

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEVELL COUNTY BOARD OF SUPERVISORS HELD SEPTEMBER 6, 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. ERIC. 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 Stacy led The Pledge of Allegiance to the United States flag led by Supervisor Gillespie followed by the invocation given by Supervisor Plaster.

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

The Chairman called for any additions to the Agenda. Eric Young commented that, due to the holiday, there was no revised agenda printed, but there were additions as follows:

Three persons called in advance of the meeting and asked to make public comments. Those people are Libby Jeffers, Henry Johnson and Eric Whitesell.. Mr. Young explained the difference between scheduled and unscheduled public comments.

To the Administrative portion of the Agenda, Mr. Young requested to add the following:

- appointments - fill the vacancy on the IDA left by the resignation of Larry Ratliff
- a request from the TCSO to add an additional police canine

Chase Collins asked to add the following to executive Session: contract negotiations with Salina Road.

Upon motion of Supervisor Gillespie, 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 September 6, 2022 agenda with additions requested by the County Administrator and County Attorney.

Supervisor Gillespie also announced that he would add a second section for scheduled public comment at approximately 6:00pm, contingent upon the length of executive session.

MINUTES APPROVED AS WRITTEN

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 minutes from the August 2, 2022 meeting.

CONSENT CALENDAR

Upon motion of Supervisor Plaster, seconded by Supervisor Stacy and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approves the following items listed in the table and the Warrants as presented in the "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

August 2022

Payroll

Ordered that Warrant Nos. 145844 through 145860 and direct deposits totaling \$297,197.37 from the General, covering payroll for the various County agencies, for the period ending July 29, 2022, be approved.

Ordered that Warrant Nos. 145861 through 145877, and direct deposits totaling \$297,246.62 from the General Fund, covering payroll for the various County agencies, for the period ending August 15, 2022, be approved.

Accounts Payable/Payroll Deductions

Ordered that Warrant Nos 497751 through 497946, and electronic transfers (ACH) totaling \$856,159.04 from the General, Landfill Enterprise, Capital Outlay, Law Library, and CARES funds covering operating expenses for the various County agencies issued July 25, 2022, be approved.

Ordered that Warrant Nos 497947 through 497956 and electronic transfers (ACH) totaling \$150,626.44 from the General, covering payroll deductions for the various County agencies for the period ending July 31, 2022, be approved.

Ordered that Warrant Nos. 497957 through 498089, and electronic transfers (ACH) totaling \$ 590,231.68 from the General, Landfill Enterprise, Capital Outlay, Law Library, and CARES funds covering operating expenses for the various County agencies issued August 10, 2022, be approved.

Ordered that Warrant Nos. 498090 through 498103, and electronic transfers (ACH) totaling \$178,419.78 from the General, covering payroll deductions for the various County agencies for the period ending a August 15, 2022, be approved.

Handwritten

Ordered that Warrant No. 802137 through 802144 for \$81,064.50 from the General, Landfill Enterprise, Capital Outlay, and Law Library, covering operating expenses for the month of July 2022, be approved.

MOTION TO SUSPEND ROBERTS RULES OF ORDER

Upon motion of Supervisor Gillespie, seconded by Supervisor Plaster 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.

SPECIAL PRESENTATIONS

Treasurer's Report – Delinquent Real/Personal Property Books

Treasurer, David Larimer presented the 2022 Real/Personal Property Book and distributed an annual financial statement for the County. He explained the report, the delinquent tax collection process and how the delinquent tax sales are conducted.

Lynna Mitchell Resolution

A Resolution was prepared for Lynna Mitchell commending her for her dedication to saving animals and to the Animal Shelter Board. The Chair directed that the Resolution be delivered to Ms. Mitchell as she was unable to be present at the meeting.

Upon motion of Supervisor Gillespie, seconded by Supervisor Hrovatic 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.

ENGINEERING DEPARTMENT REPORT

Kenneth Dunford, Director of Engineering

Mr. Dunford presented his monthly activity report.

Supervisor Hrovatic commented regarding the large number of drainage issues and asked Mr. Dunford if being proactive on some roads would be beneficial. Mr. Dunford responded that it would be beneficial.

Mr. Young pointed out that once the budget is on firmer ground, plans will be to take a look at doing more preventative work.

EXECUTIVE/CLOSED MEETING – 4:34 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, the Board invites all persons necessary to conduct business in this session and enters into an Executive/Closed meeting, pursuant to Virginia Code Section 2.2-3711:

- ▶ A (3) – Property acquisition – Jewell Ridge convenience center lease
- ▶ A(29) – Contract negotiations with Merchant McIntyre regarding grant writing contract
- ▶ A(29) – Contract negotiations regarding First Earth Flood Study Contract

- ▶ A (3) – Property acquisition at Cavitts Creek
- ▶ A (1) – Personnel – Fire and EMS
- ▶ A (1) – Personnel in Maintenance
- ▶ A (1) - Personnel in Administration
- ▶ A(29) – Contract negotiations regarding solid waste disposal/Bluefield Sanitary Board
- ▶ A(29) – Contract negotiations regarding Salina Road

RETURN/CERTIFICATION/REPORT OF ACTION – 6:12 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 (5)

ACTION FOLLOWING EXECUTIVE SESSION

Personnel in EMS

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 the reclassification of the Fire and EMS Director's Administrative Assistant position from an Administrative III to Administrative II position in light of her increased duties in managing, reporting and tracking collections for EMS.

Jewell Ridge Convenience Station

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 approves the renewal of the Jewell Ridge Solid Waste Disposal Convenience area site lease with Pocahontas Resources, LLC for a term of five years at a rent of \$7,500.00 total for all five (5) years. A copy of the lease is on file in the County Administration Office at 197 Main Street, Tazewell, Virginia 24651.

Contract negotiations regarding First Earth Flood Study Contract

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 agrees to the assignment of the flood study contract with First Earth 2030 to R-E-S on the continued agreement that the study not proceed until grant funding has been awarded to pay for the study.

Personnel in Maintenance

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 authorize the County Administrator to add one (1) entry level position in maintenance to help perform routine maintenance tasks while continuing to work on capital improvement projects.

Contract negotiations with Merchant McIntyre regarding grant writing contract

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 approves the renewal of the federal grant consulting contract for identifying and applying for federal grants to benefit the County with Merchant McIntyre for an additional one year for the annual fee of \$90,000.00.

CITIZEN COMMENTS SCHEDULED

The Chair opened the floor for public comment and initial scheduled speakers.

Libby Jeffers – 484 Fairgrounds Road, Tazewell, Virginia 24651

Ms. Jeffers and her husband addressed their interest in organizing and promoting monthly horse shows at the Fairgrounds. A printout of suggestions and information is hereby made a part of the record and can be seen at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

The County Administrator offered to meet with Ms. Jeffers and discuss potential use of the fairgrounds for horse shows.

Henry Johnson – 182 Pisgah Road, Tazewell, Virginia 24651

Mr. Johnson spoke in favor of the Pro Life Sanctuary Resolution. A printout of comments made by Mr. Johnson is hereby made a part of the record and can be seen at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Eric Whitesell - Thompson Valley Road, Tazewell, Virginia 24651
Mr. Whitesell spoke in favor of the Pro Life Sanctuary Resolution

Micah Johnson – 3278 BF Buchanan Highway, Tazewell, Virginia 24651
Mr. Johnson spoke in favor of the Pro Life Sanctuary Resolution

Caleb Cruey – 115 McGuire Valley Road, Cedar Bluff, Virginia 24609
Mr. Cruey spoke in favor of the Pro Life Sanctuary Resolution

Carl Howell – 223 Mall Church Road, Cedar Bluff, Virginia 24609
Mr. Howell spoke in favor of the Pro Life Sanctuary Resolution

Deborah Lutz – 203 Church Street, Tazewell, Virginia 24651
Ms. Lutz spoke in favor of the Pro Life Sanctuary Resolution

Samuel Johnson – 255 Dial Rock Road, North Tazewell, Virginia 2463
Mr. Johnson spoke in favor of the Pro Life Sanctuary Resolution

UNSCHEDULED CITIZEN COMMENTS

Shane Cruey – 1500 Lynn Hollow Road, North Tazewell, Virginia 24630
Mr. Cruey spoke in favor of the Pro Life Sanctuary Resolution

Chairman Gillespie opened discussion regarding the Pro Life Sanctuary Resolution by reading the proposed resolution entitled “Sanctuary of the Unborn”, and then delivered the following statement:

VOICES WE REPRESENT

Tonight, on the 6th of September, this Board has convened to make decisions that impact the residents of Tazewell County.

As a member of this board, duly elected by the residents of the Southern District, I have an obligation to respond to requests made by my constituents. As it should be for any representative, it ought to be the happiness and glory of us to live in the strictest union, the closest correspondence, and the most unreserved communication with our own constituents. Their wishes should bear great weight upon our shoulders, their opinions should be met with high respect; and their business should be provided unremitted attention. It is our duty to sacrifice our repose, pleasure and satisfaction to the constituency’s desires and interests.

To that end, we as a Board have on our agenda resolution titled: Sanctuary for the Unborn. This resolution represents a constituency’s appeal to provide a unified voice for those who cannot speak for themselves.

Before my comments, I would be derelict in my duties if I chose not to reveal some of the sources that support my position. My statements have been motivated by far greater leaders than myself. Examples include the Right Honorable Edmond Burke of England, President George Washington the late Justice Antonin Scalia of the Supreme Court of the United States, Governor Patrick Henry of Virginia and others. I give them credit, as it is deserved, for providing a foundation upon which we may stand.

First, we should represent the voice of all beings who value life, liberty and the pursuit of happiness. I first turn the language of a document that altered the world – the Declaration of Independence as adopted July 4, 1776. It, in part, states, “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed, - That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness”. This Board, as evidenced by the Code of Virginia and the Constitution of Virginia, has every ingredient to be included in the “Governments (that) are instituted’ amongst men, women, and children. Our Board has the duty to ensure “safety and happiness”. Moreover, our Board has every ingredient to be considered part of the American Constitutional Republic and Commonwealth system of Virginia and this fact mandates us, as representatives, to protect the “unalienable rights that among these are life, liberty and the pursuit of happiness”.

Second, we should present the voice of The Posterity. I turn to the great Constitution of Virginia, Article I, Sec. 1 of our Bill of Rights states, “That all men are by nature equally free and independent and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest of their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety”. Those present here tonight are not the only individuals that are provided protection under Article I, Sec. 1 of our Bill of Rights. When you take this text, as simply stated, it clearly qualifies “men” (men, women and children) with “all”. The construction of this phrase leads to only one logical conclusion: that if you can be defined as a person, then you are entitled to protection of your life, liberty, happiness, and safety. However, this protection does not cease upon your condition of being a man, woman or child. The Virginia constitution goes on to guarantee this protection to “The Posterity” – the generations not yet known. Little may

know that the etymology of the word “posterity” reveals its origins from the Latin word *posteritas*, *posterus*, or even *post*. Etymologists have provided basic definitions or explanations for these ancient words; they have stated the word means following, next, or coming after. Etymologists have also highlighted the word’s prominence in the late 14th century French language. At that time, the French used the word *posterite* which can be defined as offspring or descendants. There is not great etymological leap from the 14th Century French word to the word utilized by the authors of the Virginia Constitution and Bill of Rights, notable the Delegate George Mason of Fairfax.

Likewise Patrick Henry, in 1788, delivered a speech at the Virginia Convention Debate concerning the ratification of the Constitution. In part, he stated, “...the voice of tradition, I trust, will inform posterity of our struggles for freedom. If our descendants be worthy the name of Americans, they will preserve and hand down to their latest posterity, the transactions of the present times; and though, I confess, my exclamations are not worthy the hearing, they will see that I have done my utmost to preserve their liberties”. Henry understood the importance of The Posterity and desired to do what he could to “preserve their liberty”. The Posterity, as referenced in our Constitution and by Patrick Henry, is comprised of all beings, men, women and children of all colors, shapes and sizes, regardless of age, development or stature – those that are living now and more importantly those children who are the future. The voices of The Posterity we must represent.

Finally, we should represent the voices of those who cannot speak for themselves. Our common sense and human civility compels us to do so. I need not remind anyone in the room of the tragedies this County has faced since its inception and I acknowledge, with great sorrow, that some are still suffering at the hands of nature by means of rain and flooding. But what do we do to those that are in need or cannot help themselves? We, as representatives, use our voice and pray to become a beacon of hope. We, as representative, desire to open our mouths for the mute, open our eyes for the blind, walk for the crippled, be ears for the deaf and provide shelter for those that have none. I’m sure my other colleagues agree with me that our goal – why each of us decided to participate in government as elected officials – is to help others. Of people we wish to help, our children have great priority. They are our future. They are the gateway to innovation. They will carry on the torch of freedom. Regardless of their age, where they come from or who they are our children deserve a voice if and when no one else will speak on their behalf. It is now our time and place to be a voice for children that, because of no fault of their own, are subjected to the depraved or difficult decisions. Conviction and duty command me to represent those who have no voice – every child is fight worthy of unrelenting attention consistent support and unwavering protection.

Thus, my response to the constituents of the Southern District in Tazewell County, as their representative, concludes with resounding support for the Resolution. The people I represent overwhelmingly support being a voice for life now and for ages to come and I will gladly and humbly bend to their will.

In conclusion, I support the notion that the unborn deserve a voice even if it is only here in Tazewell County, Virginia. I present this plea with the same hope that President George Washington possessed when providing his inaugural address in 1789. He stated, "I dwell on this prospect with every satisfaction which an ardent love for my Country can inspire; since there is no truth more thoroughly established than that there exists in the economy and course of nature an indissoluble union between virtue and happiness, between duty and advantage, between the genuine maxims of an honest and magnanimous policy and the solid rewards of public prosperity and felicity; Since we ought to be no less persuaded that the propitious smiles of Heaven can never be expected of a nation that disregards the eternal rules of order and right, which Heaven itself had ordained. And since the preservation of the sacred fire of liberty and the destiny of the Republican model of Government are justly considered as deeply, perhaps as finally staked on the experiment entrusted to the hands of the American people:. We, even here in the mountain of southwest Virginia are still part of the ongoing "experiment entrusted" to the posterity of our nation and our County in which all voices should be represented and all life protected as regulated by the "eternal rules of order and right".

With so little said and so much to do, I now beg my colleagues on this pulpit of the public to pass the resolution so carefully drafted and artfully debated. It is our time to ensure all voices are represented.

Supervisor Stacy stated that he felt he had not been given enough time to review the resolution and he felt the Board could do more than just words. He called to action in addition to the resolution.

The Chair then called for further comments on the resolution. Supervisor Plaster was recognized and suggested a committee be formed to coordinate support services to facilitate women choosing life.

Supervisor Stacy requested that a public hearing be held in October so that the public could comment more fully. Chairman Gillespie directed that the notice of public hearing be advertised in The Clinch Valley News and Press, The Voice and the Bluefield Daily Telegraph.

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 agrees to form a committee to identify resources and educational information to women in hopes of steering them away from abortion.

UNSCHEDULED CITIZEN COMMENTS

Jim Moore – 241 Katelyn Drive Cedar Bluff, Virginia 24609
Mr. Moore spoke in favor of the Pro Life Sanctuary Resolution

Deborah Lutz – 203 Church Street, Tazewell, Virginia 24651
Ms. Lutz spoke in favor of the Pro Life Sanctuary Resolution

Robert Belcher – address unknown
Mr. Belcher spoke in favor of the Pro Life Sanctuary Resolution

_____ Presley – 161 Clayton Drive, North Tazewell, Virginia 24630
Mr. Presley spoke in favor of the Pro Life Sanctuary Resolution

RECESS – 7:47 pm

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 agreed to a brief recess.

RECONVENE – 8:03 PM

ADMINISTRATIVE/FINANCIAL/COUNTY PROJECTS UPDATE

Discussion regarding former animal shelter property

County Administrator, Eric Young, relayed to the Board the poor condition of the animal shelter and suggestions that had been made for its use. He said that based on staff recommendations, the old shelter should be demolished.

The Chair directed that the County Administrator obtain demolition quotes and report at the October 4, 2022 meeting.

Discussion regarding EV charging stations

Fred Lawless spoke regarding the cost of installing an electric vehicle (EV) charging station in Burkes Garden. Mr. Lawless stated the cost of the unit and installation from State Electric in Bluefield, Virginia is approximately \$4,000.00 and the service will be free of charge to the public. He said the charging station is activated by using a credit card, which will allow a two hour charge, but will not allow the same vehicle to be charged more than one time in a 24/48 hour period. According to Mr. Lawless, the Burkes Garden Telephone Company is willing to assist at no charge. The Chair directed that Chase Collins, County Attorney, prepare a contract to that effect.

The Board discussed other potential locations for charging stations. The County Administrator said he advised against getting in the charging station business and suggested the County contract with Burkes Garden Telephone Company to operate the EV station.

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 approve the amount of \$5,000.00 to be paid to the Burkes Garden Telephone Company upon execution of a contract in accordance with the terms set forth in the Minutes as approved by the County Attorney (\$4,000.00 to State Electric for the purchase of the charging station and \$1,000.00 to the BGTC for its willingness to monitor/service the charging station).

Firefighter's stipend

Eric Young outlined the firefighter's tax credit and the firefighters stipend and recommend that the tax credit be abolished in order to pay a stipend to only the firefighters who respond to calls. He said this would allow the County to increase the amount of the stipend.

The Board discussed Mr. Young's request. Mr. Stacy stated he would prefer not to take anything away from firefighters and asked the Chair to direct the Budget Committee to meet to see if more funding could be found for stipends. The Chair agreed and asked the Budget Committee to review the matter.

Disaster Relief Fund policy discussion

Eric Young presented a summary of the recommendations coming out of the Disaster Relief Committee, including that the Board establish an annual budget in the amount of \$55,000.00 for FY2023 for administrative costs and for relief to be paid to eligible households whose homes were rendered uninhabitable by a qualifying event. He also recommended that an additional \$50,000.00 be budgeted for emergency management for FY2023 to be used for immediate needs of food/water/toiletries/etc as well as preventative measures, such as keeping culverts/bridges free of debris and keeping ditches pulled.

A copy of Mr. Young's presentation is hereby made a part of the record and a copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

The Chair directed that a resolution detailing the plan be drafted for the October meeting.

Supervisor Emergency Management Training

The County Administrator advised that the Virginia Department of Emergency Management (VDEM) offers training that Board members can take advantage of if they wish. That training will be offered at the October meeting beginning at 3:00 pm for those Board members desiring to attend.

Reserve fund recommendations

Supervisor Stacy asked that the County Administrators recommendation be reviewed by the budget committee before presented to the full Board. Chairman Gillespie tabled the presentation.

Crooked Road expansion – bluegrass music

Supervisor Gillespie shared that he wishes to renew the promotion of the Crooked Road, bluegrass music and our local fiddler's convention.

Town of Tazewell Police Department – Shop with a Cop donation request

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 \$750.00 from Southern District funds to the Shop with a Cop program for the Town of Tazewell.

Consideration of amending reassessment contract

Eric Young advised that a telephone conference is scheduled including himself, Don Thomas of Wingate Appraisal Service and David R. Anderson, Commissioner of the Revenue to negotiate the cost of general reassessment services.

Consideration of TCSO request for additional K9

Upon motion of Supervisor Plaster, 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 an amount not to exceed \$7,000.00 for the purchase of a trained police canine from contingency. 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.

Appointments:

AASC

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 appoint Ralph “Moon” Mullins to serve on the AASC Board.

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 table the unfilled vacancy until the October meeting.

Wireless Service Authority – resignation of Rick Holman

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 agrees to table the unfilled vacancy on the Wireless Service Authority until the October meeting.

Library Board

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 appoint Stephanie Carr to serve on the Library Board, filling the vacancy left by the resignation of Michelle Crigger.

Industrial Development 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 agree to table the vacancy from Larry Ratliff's resignation on the Industrial Development Authority until the October meeting.

BOARD CONCERNS

Supervisor Gillespie

Tazewell High School Football Boosters – funding request

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 authorize \$1,000.00 from Southern district funds to the Tazewell Football Boosters. 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.

Project Graduation - Project Graduation

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 authorize \$1,150.00 from Southern District funds to the Tazewell High School Project Graduation. The amount of \$150.00 is to be used for rental fee for the Fuller-Peery Building. 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

Teen Venture

Upon motion of Supervisor Plaster, 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 the amount of \$100.00 from Northwestern district to Teen Venture in Richlands. 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.

Jewell Ridge Community Center

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 \$4,000.00 from Northwestern District funds to the Jewell Ridge Community Center. 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 Asbury

Banners

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 \$112.00 from Northern district funds for (1) welcome banner for Gordon Lusk and (2) memorial banner for Kimmy's Kids Train. 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.

Pumpkin Festival

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 to help fund the Town of Pocahontas Pumpkin Festival on October 1, 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.

Lady Red Devils

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 \$2,000.00 from Northern district funds to the Lady Red Devils Girls Softball Team. Funds are to be used for gear, equipment and 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.

Tazewell Young Life

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 \$100.00 from Northern district funds for sponsorship of a hole in their golf tournament. 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

Coal Show Donation

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 the amount of \$2,000.00 from contingency to the Coal Show. 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 Hrovatic

Richlands Elementary Back to School Bash

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 authorizes the amount of \$600.00 from Western District funds for their Back to School Bash. 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.

Gob pile cleanup/gob coal

A committee, consisting of Eric Young and David R. Anderson, Commissioner of the Revenue will meet to discuss the gob coal clean-up taxation. Other members will be added to the committee.

Supervisor Stacy stated that he wants a resolution excluding gob coal from the severance tax.

Upon motion of Supervisor Stacy, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with all members present, Supervisor Hrovatic abstaining and the remaining members voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby agrees to draft a resolution excluding gob coal from severance tax and present the same at the November meeting.

SECOND EXECUTIVE/CLOSED MEETING – 9:38 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:

► County Attorney evaluation

RETURN/CERTIFICATION/REPORT OF ACTION – 10:11 pm

The Board of Supervisors returned to public session and Supervisor Gillespie 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)

ACTION FOLLOWING EXECUTIVE SESSION

No action was taken following executive session.

ADJOURN

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 adjourns until the October 4, 2022 meeting.

a copy teste:

Aaron Gillespie, Chairman

by: SJ

cc: Arlene Matney, Kim Beckner, David Larimer, Ginny Dawson