

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEVELL COUNTY BOARD OF SUPERVISORS HELD JUNE 28, 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
MARGARET ASBURY, MEMBER
ANDY HROVATIC, MEMBER
CHARLES A. STACY, MEMBER
C. MR. YOUNG, COUNTY ADMINISTRATOR
CHASE D. COLLINS, COUNTY ATTORNEY
SUSAN JEWELL, EXECUTIVE ASSISTANT
MEMBERS OF THE PRESS: JIM TALBERT, CLINCH VALLEY
NEWS/PRESS; WARREN HINKLE, THE VOICE

ABSENT: NONE

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

Supervisor Hrovatic led the Pledge of Allegiance to the United States flag and Supervisor Asbury gave the invocation.

Supervisor 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 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 June 28, 2022 agenda as amended.

MINUTES APPROVED AS WRITTEN

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 minutes for the June 7, 2022 meeting.

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

June 2022

Payroll

Ordered that Warrant Nos 145774 through 145790 and direct deposits totaling \$281,629.89 from the General, covering payroll for the various County agencies, for the period ending May 31, 2022, be approved.

Ordered that Warrant Nos. 145791 through 145806 and direct deposits totaling \$283,997.91 from the General Fund, covering payroll for the various County agencies, for the period ending June 15, 2022 be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos. 497238 through 497240, and electronic transfers (ACH) totaling \$1,117,051.38 from the General, Landfill Enterprise, Capital Outlay, Law Library, CARES, and ARPA funds covering operating expenses for the various County agencies issued May 25, 2022, be approved. Accounts payable and payroll deductions were ran together.

Ordered that Warrant Nos. 497341 through 497350 and electronic transfers (ACH) totaling \$159,216.51 from the General, covering payroll deductions for the various County agencies for the period ending May 31, 2022 be approved.

Ordered that Warrant Nos. 497351 through 497480, and electronic transfers (ACH) totaling \$ 515,658.38 from the General, Landfill Enterprise, Capital Outlay, Law Library, CARES, and ARPA funds covering operating expenses for the various County agencies issued June 10, 2022, be approved.

Ordered that Warrant Nos 497481 through 497492 and electronic transfers (ACH) totaling \$153,736.88 from the General, covering payroll deductions for the various County agencies for the period ending June 15 2022, be approved.

Handwritten- in May 2022

Ordered that Warrant No. 802126 through 802129 in the amount of \$29,052.01 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the month of May 2022, be approved.

ROBERT'S RULES OF ORDER SUSPENDED

Upon motion of Supervisor Gillespie, seconded by Supervisor Asbury and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby suspends Robert's Rules of Order, allowing the Board to move through the agenda out of order.

EXECUTIVE/CLOSED MEETING – 4:15 PM

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

- ▶ A (5) – Potential location of new business regarding Project Millwork
- ▶ A (5) – Potential location of new business regarding Project Coatings
- ▶ A (3) – Property acquisition regarding Cavitts Creek

- ▶ A (3) – Property acquisition regarding Falls Mills Lake
- ▶ A (5) – Potential location of new business regarding Project Hoops
- ▶ A (5) – Potential location of new business regarding Project Brew
- ▶ A(29) – Contract negotiations regarding ATV easement near Pocahontas
- ▶ A(29) – Contract negotiations regarding Jonah water/wastewater project

RETURN/CERTIFICATION/REPORT OF ACTION – 6:22 PM

The Board of Supervisors returned to public session and Supervisor Stacy 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: Three (3)

ACTION FOLLOWING EXECUTIVE SESSION

Project Millwork

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury, direct that the Board approve funding a five year real and personal property tax rebate grant on the increase in value of real and personal property tax on Project Millwork in accordance with the IDA's previously established guidelines estimated to be \$40,414.00 (reimbursement) (or \$30,000.00 grant).

Project Coatings

Upon motion of Supervisor Plaster, seconded by Supervisor Hrovatic, direct that the Board approve funding a five year real and personal property tax rebate grant on the increase in value of real and personal property tax on Project Coatings in accordance with the IDA's previously

established guidelines estimated to be \$240,607.00(this is tax reimbursement) (or \$58,000.00 grant).

Falls Mills Lake

Upon motion of Supervisor Asbury, seconded by Supervisor Gillespie, to direct that the Board enter into an Option agreement with Falls Mills Lake, Inc for the potential purchase of Falls Mills Lake, pursuant to the terms as discussed in Executive Session, which are:

1. Six month option for \$5,000.00
2. Purchase price of \$800,000.00 payable with \$80,000.00 at closing and nine (9) annual installments of \$80,000.00 due July 1 annually thereafter.
3. The motion further directs the County Administrator to advertise for private partner for a public-private partnership to develop Falls Mills Lake for recreational purposes

ENGINEERING DEPARTMENT REPORT

Kenneth Dunford, Director of Engineering

Mr. Dunford presented the Smart Scale Resolution.

Mr. Dunford explained the Smart Scale project and its positive impact on traffic flow and traffic safety in the Claypool Hill area. He advised the project will take approximately three to four years to complete.

Upon motion of Supervisor Plaster, 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 pass the Smart Scale resolution, copy of which is incorporated into these minutes and on file in the County Administration office at 197 Main Street, Tazewell, Virginia 24651.

SPECIAL PRESENTATION – BUDGET

Prior to a brief presentation on the proposed amendments to the budget as previously advertised, Mr. Young advised the Board that the State had only approved their budget a week earlier and exacting spending requirements and funding amounts from the State had only become available on the 22nd of June, six days before the meeting. He then reviewed an extensive list of proposed amendments to the budget in detail and presented an exhibit which is a part of these minutes:

Amendment #1: ARPA

There was an adjustment for *when* the money was spent, rather than what the money was spent on.

Amendment #2: Personal Property Tax Revenues

Based on the rising value of used vehicles, personal property tax revenues have increased, creating an additional \$500,000.00 in expected revenue.

Amendment #3: Banking Fees

These fees are expected to decrease

Amendment #4: Transient Occupancy Tax

Revenue is expected to increase by \$30,000.00

Amendment #5: Garage Closure

Closing the County garage resulted in \$50,000.00 decrease in revenues

Amendment #6: EMS

EMS performance has exceeded expectation, resulting in a \$30,000.00 increase in expected revenues

Amendment #7: 911 Tax

Due to a decrease in the number of county residents having land lines in their homes, the EMS/911 tax revenues are expected decreased by \$87,000.00

Amendment #8: Wireless Tax

An increase in the number of residents switching from land lines to cell phones is expected to bring an increase of \$55,000.00

Amendment #9: Motor Vehicle Rental Tax

Lower, but not significantly

Amendment #10: Rolling Stock

Likewise, rolling stock revenues are expected to be slightly lower

Amendment #11: Commonwealth's Attorney

State funding for this office has provided additional funds of \$147,765.00 with which to hire two new attorneys

Amendment #12: Sheriff's Office

Expected revenue from the state is revised to reflect a \$30,000.00 decrease

Amendment #13: Commissioner of the Revenue

Expected revenue from the state is revised to reflect a \$51,000.00 decrease

Expenditure #1: Economic Development

The amount of \$279,000.00 has been added for welding lab equipment that was actually ordered in October, but only recently received. The equipment has been paid for but there will be reimbursement from a federal grant.

Expenditure #2: Tourism

A part time position at the visitor's center was eliminated due to a tourism decline thanks to COVID. Now that tourism is on the upswing, a part time position will be added back.

Expenditure #3: Salary Adjustment

The Committee recommends adjustments in the Commissioner of the Revenue's office and the Treasurer's office due to wage compression and in all offices.

Expenditure #4: County Garage

This expenditure is reduced because no additional inventory will be ordered for the county garage

Expenditure #5, #6 and #7: IT, Sheriff's Office and EMS

Expenditures included software purchase, Sheriff's office and EMS hires

Expenditure #8: Communities in Schools

This \$10,000.00 request would have normally been included in the budget; however, the organization sent their request in June rather than in February.

Expenditure #9: War Hawk Park

Money for this project is on hold pending the organization's receipt of 501C3 status. Additionally, the amount allocated was reduced by \$10,000.00. That \$10,000.00 was reallocated to the Small Business Assistance Center at SWCC.

Wythe/Bland Contract: Mr. Young advised he had made a miscalculation. The contract is a calendar year contract rather than fiscal year contract, making the increase in the amount received during FY2023 only \$125,000.00, rather than the \$250,000.00 as advertised.

The County Administrator then advised that upon adoption of all of those amendments the proposed FY2023 budget included \$303,000.00 more in revenues than expenses.

BUDGET AMENDMENTS APPROVED

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 Tazewell County Budget Amendments for FY2023 as presented by the Director of Budget & Finance and as compiled by the Tazewell County Budget Committee/Finance Office and those amendments adopted at the June 28th Board meeting. A complete list of the budget amendments is on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia 24651.

Mr. Young then presented to the Board a series of amendments which were not included in the previously prepared list, as they had only been presented to the budget committee that afternoon:

Tazewell County Public Schools

Mr. Young explained that Dr. Stacy has requested additional funds to give an additional \$1,000.00 to each teacher and also anticipates an increase in fuel expense and therefore request an additional \$237,036.00 more than was initially advertised.

Upon motion of Supervisor Stacy, seconded by Supervisor Plaster 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 amending the proposed budget to increase the proposed appropriation to Tazewell County Public Schools by \$237,063.00 for a total of \$14,795,649.00 funds for Tazewell County Public Schools.

TCSO Request

Mr. Young informed the Board that he had spoken with Major Heatley at the Sheriff's Office and the Sheriff's Office had an unexpected ammunition expense of \$9,103.00 and requested the budget be amended by that amount. Mr. Young requested that the Board pay this amount from the FY2022 ending balance of contingency funds.

Upon motion of Supervisor Plaster, 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 approves the amount of \$9,103.00 for ammunition expense for the Sheriff's Office from FY2022 Contingency funds.

Registrar Request

Mr. Young advised the Board that the Registrar's Office is in need of ballot-on-demand ballot machines so that ballots can be printed specifically for each particular precinct, which will reduce paper waste and save time during early voting at the central precinct. The cost of the machine is \$7,300.00, which includes training for the use of the machine. He further explained that the Registrar's Office is also in need of Wi-Fi at the cost of \$1,200.00 annually in order to operate the new polling books.

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 approves the amount of \$7,300.00 for the purchase of a ballot-on-demand ballot machine and \$1,200.00 for Wi-Fi for the registrar's office, both from FY2023 contingency.

Personal Property Tax Relief Resolution

Mr. Young stated that, based on conversation with the Commissioner of the Revenue and individual Board members, he understood there is a consensus to provide personal property tax relief; however the Board isn't inclined to decrease the current tax rate because it would mean that once vehicle values decline again, the tax rate would need to be increased again.

Mr. Young presented options for personal property tax relief:

- (1) Contribute to the state's personal property tax relief fund by adding \$500,000.00 to that fund, which gives the most the relief to owners of the vehicle with the least value
- (2) Adjust the ratio which allows the Commissioner to tax the vehicles at less than 100% of their value for a predetermined period of time, after which time the vehicles would automatically be taxed at its true current value. This would provide the most relief to owners of vehicles with the greatest value

Supervisor Stacy inquired as to which options benefits more taxpayers. Mr. Young responded that the ratio adjustment option benefits everyone based on the value of their vehicle – the higher the value of the vehicle, the more money is saved, with everyone having a 10% discount. Mr. Young also explained that with the state's tax relief option, the Board would choose the exact amount of the expense to the County. With those explanations, Supervisor Stacy stated he felt the ratio option benefits all taxpayers, whereas the state relief only benefits a portion of the taxpayers.

Mr. Young stated that the Commissioner has recommended that personal property be taxed at a 90% ratio, meaning personal property will be taxed at 90% of its value, therefore giving a 10% discount to all county residents, which is commensurate with the \$500,000.00 agreed upon by the budget committee.

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 Tazewell County Board of Supervisors hereby approves a Resolution agreeing to the Commissioner assessing motor vehicles as personal property using the 90% ratio for 2022 only. A copy of said Resolution is available in the office of the County Administrator at 197 Main Street, Tazewell, Virginia 24651.

Employee Wage Increase

Mr. Young discussed an employee cost of living adjustment of 5% to begin July 1, 2022. He said the Board had initially budgeted to begin the increase July 1, 2022 to correspond with the State increases. The State, however, changed the start date for the increases at the last minute to be August 1, 2022. If the Board wanted to proceed with a start date of July 1, 2022 as planned the Board would need to pay the State's portion of the pay increase for July at a cost to the County of approximately \$45,000.00. He advised the Board that given all amendments to the proposed budget adopted the budget still included more than \$45,000.00 of expected revenue in excess of planned expenses. Further, he advised that the Budget committee sought input from the full Board on the matter. Mr. Stacy then commented that this issue had arisen suddenly due to the State's budget delay and that the committee felt they needed input from the full board.

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 Tazewell County Board of Supervisors hereby approves an employee cost of living salary increase of 5%, to be effective July 1, 2022.

Mr. Young advised that those were the last amendments recommended by Staff and the Committee.

Ordinance Adopted Approving the FY2023 Budget Ordinance, Adopting Local Tax Levies, and Budget for the County of Tazewell, Virginia for Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023, to be Effective on July 1, 2022 at 12:01 A.M. as Hereby Amended:

Now, after a public hearing on the proposed budget was held in accordance with applicable Codes, on June 7, 2022 and which public hearing was advertised in local newspapers having general circulation within Tazewell County, with said certificate of publication on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia, and following approval of the amendments to the aforementioned budget by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, and upon motion of Supervisor Stacy, seconded by Supervisor Plaster and adopted, the Tazewell County Board of Supervisors hereby adopts an "Ordinance Adopting Local Levies and Budget for the County of Tazewell County, Virginia for Fiscal Year Beginning July 1, 2022 and Ending June 30, 2023 As Hereby Amended." A copy of the complete budget ordinance as hereby amended and has hereby adopted in its amended form is on file in the office of the County Administrator, 197 Main Street, Tazewell, Virginia 24651.

Approval of Local Tax Levies, for Current Year, Calendar Year 2022

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 adopts the Local Tax Levies for current year, Calendar Year, 2022 as advertised and stated in the agenda and on file in the office of the County Administrator.

Annual Appropriation for All General County Agency Budgets

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 Approves an annual appropriation for the operation of all General County Agency budgets, for fiscal year beginning July 1, 2022 and ending June 30, 2023 effective July 1, 2022 at 11:59 p.m.

Budget Transfers/Appropriations

Upon motion of Supervisor Stacy, seconded by Supervisor Plaster 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 budget transfers/appropriations as may be necessary from surplus accounts, etc. to close all such accounts for the fiscal year ending June 30, 2022.

Categorical Funding for Tazewell County School Board Budget, FY2023

Upon motion of Supervisor Stacy, seconded by Supervisor Plaster 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 Categorical Funding for the Tazewell School Board Budget FY2023, contingent upon the new breakdown of monies being included in the funding amounts.

A copy of the final budget, including the Tax Levy and Categorical School Funding is available in the County Administration Office at 197 Main Street, Tazewell, Virginia 24651.

UNSCHEDULED CITIZEN COMMENTS

The Chair called for unscheduled citizen comments. No one came forward to speak.

PUBLIC HEARINGS

Trail Improvement at Cavitts Creek

The Chairman called to order a public hearing that was duly advertised regarding *Trail Improvement at Cavitts Creek*.

Now, the Chairman called for additional comments from the floor three times and there being none, he declared the meeting closed.

Upon motion of Supervisor Plaster, 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 adopts the Ordinance. A copy of the Ordinance shall be made a part of the minutes and available in the County Administration Office at 197 Main Street, Tazewell, Virginia 24651.

Route 9561 Abandonment (Pocahontas High School)

The Chairman called to order a public hearing that was duly advertised regarding *Route 9561 Abandonment (Pocahontas High School)*.

Chase Collins explained that VDOT requested abandonment of this road because there is no longer a need for VDOT to service the road since the building is no longer in use as a school.

Now, the Chairman called for additional comments from the floor three times and there being none, he declared the meeting closed.

Upon motion of Supervisor Asbury, seconded by Supervisor Plaster 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 the resolution. A copy of the resolution shall be made a part of the minutes and available in the County Administration Office at 197 Main Street, Tazewell, Virginia 24651.

Flea Market Road Abandonment

The Chairman called to order a public hearing that was duly advertised regarding *Flea Market Road Abandonment*.

Chase Collins advised that this abandonment is at the request of VDOT.

Now, the Chairman called for additional comments from the floor three times and there being none, he declared the meeting closed.

Upon motion of Supervisor Plaster, 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 adopts the resolution. A copy of the resolution shall be made a part of the minutes and available in the County Administration Office at 197 Main Street, Tazewell, Virginia 24651.

ADMINISTRATIVE/FINANCIAL/COUNTY PROJECTS UPDATE

Consideration of revising fairgrounds rental policy

Eric Young shared the progress made in the re-vamping of the fairgrounds kitchen area, picnic area, lighting and bathrooms. In light of these improvements, Mr. Young suggested that the rental policy be amended to include a damage deposit, refundable upon positive inspection. Category 1 (non-profit organizations) would pay a deposit in the amount of \$100.00. Category 2 (for profit businesses) would pay a \$100.00 plus a \$50.00 kitchen usage fee per day. In addition, non-profit groups would be required to use County gas grills as opposed to their own gas grills for safety reasons. The cost of the propane would be calculated and charged to the business. The “daisy-chain” of electric extension cords would be discontinued. The rental agreement will also prohibit drilling holes in the kitchen countertops.

Supervisor Gillespie asked who is in charge of distributing the rental contract and enforcing the elements thereof. Eric Young advised that the Fair Association is in charge of both during the fair.

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 votes to amend the fairgrounds rental policy.

Consideration of holding horse shows at the fairgrounds

Eric Young shared that horse shows at the fairgrounds are well attended and profitable. Using the arena for the demolition derby creates quite a bit of debris, which must be cleaned up very well before anyone can use the arena for horses, which is a costly and labor intensive undertaking. Mr. Young asked for recommendations for how to solve the venue issue.

Supervisor Stacy suggested that the demolition derby be held at the livestock market arena since similar events are regularly held there. He suggested a discussion with the fair association about the possibility of leasing the livestock market arena for the derby.

Mr. Young said he would investigate that possibility and report back to the Board.

Bluestone hiking trails funding request

Eric Young explained that the IDA commissioned someone to design and build a hiking trail in the Bluestone Park with a cost estimate of \$25,000.00 for the project. The IDA requests that the Board pay one-half the cost (\$12,500.00) and the IDA pay the other half (\$12,500.00).

Mr. Young continued by describing the trail as an asset to potential businesses locating in the Bluestone, offering their employees an avenue for exercise.

Upon motion of Supervisor Stacy, seconded by Supervisor Asbury and adopted by a vote of 4 to 0, with all members present, Supervisor Hrovatic abstaining and no one against the same, the Tazewell County Board of Supervisors hereby votes pay one-half of the cost of building a hiking trail in the Bluestone (\$12,500.00).

Consideration of holding a public hearing to vacate Dogwood Lane

Eric Young explained that Anita McReynolds, a property owner adjacent to Dogwood Avenue approached the Board asking that a right-of-way be vacated between her property and a nearby property owner. The other property owner had agreed to sign a deed of vacation, which disposed of the need for a public hearing; however, the other property owner has not done so. Ms. McReynolds asks for a public hearing to obtain a deed of vacation.

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 votes to hold a public hearing for the vacation of Dogwood Avenue and to waive all fees involved.

Mr. Young asked that a copy of the notice of public hearing be sent to the adjoining property owner.

Tazewell Today- use of board room for farmer's market

Mr. Young said he was approached by Tazewell Today asking to use the board room for the farmer's market. He relayed that he is hesitant to do so because of potential damage to the wood floor as well as security/privacy issues in other parts of the building.

Supervisor Gillespie shared that several constituents had stated they weren't interested in holding the market at the board room because of the frequent use of large vehicles dropping items off to

be sold, which would present a problem with traffic and turning the large vehicle. He also stated there had been interest in having the farmers' market at the fairgrounds.

After further discussion, it was decided that the Board won't offer the use of the public meeting room, but, will assist with finding an acceptable location for the market.

Mural project update

Eric Young presented pictures of the proposed mural and described the proposed location of the signage and viewing area for the mural. The mural committee proposes a sign directing the public to the mural and a concrete sidewalk inside the stone wall with a sign correlating with each picture in the mural. He said the cost of sidewalk will be \$8,500.00, signs will be \$4,800.00 (2 sets of signage) and the fee for the artist is \$16,800.00.

Upon motion of Supervisor Stacy, seconded by Supervisor Plaster 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 an additional \$10,000.00 from contingency to fund the mural project.

Consider Sheriff's request to donate a 2007 John Deere Gator 6x6 to Triangle Sportsman's Club (VIN V606X4D031947)

Eric Young announced that the Sheriff's office plans to surplus a 2007 John Deere Gator 6x6 and desires to donate it to the Triangle Sportsman's Club in exchange for the club allowing TCSO to practice on the firearms range.

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 votes to allow the TCSO surplus and donate a 2007 John Deere Gator 6x6 (VIN V606X4D031947) to Triangle Sportsman's Club.

Trail improvement at Cavitts Creek

Supervisor Gillespie called three times for public comment on this matter and no comments were offered.

Ratify poll regarding leachate at landfill

Eric Young explained that there was a leachate spill during the time that it was necessary to haul leachate from the landfill to the town of Bluefield, West Virginia's sewage plant. The County was fined for that spill by DEQ in the amount of \$12,500.00. Republic accepted responsibility for the human error that caused the spill and agreed to pay the fine and wrote a letter to DEQ to that effect.

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 votes to ratify the consent order necessary to pay the DEQ fine.

A copy of the consent order is available in the County Administration Office at 197 Main Street, Tazewell, Virginia 24651.

Revisions to Wythe/Bland Solid Waste Contract

Eric Young conveyed the need for a revision in the joint solid waste contract to include a maximum of 32,000 tons of waste the first year and up to 35,000 tons after that first year. Another change was clarifying that the waste be labeled municipal waste rather than residential waste.

Upon motion of Supervisor Stacy, seconded by Supervisor Plaster 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 version of the solid waste contract with Wythe/Bland.

A copy of the revised agreement is available in the County Administration Office at 197 Main Street, Tazewell, Virginia 24651.

Donation request – THS Cheerleaders' new uniforms

Supervisor Asbury advised this matter will be addressed in Other Board Concerns.

Appointments

AASC

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 agrees to defer all appointments to AASC until the August 2, 2022 meeting.

Wireless Service Authority

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 agrees to defer Supervisor Hrovatic's choice for appointment to the Wireless Service authority until the August 2, 2022 meeting.

Tourism Committee

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 appoint Brad Ratliff and Andrea Perkins to serve on the Tourism Committee.

Tall Structures

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 reappoints Charlie Hart to serve on the Tourism Committee.

Road Viewers

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 Jim Reynolds to serve on the Road Viewers.

Recreational Development Authority

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 reappoints Jamie (Cartwright) Dillon to serve on the Recreational Development Authority.

Planning Commission

Upon motion of Supervisor Gillespie, 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 reappoint Robert (Bob) Moss to serve on the Planning Commission.

Industrial Development 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 reappoints Darrell Addison to serve on the Industrial Development Authority.

Enterprise Zone

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 Tazewell County Board of Supervisors hereby reappoints Glenn Catron to serve on the Enterprise Zone Committee.

Upon motion of Supervisor Plaster, 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 reappoints Curt Breeding to serve on the Enterprise Zone Committee.

Southwest Virginia Community College Board

Upon motion of Supervisor Hrovatic, seconded by Supervisor Stacy and adopted by a vote of 4 to 0, with Supervisor Gillespie abstaining, with all members present and the remaining members voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors appoints Rod Gillespie to serve on the Southwest Virginia Community College Board.

Clinch Valley Community Action

Upon motion of Supervisor Hrovatic, seconded by Supervisor Plaster 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 reappoints Adrianna Culbertson to serve on the Clinch Valley Community Action Board.

The Chair, without objection, hereby defers the reappointment of David Larimer to serve on the Clinch Valley Community Action Board until the August 2, 2022 meeting.

The Chair, without objection, hereby defers the reappointment of Jim Boyd to serve on the Clinch Valley Community Action until the August 2, 2022 meeting.

Cumberland Mountain Community Services

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 defers the appointment of someone to serve on the Cumberland Mountain Community Services Board until the August 2, 2022.

BOARD CONCERNS

Supervisor Hrovatic

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 amount of \$5,500.00 to the Claypool Hill VFW toward the purchase of a bus for traveling to and from VFW related events. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Funds shall be paid as follows:

Western District: \$2,000.00

Northwestern District: \$2,000.00

Eastern District: \$500.00

Southern District: \$500.00

Northern District: \$500.00

Supervisor Asbury

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 authorizes the amount of \$500.00 from Northern District funds and \$500.00 from Southern District funds to the Tazewell High School Cheerleaders for the purchase of uniforms. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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 authorizes the amount of \$2,000.00 from Northern District funds for the Pocahontas High School Grand Reunion for sponsorship and door prizes. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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 authorizes the amount of \$1,000.00 from

Northern District funds to the Tazewell Little League to help fund their trip to the All Stars game at the state level. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Supervisor Plaster

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 \$15,000.00 from FY2023 Northwestern District funds for Tazewell County Library Foundation. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Upon motion of Supervisor Plaster, 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 \$400.00 from FY2023 Northwestern District funds to Teen Venture to sponsor a trash cleanup service project. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Supervisor Stacy

Supervisor Stacy inquired about the employee insurance plan. Eric Young stated he asked USI for a comparison and relayed that the current plan is in the top half of plans in terms of how much employees pay and in the lower half of plans in terms of quality of the plan.

Supervisor Stacy asked about EMTs being eligible to work for more than one county entity. Eric Young advised that there is no restriction on this; however, it would require the county to pay the EMT overtime. Mr. Young explained the issue of overtime and scheduling issues within departments.

Supervisor Stacy addressed the District Court Clerk's request for a pay increase. Eric Young explained that those Clerks are state employees and paid by the state through the County. Supervisor Stacy asked that we provide the Clerk's with a written response about the Board's decision.

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 authorizes the amount of \$3,000.00 from Eastern District funds to The Sanders House. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

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 authorizes the amount of \$800.00 from Eastern

District funds to Bluefield Baseball Club to sponsor free admission for a baseball game on July 27, 2022. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Supervisor Gillespie

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 \$1,000.00 from FY2023 Southern District funds to Tannersville Fire Department for their July 4th celebration. The County Administrator is hereby authorized and directed to issue said warrant in accordance with this action and which said warrant will be converted to negotiable check by the Treasurer of Tazewell County, Virginia.

Supervisor Gillespie spoke about the progress Point Broadband is making in the Tannersville area. Based on Supervisor Gillespie's conversation with Scotty Wampler of Cumberland Plateau, customers may be able to hook up to that service within the next couple of weeks.

Other business before the Board

Forfeiture Funds

Eric Young advised that the State had produced a list of appropriations of non-local funds which need to be made to certain accounts:

Account	Amount	Other
Federal forfeiture	\$1.03	
TCSO	\$13,125.57	State
Commonwealth's Atty	\$9,591.57	Federal
Commonwealth's Atty	\$56,436.09	Perdue Pharma Settlement
Commonwealth's Atty	\$6,300.04	Abbott Settlement

Upon motion of Supervisor Stacy, seconded by Supervisor Gillespie and adopted by a vote of 4 to 0, with all members present and voting in favor thereof and no one against the same, Supervisor Plaster having abstained, the Tazewell County Board of Supervisors hereby approves appropriations to forfeiture funds as listed above.

EXECUTIVE/CLOSED MEETING – 9:18 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) County Administrator Evaluation

RETURN/CERTIFICATION/REPORT OF ACTION – 10:18 PM

The Board of Supervisors returned to public session and Supervisor Stacy 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: None (0)

No action was taken.

ADDITIONAL BUSINESS

Animal Shelter Board Appointment

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 Missy Joyce to serve on the Animal Shelter Board.

ADJOURN

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 is hereby adjourned until August 2, 2022.

Aaron Gillespie, Chair

By: SJ

Adjourn time: 10:36 p.m.