

The County Administrator gave a COVID 19 update as of November 19, 2020, i.e. 19 new cases (double digits daily). The risk is HIGH. He said he expects the numbers to only go up and believes more deaths because the numbers keep rising, and because of potential holiday gatherings. He requested that the Board extend the State of Emergency through January 15, 2021; this will give the County the necessary tools to do whatever is necessary to implement required actions to combat the disease as well as being eligible for state and federal funding.

The Chairman reiterated the importance of the public wearing masks and discussed ideas of how the County could seek participation from other political parties to help with the mask campaign.

Supervisor Hackworth suggested ways to campaign County wide by business owners, private properties, intersections, billboards, etc. showing the importance of wearing masks.

CONTINUES LOCAL STATE OF EMERGENCY DUE TO CORONAVIRUS

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 extends the previously declared State of Emergency due to COVID-19 until January 15, 2021.

RECESS

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

BOARD CONCERNS

SUPERVISOR HACKWORTH

RAVEN THEATRE

Supervisor Hackworth asked that the County Administrator follow up with A.J. to see if she has scheduled a date that they could meet with Mr. Ray from the Raven Theatre.

RAVEN SCHOOL

Supervisor Hymes commented that the Raven school was surplussed at the most recent School Board meeting and given back to the County. Supervisor Hackworth suggested asking the community to submit their thoughts on what the old Raven school could be used for. The County Administrator then suggested having a public meeting at that site to let the public tour the building and see what kind of shape the building is in.

Supervisor Hackworth exited the meeting at 7:46 PM.

TAZEWELL COUNTY CARES UPDATE

CARES FUNDING REQUESTS

The County Administrator stated that the information on the update was previously passed out which is incorporated herein with the revised agenda on file in the County Administrator's office.

BROADBAND PROJECTS

The Board previously approved \$700,000.00 for broadband, and as discussed before the County is having difficulty getting contracts to spend that money, it has been reduced to \$625,000.00.

The County Administrator recapped reducing broadband projects at the October meeting.

- Broadband has reached an agreement with AEP so Pocahontas doesn't have to dig a line; able to do it for half price, but puts more money back into CARES funds the County hasn't spent. Of that \$625,000. \$275,000.00 is left.
- There is only a 200 foot range for the mobile hotspots recommended by GigaBeam. The range is insufficient so Mr. Young says they will continue to shop around.

SCHOOL BOARD

- The school board approved \$700,000 and met with Dr. Stacy and he presented \$700,000 worth of receipts probably have about of \$1,000,000 spent soon

EMS

- Ambulances ordered \$98,000 down payment all money should be spent

CVAC

- Rent Utility Assistance; spoke with Doug Sheets, he will try to put ad on radio, no one taking advantage of the program. Only half of money is spent, written to CVCA and our money is spent as far as CARES is concerned. Several rental property owners who applied for loss revenue; tenants can come and apply for that money.

SHERIFF

- Sheriff's vehicles came in saved, \$300.00 on that.

UNITED WAY

- United Way money is spent, however, 13 spaces left unclaimed when speaking to Ms. Holbrook last week: Openings are still available.

EMT'S

- Backup crew can't find EMT's to hire, not there.
- Fumigation Machines, investigated; the company is fictional, get quotes for another machine. Supervisor Hymes suggested talking to Mr. Brooks.
- Decontamination extractors. Business assistance discussed shortly. Reimburse county for wages due to covid19, probably finish under that maybe have

\$50,000.00 left. Public health reserve fund in case we have major outbreak, some appropriations of that money to request shortly.

- \$400,000 possibly left over; appropriate \$200,000 to pay our EMT's salary from July 1 to December 31st. Since Board of Supervisors last met publicly, US Treasurer issued an opinion letter they would now presume all EMT's were substantially dedicated to fighting COVID 19 since July 1. Can pay all their salaries for all our EMT's through July 1 through the end of the year. Take from CARES fund and deposit in our general fund and put in a line item called COVID.
- Suggest giving the Towns of Richlands and Tazewell \$100,000 for their EMT's salary for July through December. IT SHALL NOT be used for bonuses or pay raises for regular hourly salaries that will begin with the FY21 budget.

Upon motion of Supervisor Lester, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes the following with regard to the CARES Act Round Two funding allocations:

- ✚ Reducing Broadband Projects by \$275,000.00;
- ✚ Reducing the reserve fund for Public Health by \$25,000.00
- ✚ Reducing Tazewell County EMS Backup Crew by \$40,000.00
- ✚ Reducing the reimbursement to Tazewell County for wages dedicated to COVID by \$60,000.00 (giving us \$375,000.00)
- ✚ Taking all of the aforementioned reductions, a total of \$400,000.00 and allocating it for EMT salaries as follows

- \$200,000.00 to go towards Tazewell County Board of Supervisors for EMT salaries from July 1 – December 30, 2020
- \$100,000.00 to the Town of Tazewell for their EMT salaries from July 1 – December 30, 2020
- \$100,000.00 to the Town of Richlands for their EMT salaries from July 1 – December 30, 2020

NOTE: these funds may not be used to fund bonuses, raises, overtime or anything other than salaries reflected in the FY21 Budget adopted in July 2020.

The County Administrator stated that he has been working with VDH and did a trial run mass vaccination at the Fairgrounds. Participation was low. Distribution sites were discussed where to distribute hundreds, if not thousands of vaccines, i.e. Health Department, Magic Mart at the McDonalds – but looping traffic would be complicated. One other idea is to use the Bluestone, he showed a display of the Bluestone showing potential traffic pattern for drive-thru vaccinations and discussed the order in which people would receive vaccines.

Now, upon motion of Supervisor Asbury, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby authorize up to \$35,000 of CARES Round Two (Public Health Contingency Fund) for pop up vaccination- COVID screening facility.

Other Cares Act information:

- Town of Tazewell/Town of Richlands each requested COVID transport vehicles. Richlands requested \$95,000 for both towns wanted Durango's, includes, decals installed laptops, car cameras, lights sirens two vehicles, Tazewell same thing, but \$88,900. The County has the money and is anxiously looking for places to spend money before the deadline. But, if the deadline will be extended there might be other agencies/organizations that might be more worthy of the money. Therefore, Chairman Stacy tabled the matter to the December regular meeting.
- Sheriff's Office requested a Code Red texting system which would allow 911 to communicate with anyone registered with a cell phone in Tazewell County instantly. A mass notification system. Randy Ann highlighted the plan.

911 REQUEST - RED ALERT SYSTEMS

\$15,500.00 ROUND II PUBLIC HEALTH CONTINGENCY FUND

Now, upon motion of Supervisor Asbury, seconded by Supervisor Lester and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes the amount of \$15,500.00 from CARES Act Funds Round II Public Health Contingency Fund. 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.

DEPARTMENT OF SOCIAL SERVICES REQUEST – UV LIGHTS

\$1,500.00 ROUND II PUBLIC HEALTH CONTINGENCY FUND

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby approves DSS' request in the amount of \$1,500.00 from CARES Act Funds Round II Public Health Contingency Fund for the purpose of installing UV lights in public areas. 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.

CLINCH VALLEY MEDICAL CENTER REQUEST – MODIFYING ER ROOMS

\$55,000.00 ROUND II PUBLIC HEALTH CONTINGENCY FUND

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board

of Supervisors hereby approves Clinch Valley Medical Center's request in the amount of \$55,000.00 to be used towards modifying their emergency rooms so that they can install walls to create negative air pressure, to turn over and go out of room; allows to expand beds for COVID care into emergency room ; right now they have divides up, same air is going through this would enclose them and put them in specific area. Staff and public health committee recommends.

MASK ADVERTISING

\$20,000.00 ROUND II PUBLIC HEALTH CONTINGENCY FUND

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes \$20,000.00 for mask advertising from the Round II Public Health Contingency Fund for advertisements encouraging people to wear masks.

APPROVED BURKES GARDEN GENERAL STORE EXTENSION REQUEST

Upon motion of Supervisor Hymes, seconded by Chairman Stacy and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby approves Mr. Schrock's request that was made on behalf of Burkes Garden General Store to extend the amount of time they have to spend their CARES Act Funding with an extension up until December 30, 2020.

TOWN OF RICHLANDS POLICE DEPARTMENT REQUEST

The Town of Richlands Police Department requested additional funding in the amount of \$6,000.00 for police uniforms. The Board tabled the request.

TOWN OF BLUEFIELD

Mr. Young and Chairman Stacy discussed their attempts to get the Town of Bluefield to submit another request for reimbursement for PPE. Neither of them has received anything.

SMALL BUSINESS ASSISTANCE ROUND TWO

The Board of Supervisors reviewed the handouts.

The County Administrator stated that the 246 applications received for approximately \$4,700,000.00 of requests have been reviewed. A wide array of applications were received, farms, auto repair, funeral services, machine repair shops, beauty shops, as well as trucking companies, lodging establishments. Three could not be identified. Other applicants included real estate companies, pharmacies, transport and trucking companies.

Mrs. Warden presented statistics:

She stated that 177 applicants have less than 5 employees; 74 applicants previously Received funding through an IDA Loan or through towns, or CARES Act Round One; \$4,700,000.00 was requested from the 246 applicants; the IDA has \$500,000.00 to distribute and IDA is recommending that the Board approve awarding \$534,451.70.

The County Administrator explained the formula that the IDA used to determine the distribution of funds for the Small Business Assistance Round Two.

The Board discussed the breakdown of the formulas as presented as well as an appeals process for the agencies. Supervisor Stacy suggested that the applications be broken down by district. Supervisor Hymes suggested that the Board hold a recessed meeting on November 17 to further address the issues.

Supervisor Hymes and the County Administrator thanked Ms. Warden and Ms. Harmon for their hard work.

APPOINTMENTS

TOURISM DEVELOPMENT COMMITTEE

Chairman Stacy tabled his appointment to find a replacement for Michael Brown.

CUMBERLAND MOUNTAIN COMMUNITY SERVICES BOARD

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

ENTERPRISE ZONE COMMITTEE

Chairman Stacy tabled his appointment to find a replacement for Mike Watson.

WIRELESS SERVICE AUTHORITY

Chairman Stacy tabled his appointment to find a replacement for Mike Watson.

CONSIDERATION OF APPROVING ONETIME COST OF LIVING STIPEND TO THE SHERIFF'S OFFICE EMPLOYEES WHO DID NOT RECEIVE A STIPEND FROM THE COMMONWEALTH; AND CONSIDERATION OF END OF YEAR STIPEND FOR COUNTY EMPLOYEES

The County Administrator explained during the budget process last spring, the Budget Committee looked at ways to include deputies in the cost of living stipend as well a 2% one-time

stipend for all employees. At that time, the State was going to fund a large part of the stipend. Now, they are not, but will give deputies \$500.00. Mr. Young and Mrs. Matney looked at what they had budgeted for the county share of the 50%, what they budgeted for the State share, and what they will get for the deputies. He stated that they were \$74,500.00 short. However, Mr. Young did not see this as a problem because they finished stronger than what they thought last year due to a few factors. He felt comfortable that the Board could take \$74,500.00 out of Capital Contingency and pay 2% to all employees. Mr. Young directed Mrs. Matney to look into making the stipend \$500.00 or 2%, whichever would come out greater. He says that this would fund non-comp board deputies \$500.00 but also give all deputies 2% if that 2% is more than \$500.00.

Supervisor Lester agreed with giving deputies, EMS, and fire employees a stipend, but was concerned about public perception and against giving all county employees the onetime stipend. He explained this was largely due to an article he read in The Voice, regarding hero's pay. Mr. Young clarified that the onetime stipend is not hero's pay.

Chairman Stacy did not see any reason why the Board should not approve the onetime stipend.

Mr. Young recalled the Board raising premiums on health insurance at 2% keeping in mind that later on they would possibly give a stipend to offset that. Supervisor Hymes said that he voted against raising health insurance premiums and that he was for giving the stipend to deputies, but that they needed to find a different approach for other employees.

Supervisor Lester stated that he was okay with the sheriffs and deputies receiving the stipend but he didn't think the public would perceive raises at a time when people are losing their jobs.

Supervisor Asbury said that they should take care of their employees so that they wouldn't want to quit and go somewhere else.

Mr. Young commented that if it was up to the public none of us would get paid a dime. He stated how challenging of a year it has been and that his people along with the sheriff's people have done more this year than any other.

The Board tabled both of these considerations until the recessed meeting so that Supervisor Hackworth could be involved.

ANIMAL FRIENDLY LICENSE PLATE ASSIGNMENT – DOG AND CAT STERILIZATION FUNDS

Upon motion of Supervisor Hymes, seconded by Supervisor Lester and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of

Supervisors hereby assign the Dog and Cat Sterilization Funds to Crab Orchard Veterinary Services and upon further motion authorizes a transfer in the amount of \$630.00 from the Contingent Grant Expenditure Account 91050-7041 to the Animal Shelter Account 35070-3110.

FOIA POLICY UPDATE

Mr. Young brought up the County's FOIA Policy, stating that it has remained the same for at least the last twenty years. The County Administrator explained that due to FOIA limitations on the number of board members that can gather to discuss public business without advertising a public meeting, that our policy of practice for our staff has been to not invite more than two board members at a time for fear that we unknowingly draw our supervisors into a lawsuit. As an example he said if three board members were to gather and discuss football last Saturday then that is not a violation but that the problem arises being called upon to explain what you were talking about during conversation, because there were more than two board members. Public presumption is that the board members were transacting public business. Our County has historically tried to help our supervisors avoid this situation at all costs but Mr. Young commented that this can be changed if the Board wishes.

Chairman Stacy replied that the County has advanced and now has a Communications Director who is actively coordinating public community events that is making Tazewell County more prevalent and more obvious to the community and putting us out there for more things. He desires to be able to attend any one of these functions when he can, to help promote. The Chairman stated that it would be wise for Mr. Collins to give the Board a revised primer on the public meeting act. He believes that if notices are given properly and officials of their county are attending and they comply with those notices of not conducting public business or votes that the Board would certainly not be breaking the law in any way.

The County Administrator and County Attorney's discussed their hesitation about amending this policy practice. There was a lengthy discussion amongst the Board.

Chairman Stacy and Supervisor Hymes wishes for the policy to be revised.

Mr. Collins notified the Board that he would be presenting the FOIA Policy presentation and that he would be in touch to schedule a time with them soon.

AUTHORIZED \$12,000.00 FROM CAPITAL CONTINGENCY ACCOUNT FOR CERTAIN SECURITY EXPENDITURES

Mr. Young said that courthouse security approached them about tinting the windows in the doorways entering the courthouse so that the bailiffs would be more protected. He asked if the Board would approve taking money out of the Capital Contingency Account for this along

with tinting the windows for judges, jurors, and Commonwealth Attorney's Office as well. He said this would cost approximately \$8,000.00.

Mr. Young then discussed lights for the parking area at the rear of the courthouse. He mentioned safety concerns of those leaving domestic court, whom may end up in a bad situation due to a disgruntled ex-spouse as well as other safety concerns. The light posts were put up in 2001 but were not wired until 2018, he asked if they could find the money to install LED lights. The cost would be approximately \$3,600.00.

Another safety measure Mr. Young mentioned was a panic pole. He explained that this would be a tall pole placed in the middle of the parking lot that could be painted red, white, or blue that has a siren fixed on the top of it. If someone was in danger or panicked they could slap the pole and a siren would alarm and call 911.

Upon motion of Supervisor Lester, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes the amount of \$8,000.00 for window tinting at the courthouse and Commonwealth Attorney's Office and further authorizes the amount of \$4,000.00 to purchase LED lights for the light poles at the rear of the courthouse, for a total amount of \$12,000.00 from the Capital Contingency Account.

BOARD CONCERNS

CHAIRMAN STACY

Tabled all of his board concerns until the recessed meeting.

SUPERVISOR HYMES

TAZEWELL HIGH SCHOOL – THS GIRLS AND BOYS BASKETBALL

\$1,000.00 SOUTHERN DISTRICT

\$1,000.00 NORTHERN DISTRICT

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes the amount of \$1,000.00 from the Southern District and \$1,000.00 from the Northern District, for a total amount of \$2,000.00, payable to THS Girls And Boys Basketball, 167 Cosby Lane, Tazewell, VA 24651; attn.: Sara Brown. These monies go towards basketball shoes. 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.

STIPENDS FOR VOLUNTEERS AT RESCUE SQUADS – TANNERSVILLE AND THOMPSON VALLEY

Supervisor Hymes asked that Mr. Young also consider giving a stipend to volunteers at the rescue squads in Tannersville and Thompson Valley. Mr. Young stated he would look into it.

LABOR OF LOVE – WHITE CHRISTMAS

\$1,500.00 SOUTHERN DISTRICT

\$500.00 NORTHERN DISTRICT

\$500.00 EASTERN DISTRICT

\$500.00 WESTERN DISTRICT

\$250.00 NORTHWESTERN DISTRICT

Upon motion of Supervisor Hymes, seconded by Supervisor Asbury and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes the amount of \$1,500.00 from the Southern District, \$500.00 from the Northern District, \$500.00 from the Eastern District, \$500.00 from the Western District, and \$250.00 from the Northwestern District, for a total amount of \$3,250.00, payable to Labor of Love, White Christmas; Labor of Love Mission, P.O. Box 386, North Tazewell, VA 24630; attn.: Rene Steel. Said warrants shall be issued by the County Administrator in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

SUPERVISOR ASBURY

D.A.D. FIRE DEPARTMENT

\$2,225.00 NORTHERN DISTRICT

Upon motion of Supervisor Asbury, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes the amount of \$2,225.00 from the Northern District, payable to DAD Fire Department; attn.: Mark Bandy. These monies go towards paying half of the invoice they received from Two-Way Radio, Inc. for miscellaneous parts needed for fire trucks. 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.

TOWN OF POCAHONTAS – SHOP WITH A COP PROGRAM

\$2,000.00 NORTHERN DISTRICT

Upon motion of Supervisor Asbury, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby authorizes the amount of \$2,000.00 from the Northern District, payable to the Town of Pocahontas, Virginia 24635; attn.: Chief of Police, Darren Jessee. Said warrants shall be issued by the County Administrator in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

SUPERVISOR LESTER

COMMUNITY POLICY AND MANAGEMENT TEAM

Supervisor Lester wanted to make sure that the child advocacy center had representation on the CPMT Board. He asked that he remain on the Board but designate his representative to be Executive Director of the Cares Center Board.

Upon motion of Supervisor Lester, seconded by Supervisor Hymes and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby designate Mr. Lester's representative to be Executive Director of the Cares Board.

CARES FUNDING

Pam Warden, Economic Development Manager and Denise Harmon, Administrative Assistant re-enter the meeting to try and clarify any confusion regarding the spreadsheets they presented earlier.

RECESS

Now, there being no further business to be transacted, and upon motion of Supervisor Hymes, seconded by Supervisor Lester and adopted by a vote of 4 to 0, with Supervisor Hackworth absent from the meeting, the Tazewell County Board of Supervisors hereby recess this meeting to Tuesday, November 17, 2020 at 5:00 p.m.

Charles A. Stacy, Chair

By: WP

Adjourn time: 10:40 p.m.