

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEVELL COUNTY BOARD OF SUPERVISORS HELD JANUARY 11, 2022 AT FOUR O'CLOCK P.M. IN THE TAZEVELL COUNTY ADMINISTRATION BUILDING, 197 MAIN STREET, TAZEVELL, VIRGINIA 24651

PRESENT: AARON GILLESPIE, CHAIRMAN
SHANNA PLASTER, VICE CHAIRMAN (By Phone)
MARGARET ASBURY, MEMBER
ANDY HROVATIC, MEMBER
CHARLES A. STACY, MEMBER
C. ERIC YOUNG, COUNTY ADMINISTRATOR
CHASE D. COLLINS, COUNTY ATTORNEY
JENNIFER BOROWSKI, EXECUTIVE ASSISTANT
MEMBERS OF THE PRESS: JIM TALBERT, CLINCH VALLEY

ABSENT: NONE

Aaron Gillespie called the regular meeting to order and presided with all members present.

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

APPROVED SUPERVISOR PLASTER'S MEETING ATTENDANCE VIA PHONE

The County Attorney announced that Supervisor Plaster asked to attend by phone.

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic, and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby authorizes Supervisor Plaster's attendance by phone.

Mr. Gillespie 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 Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the January 11, 2022 agenda as amended.

MINUTES APPROVED AS WRITTEN

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic 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 5, 2021 and December 7, 2021 Tazewell County Board of Supervisors meeting minutes as written.

ORGANIZATIONAL STRUCTURING 2022

ELECTION OF A CHAIRMAN

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

The name of Aaron Gillespie was placed in nomination by Supervisor Stacy, with Supervisor Hrovatic, seconding the foregoing. The County Administrator then called for additional nominations of a Chairperson of the Board of Supervisors, and there being none, he declared nominations closed. Then, upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby elected Aaron Gillespie as Chair of the Tazewell County Board of Supervisors for calendar year 2022 or until his successor is duly elected.

ELECTION OF A VICE CHAIRMAN

The newly elected Chairman, Aaron Gillespie then proceeded with the election of a Vice Chair of the Board of Supervisors for calendar year 2022.

The name of D. Shanna Plaster was placed in nomination by Supervisor Stacy with Supervisor Asbury seconding the foregoing. Chairman Gillespie sought further nominations from the floor for Vice Chair, and there being none, he declared the nominations closed with Supervisor Stacy moving and with Supervisor Asbury seconding the foregoing, and by acclamation, elected Shanna Plaster as Vice Chair of the Tazewell County Board of Supervisors for calendar year 2022 or until his successor is duly elected.

ROBERT'S RULES OF ORDER ADOPTED

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby adopts Robert's Rules of Order as the official rules of procedure for conducting meetings/business of the Tazewell County Board of Supervisors for calendar year 2022.

CLERK OF THE BOARD OF SUPERVISORS

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby appoints C. Eric Young, County Administrator, as Clerk to the Board of Supervisors for calendar year 2022.

DIRECTOR OF EMERGENCY MANAGEMENT FOR TAZEVELL COUNTY

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby appoints the County Administrator, C. Eric Young, as the Director of Emergency Management for Tazewell County for calendar year 2022.

COORDINATOR OF EMERGENCY MANAGEMENT

Upon motion of Supervisor Hrovatic, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby appoints Dave White, as the Coordinator of Emergency Management for Tazewell County for calendar year 2022.

DEPUTY COORDINATOR OF EMERGENCY MANAGEMENT

Upon motion of Supervisor Hrovatic, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby appoints Barry Brooks, as the Deputy Coordinator of Emergency Management for Tazewell County for calendar year 2022.

REGULAR MEETINGS, DATE, PLACE AND TIME – CALENDAR YEAR 2022

Upon motion of Supervisor Hrovatic, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approves the PROPOSED 2022 BOS MEETING DATES list as provided to the Board in the agenda packet and upon further motion continues to have the Tazewell County Board of Supervisors meetings in the Tazewell County Administration Building, 197 Main Street, Tazewell, VA 24651 at 4:00 PM for calendar year 2022.

The Schedule provides that all monthly meetings but two will be held the first Tuesday of every month. It also provides for a second June meeting on the 28th in lieu of a July meeting.

LEGISLATIVE CONTACT TO WORK WITH VACo – 2022

Upon motion of Supervisor Asbury, seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby appoints Supervisor Charles Stacy to serve as Tazewell County's legislative contact to work with VACo during the upcoming 2022 General Assembly.

TAZEVELL COUNTY BUDGET COMMITTEE FY2022-2023

Upon motion of Supervisor Asbury, seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby appoints Supervisor Hrovatic and Supervisor Stacy to the Tazewell County Budget Committee for Fiscal Year 23.

PERSONNEL COMMITTEE – CALENDAR YEAR 2022

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby appoints Supervisor Asbury and Supervisor Plaster as the Tazewell County Personnel Committee for calendar year 2022.

EMERGENCY SERVICES COMMITTEE – CALENDAR YEAR 2022

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby reappoints Supervisor Plaster and appoints Supervisor Gillespie to the Tazewell County Emergency Services Committee for calendar year 2022.

CONSENT CALENDAR

Upon motion of Supervisor Stacy, seconded by Supervisor Plaster and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approves the following items presented as “Consent Calendar”. The matters requiring the issuance of warrants shall be issued by the County Administrator in accordance with this action and converted to negotiable checks by the Treasurer of Tazewell County, Virginia:

WARRANTS December 2021

Payroll

Ordered that Warrant Nos. 145563 through 145578 and direct deposits totaling \$263,990.70 from the General, covering payroll for the various County agencies, for the period ending November 30, 2021, be approved.

Ordered that Warrant Nos. 145580 through 145596 and direct deposits totaling \$301,486.54 from the General Fund, covering payroll for the various County agencies, for the period ending December 15, 2021 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 495546 through 495664 and electronic transfers (ACH) totaling \$564,451.64 from the General, Landfill Enterprise, Capital Outlay, Law Library, CARES, and ARPA funds covering operating expenses for the various County agencies issued November 29, 2021, be approved.

Ordered that Warrant Nos. 495546 through 495664 (mixed in with the accounts payable run) and electronic transfers (ACH) totaling \$138,659.30 from the General, covering payroll deductions for the various County agencies for the period ending Nov 30, 2021 be approved.

Ordered that Warrant Nos. 495666 through 495772 and 495785 through 495786, and electronic transfers (ACH) totaling \$736,325.03 from the General, Landfill Enterprise, Capital Outlay, Law Library, CARES, and ARPA funds covering operating expenses for the various County agencies issued December 10, 2021, be approved.

Ordered that Warrant Nos 495774 through 495784, and electronic transfers (ACH) totaling \$ 139,374.02 from the General, covering payroll deductions for the various County agencies for the period ending December 15, 2021, be approved.

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Ordered that Warrant No. 802118 through 802119 for \$ 59,764.25 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the month of November 2021, be approved.

12/22/21 tga

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No Warrants were issued from the General, Landfill Enterprise, Capital Outlay, and Law Library funds, covering operating expenses for the month of December 2021.

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

- \$30.00 to Account # 035600-8109-15 (Teresa Layne Ck#9454)
- \$30.00 to Account # 03560-8109-15 (Timothy Sargent Ck#10642)
- \$15.00 to Account # 03560-8109-15 (Flora Sinkford Ck #1239)
- \$1,433.83 to Account # 31020-6009 (VACORP Ck#474242)
- \$2,904.19 to Account #31020-6009 (VACORP Ck#474229)
- \$879.41 to Account # 31020-5510 (The Claremont Institute Ck#7040)
- \$500.00 to Account # 31020-6001 (Samuel Lester)
- \$4,065.00 to Account # 31020-6009 (Dominion Auto Auction)
- \$1,583.04 to Account # 31020-6009 (VACORP)

- C. 911 – Transfer the following amounts from the Contingent Expenditures and Grant Account No. 91050-7041 to the 911 Accounts

- \$30.92 to Account # 035600-5230 (AMN-Stratus Audio Ck#611228)
- \$3,000.00 to Account # 035600-8109-15 (Alzheimer's Foundation)
- \$1,935.00 to Account # 035600-8109-15 (Christmas Ornament Fund Raiser sales)

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

- \$100.00 to Account # 7301-3099 (Mountain Kids, Inc.)

E. Fire & EMS Accounts - Transfer the following amounts from the Contingent Expenditures and Grant Account No. 91050-7041 to the Fire & EMS Accounts as follows:

- \$200.00 to Account # 32040-5510 (Ck. #3440)
- \$135.70 to Account # 32010-6009 (Ck. #10999)

F. Authorized \$122.00 to be refunded to Chiropractic First for Abatement

G. Authorized \$100.00 to be refunded to Brown Chiropractic for Abatement

H. Authorized \$188.00 to be refunded to Brown Chiropractic for Abatement

I. Authorized \$188.00 to be refunded to Brown Chiropractic for Abatement

J. Authorized \$256.00 to be refunded to Brown Chiropractic for Abatement

K. Authorized \$2,000.00 to be issued to Clinch Valley Community Action from Account # 035050-3310-2 for short term disaster recovery.

L. Authorized \$500.00 pump and haul permit bond for Clinch Mountain Kids

M. Authorized \$11,427.00 to be refunded to J&S Transport for Abatement

EXECUTIVE/CLOSED MEETING – 4:24 PM

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic 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(29) Inter-municipal Agreement for Jonah Building Inspection
- A(29) Contract Negotiations with Republic for Landfill Expansion
- A(5) Project Brew
- A(29) Contract negotiations regarding regional jail agreement and potential Bristol membership.
- A(29) Convenience Site Bids
- A(1) Personnel in Engineering
- A(5) Empty Arms Hotel Project

RETURN/CERTIFICATION/REPORT OF ACTION – 6:20 PM

The Board of Supervisors returned to public session and Supervisor Hrovatic read the following certification:

**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: Five (5)

Nays: None (0)

Absent: None (0)

Absent during vote: None (0)

Report of Action: Five (5)

ACTION FOLLOWING EXECUTIVE SESSION

SOUTHWEST REGIONAL JAIL AUTHORITY

Mr. Collins asked that the Board consider approving the resolution approving the amendments to the regional jail agreement with the Southwest Regional Jail Authority, including the Resolution and Agreement Amendments as presented, and authorize the Chairman and the County Administrator to execute those documents and any other such documents as may be necessary to approve such amendment, subject to legal review.

Upon motion of Supervisor Stacy, seconded by Supervisor Hroatic 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 amendments to the regional jail agreement with the Southwest Regional Jail Authority, including the Resolution and Agreement Amendment as presented and authorize the Chairman and County Administrator to execute those documents and any other such documents as may be necessary to approve such amendment, subject to legal review. Copies of the resolution, the amendments, and the agreement are on file in the County Administrator's Office.

LUSK DISPOSAL SERVICE

Mr. Collins advised that the bid submitted by Lusk Disposal Service is the only responsive bid as to the convenience site bids and that the Board of Supervisors authorize the County Administrator to negotiate with Lusk Disposal Service as to a contract for Maintenance of such convenience sites.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the County Administrator to negotiate with Lusk Disposal Service for a contract for Maintenance of Convenience Sites.

ENGINEERING DEPARTMENT ADMINISTRATIVE ASSISTANT

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the County Administrator to create an Administrative Position II and to fill that position for the Engineering Department.

PERMIT FOR LANDFILL EXPANSION

Mr. Young asked that the Board of Supervisors approve submitting an application for a permit for Landfill Expansion to the Virginia Department of Environmental Quality under the terms as presented in Executive Session

Upon motion of Supervisor Gillespie, seconded by Supervisor Hrovatic 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 Board authorized application to the Department of Environmental Quality for a permit to expand the landfill. A copy of the application is on file in the Director of Engineering's Office.

\$250,000.00 FROM CAPITAL CONTINGENCY TO IDA-PROJECT EMPTY ARMS

Upon motion of Supervisor Asbury, seconded by Supervisor Hrovatic 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 transfer up to \$250,000.00 from the Capital Contingency Fund to the IDA for Project Empty Arms.

SPECIAL PRESENTATION

REDISTRICTING REVISIONS

County Administrator, Eric Young, stated that the state of Virginia has removed the inmates from the Northern District. He stated the Redistricting Committee needs to make some more changes due to this. Mr. Young stated that each district needs to have within 5% above or below 7,998 residents. He stated that the Northern District needed to add 186 residents to be within this 5%. Mr. Young then stated that the Southern District needed to reduce its area by 146 residents. Mr. Young recommended to the board to move the 6 residents of Clearfork Road to the Southern District from the Eastern District. He also recommended to the board to for the 104 residents on Industry Road in the Southern District be moved to the Northern District. He also recommended to the board that the 77 residents in the unincorporated area in the Southern District be moved to the Northern District. Mr. Young then acknowledged the previous changes brought in front of the board at the December meeting.

Supervisor Stacy asked Mr. Young if there was any other practical reason for the redistricting other than where the resident votes at. Supervisor Gillespie stated that the registrar's office will also have to deal with all of these changes to districts. Supervisor Gillespie also asked if the board is locked in on these decisions or if they can amend these redistricting choices. County Attorney, Chase Collins, stated that there will be a second public hearing for responses, and to amend any redistricting choices.

PUBLIC HEARINGS

EVA'S WALK

The Chairman called to order a public hearing that was duly advertised according to law regarding, "AN ORDINANCE TO ACCEPT EVA'S WALK INTO THE TAZEWell

COUNTY ROAD SYSTEM PURSUANT TO SECTION 15.2-2006 OF THE CODE OF VIRGINIA (1950).

Proposed ordinance to add Eva's Walk into Tazewell County's Road System.

County Attorney, Chase Collins, stated that Eva's Walk is owned by equal parts in a HOA. He stated that this road had many drainage problems. Mr. Collins said this ordinance has come before the Planning Commission. He stated that the Planning Commission recommended adopting this ordinance.

Mike Luttrell, a resident of Eva's Walk, stated that the HOA had been working for well over a year to correct the drainage issues. He stated the HOA brought in a contractor to resolve these issues. He asked the board if they had any questions about the Eva's Walk HOA. Supervisor Stacy inquired as to the location of Eva's Walk.

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic 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 ordinance to add Eva's Walk to the Tazewell County Road System in accordance with Section 58.1-3819. A copy of the ordinance is on file in the County Administrator's office.

REDISTRICTING

The Chairman called to order a public hearing that was duly advertised according to law regarding, "AN ORDINANCE TO AMEND AN ORDINANCE TO PROVIDE FOR THE REDISTRICTING OF THE BOUNDARY LINES OF THE BOARD OF SUPERVISORS ELECTION DISTRICTS AND PRECINCTS AND TO RELOCATE CERTAIN POLLING PLACES WITHIN TAZEWEEL COUNTY, VIRGINIA, TO BE EFFECTIVE APRIL 1,2022, PURSUANT TO SECTIONS 15.2-1211, 15.2-1425, 24.2-129 AND 24.2-304.1 ET SEQ OF THE CODE OF VIRGINIA (1950).

Proposed ordinance to amend an ordinance to redistrict the Board of Supervisors election districts, precincts and to relocate certain polling places.

The Board expressed concern about the lack of public interest or concerns of the proposal. Mr. Young gave a lengthy presentation regarding changes staff recommended to the Committee's proposal based on the state's decision to exclude inmates at the Pocahontas Correctional Facility from the Northern District counts.

County Attorney, Chase Collins, requested the board move to let him, Mr. Dunford, and Mr. Young get the metes and bounds description and produce the maps of the changes under this ordinance, secondly, advertise the public comment period from January 11, 2022 to the March 2022 meeting.

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

the Tazewell County Board of Supervisors hereby approves the County Attorney, County Engineer, and County Administrator to get the metes and bounds description and produce the maps of the changes in this ordinance.

Upon motion of Supervisor Hrovatic , seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the endorsement of the public comment period running from January 11, 2022 to the March 2022 meeting.

KENNETH DUNFORD – DIRECTOR OF ENGINEERING

LANDFILL ENTERPRISE

Mr. Dunford explained that he received a letter from the Town of Lebanon requesting that sludge from the Town Water Treatment Plant be taken in at the Landfill. He recommends they provide a yearly analysis and their fee would be set at \$33.00 a ton.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the Landfill to take in the sludge from the Town of Lebanon and to charge the associated fee of \$33.00 per ton.

\$71,614.40 from Account# 42050-3270 Landfill Water Monitoring

Mr. Dunford explained that he had received the 2nd year renewal for Groundwater Monitoring for the Landfill from Marshall Miller & Associates. There has been an increase due to the cost of lab work and the cost will be \$71,614.50.

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic 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 \$71,614.50 from the Landfill Water Monitoring account for Ground Water Monitoring at the Landfill.

\$1,920.00 from Account# 42050-3270 Landfill Gas Monitoring

Mr. Dunford explained he received the renewal for Gas Monitoring at the land fill and the cost will be \$1,920.00.

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic 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 \$1,920.00 from the Landfill Water Monitoring account for Ground Water Monitoring at the Landfill.

CAVITTS CREEK TRAILS

Mr. Dunford stated how the county has gotten grants for the Cavitts Creek trails. He stated to receive these grants the county must do environmental assessments. Mr. Dunford stated that he but out to receive proposals for this work. He stated he received one proposal to do this work and it was for \$41,250.00. Mr. Young pointed out that the \$150,000.00 grant from the state required the \$41,000.00 study.

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic 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 \$41,250.00 for the contract for Environmental Assessments for Cavvitts Creak Trails.

COVID UPDATE

CASE NUMBER UPDATE

County Administrator, Eric Young, stated that the county has had a rise in COVID numbers since the Thanksgiving holiday. He stated that we are in a spike of numbers currently due to the Christmas holiday. Mr. Young stated that the local emergency rooms are full and running out of places to send patients. He stated that the current average of positive Covid tests is 50 people a day. Mr. Young stated that the county should see another spike in numbers at the end of January 2022.

Supervisor Stacy asked Mr. Young if the county had any current open testing sites. He asked if the county had any advertisements were out stating not to use the emergency rooms to get Covid tested. Mr. Young stated the county may do a press release to state “don’t use the emergency rooms for Covid testing.”

CARES ACT FUNDING / AMERICAN RESCUE PLAN ACT FUNDING

CARES FUNDING

County Administrator, Eric Young, stated that the counties had received two rounds of CARES money. One round in June for \$3.5 Million and the second round in August for \$3.5 Million. He stated that the county spent \$7,083,514.00 of this CARES funding.

Mr. Young stated that the counties DSS/CSA foster care funding ran over budget by \$600,000.00. He stated that this was because more children are in foster care. He stated that the board had approved using CARES funding to cover this overrun. Mr. Young then stated how the state of Virginia pays 75% of the funding for foster care and the DSS pays 25% of the funding. He stated that the state of Virginia used their CARES funds for their share of the overrun so therefore the DSS couldn’t use CARES funds to match this and pay their portion. He stated that the county will have to return \$141,000.00 of CARES money.

Mr. Young stated the county gave Clinch Valley Community Action \$40,000.00 of CARES funds to help county residents pay their utility bills. He stated they didn't spend \$12,426.00 of this money. Mr. Young stated that this money will have to be returned.

Mr. Young stated that the county gave Clinch Valley Medical Center \$549,612.50 of CARES funding. Clinch Valley Medical Center used all of this money except \$1,350.00. This amount will need to be returned.

Mr. Young stated that on December 15, 2021 the Treasury put out an advisement on what "spent" means. Spent means if you have a contractual agreement, this is considered spent.

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic 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 refund \$154,776.77 of CARES funding.

APRA

County Administrator, Eric Young, discussed the ARPA Budget. He stated that the county took the ARPA funding and divided it into three different years. He stated that county had budgeted to spend money on certain items that are no longer allowed. Mr. Young stated that these funds will need to be reallocated.

ADMINISTRATIVE

COURTHOUSE GROUNDS IMPROVEMENT COMMITTEE

\$20,000.00 from Capital Contingency Funds

The Courthouse Grounds Improvement Committee Made a presentation to the Board regarding their recommendation to improve the ground by adding murals on the wall of a building facing the veterans' memorial to recognize the County's African-American Heritage. After hearing the presentation and discussing the size and shape of the mural, each member of the committee present spoke regarding the contributions made by a specific persons whose appearance would be represented on the mural. The Board discussed the issue and reviewed sample art from Ellen Elmes, who had worked with the Committee. Ms. Elmes presented a proposed budget for the artwork which would cost approximately \$16,500.00.

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes up to \$20,000.00 from Capital Cont to

help facilitate the Mural & Narrative History Project Honoring Tazewell County's African American Heritage.

APOINTMENTS

TAZEWELL COUNTY LIBRARY BOARD OF TRUSTEES

Upon motion of Supervisor Stacy, seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Karel Ryan to the Tazewell County Library Board of Trustees.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Ginger Branton to the Tazewell County Library Board of Trustees.

TAZEWELL COUNTY PSA LIAISON

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Supervisor Aaron Gillespie as Tazewell County PSA Liaison.

TAZEWELL COUNTY PUBLIC SERVICE AUTHORITY

Upon motion of Supervisor Plaster, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby re-appoints Richard Smith to the Tazewell County Public Service Authority.

TAZEWELL COUNTY RECREATION AND PARKS FACILITY AUTHORITY

Upon motion of Supervisor Plaster, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Supervisor Andy Hrovatic to the Tazewell County Recreation and Parks Facility Authority.

TAZEWELL COUNTY REDISTRICTING COMMITTEE

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

the Tazewell County Board of Supervisors hereby appoints Supervisor Aaron Gillespie and Supervisor Maggie Asbury to the Tazewell County Redistricting Committee.

VIRGINIA COALFIELD ECONOMIC DEVELOPMENT AUTHORITY

Upon motion of Supervisor Asbury, seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Supervisor Andy Hrovatic to the Virginia Coalfield Economic Development Authority.

LANDFILL COMMITTEE

Upon motion of Supervisor Asbury, seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Supervisor Charlie Stacy to the Landfill Committee.

CUMBERLAND PLATEAU PLANNING COMMISSION

Upon motion of Supervisor Hrovatic, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby re-appoints J.R. Absher to the Cumberland Plateau Planning Commission.

NEW RIVER HIGHLANDS RC&D COUNCIL

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby re-appoints Jack Asbury to the New River Highlands RC&D Council.

DISOLVE THE BEAUTIFICATION COMMITTEE

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

DEFERRED APPOINTMENTS

- **EMERGENCY SERVICES COMMITTEE**
- **SOUTHERN DISTRICT CUMBERLAND PLATEAU PLANNING COMMISSION**
- **SOCIAL SERVICES BOARD**

BYLAWS REVISIONS TO THE CUMBERLAND INDUSTRIAL FACILITIES AUTHORITY (CIFA)

County Attorney, Chase Collins, stated that the Cumberland Industrial Facilities Authority is like a regional IDA. He stated that Dickenson County requested to be added to this authority. Mr. Collins stated this is to modernize the bylaws after five years. He requested the board consider approving the revised bylaws to this authority to include Dickenson County.

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the revised bylaws for the Cumberland Industrial Facilities Authority.

CIFA REQUEST FOR A RESOLUTION OF SUPPORT FOR CHANGES TO SECTION 15.2-6407

County Attorney, Chase Collins, stated that this is a revision suggested by Buchanan County. He stated that this statute allows revenue sharing agreements. Mr. Collins stated the change would allow the non authority owned facility to be utilized as part of the corporative revenue sharing.

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the request for a resolution of support for changes to Section 15.2-6407.

JONAH WATER PROJECT COMMITMENT LETTER

County Administrator, Eric Young, stated that the PSA is undertaking the design and construction of a waste water project for Project Jonah. He stated that this commitment letter will be to Appalachian Regional Commission stating that Tazewell County will have to promise to pay up to \$1.6 Million to receive a \$700,000.00 ARC grant. He said the actual cost should be between \$300,000.00 and \$1.6 Million depending on how much grand funding is awarded.

The Board discussed the project progress.

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic 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 commitment letter to Appalachian Regional Commission stating that Tazewell County will pay up to \$1.6 Million to receive the \$700,000.00 grant, if necessary.

SURPLUS VEHICLES AT TAZEWELL COUNTY LANDFILL

County Attorney, Chase Collins, stated that Lt. Chuck McNerlin identified there are a significant amount of older vehicles at the landfill. He stated these vehicles are not operable. Mr. Collins stated several bids have come in to buy these old vehicles and sell them for scrap.

Upon motion of Supervisor Stacy, seconded by Supervisor Hrovatic 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 these surplus vehicles at the landfill to be put out for bid.

BOARD CONCERNS

SUPERVISOR ASBURY

GRAHAM HIGH SCHOOL PIN & INK DRAWINGS TAZEWELL HIGH SCHOOL PIN & INK DRAWINGS

\$250.00 EACH (Total of \$500.00) FROM NORTHERN DISTRICT FUND

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the amount of \$500.00 to be split equally (\$250.00 each) to Graham High School and Tazewell High School. Funds are to be spent on Personalized PIN & INK drawings for all 2022 graduates provided by Robert Duff.

SUPERVISOR GILLESPIE

TAZEWELL HIGH SCHOOL PIN & INK DRAWINGS

\$250.00 FROM SOUTHERN DISTRICT FUND

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the amount of \$250.00 to Tazewell High School. Funds are to be spent on Personalized PIN & INK drawings for all 2022 graduates provided by Robert Duff.

TAZEWELL COUNTY SHERIFF'S DEPARTMENT

\$290.00 FROM SOUTHERN DISTRICT FUND

Upon motion of Supervisor Gillespie, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the amount of \$290.00 be given to the Sheriff's Department as partial funding for a retirement dinner honoring Deputy Bill Asbury. An invoice will be submitted for payment (\$290.00) and charged to the Southern District Fund. Any remaining balance due will be charged directly to the Sheriff's Department budget.

Supervisor Stacy requested that Resolutions be drafted for Mr. Asbury and Monte Rife to be presented to the Families at a future date honoring their service to the county.

SUPERVISOR STACY

GRAHAM HIGH SCHOOL PIN & INK DRAWINGS

\$250.00 FROM EASTERN DISTRICT FUND

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the amount of \$250.00 to Graham High School. Funds are to be spent on Personalized PIN & INK drawings for all 2022 graduates provided by Robert Duff.

SUPERVISOR PLASTER

RICHLANDS HIGH SCHOOL PIN & INK DRAWINGS

\$250.00 FROM NORTHWESTERN DISTRICT FUND

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the amount of \$250.00 to Richlands High School – Pin & Ink Drawings. Funds are to be spent on Personalized PIN & INK drawings for all 2022 graduates provided by Robert Duff.

POP-UP RICHLANDS PROGRAM – TOWN OF RICHLANDS

\$7,000.00 FROM NORTHWESTERN DISTRICT FUND

Upon motion of Supervisor Plaster, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the amount of \$7,000.00 to Town of Richlands for the Pop-Up Richlands Program, Attn: Ashley Harris (276-329-6067). These funds will come from the Western District for support of the Pop-Up Richlands Program.

SUPERVISOR HROVATIC

RICHLANDS HIGH SCHOOL OIN & INK DRAWINGS

\$250.00 FROM WESTERN DISTRICT FUND

Upon motion of Supervisor Asbury, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the amount of \$250.00 to Richlands High School. Funds are to be spent on Personalized PIN & INK drawings for all 2022 graduates provided by Robert Duff.

SECOND EXECUTIVE/CLOSED MEETING – 8:54 PM

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

- A(1) County Attorney Annual Evaluation
- A(1) Personnel - Animal Shelter
- A(1) Personnel - Custodial
- A(1) Personnel - Cavitts Creek Park
- A(29) RFP-Consultant Services to Identify/Pursue Grant
- A(29) Bid Evaluations for flood remediation study

RETURN/CERTIFICATION/REPORT OF ACTION – 9:53 PM

The Board of Supervisors returned to public session and Supervisor Hrovatic read the following certification :

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: Four (5)

Nays: None (0)

Absent: One (0)

Absent during vote: None (0)

Report of Action: One (1)

ACTION FOLLOWING EXECUTIVE SESSION

FLOOD REMEDIATION

Mr. Collins advised the Board that the proposal submitted by First Earth 2030 was the only responsive proposal to the Request for Proposals submitted to the Board for firms to find and apply for grants to fund flood studies and further that the Board authorize the County Administrator to commence negotiations with First Earth 2030 as to a contract for services for finding grants for planning flood remediation in the Northwestern District of the County.

Upon motion of Supervisor Plaster, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby finds First Earth 2030 to be the only responsive firm to the solicitation for firms to locate and apply for grants for flood mitigation planning and authorizes the County Administrator to commence negotiations with First Earth 2030 for such contract services.

ADJOURN

Now, there being no further business to be transacted the Board of Supervisors hereby adjourns this meeting to February 8, 2022 at 4:00 p.m.

Aaron Gillespie, Chair

By: JB

Adjourn time: 9:58 p.m.