

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEVELL COUNTY BOARD OF SUPERVISORS HELD OCTOBER 3, 2023 AT FOUR O'CLOCK P.M. IN THE TAZEVELL COUNTY ADMINISTRATION BUILDING, 197 MAIN STREET, TAZEVELL, VIRGINIA 24651

PRESENT: SHANNA PLASTER, CHAIRPERSON
ANDY HROVATIC, VICE-CHAIRPERSON
MARGARET ASBURY, MEMBER
CHARLES A. STACY, MEMBER
AARON GILLESPIE, 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

Chairperson, Shanna Plaster called the regular meeting to order and presided with all other members present.

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

Chairperson Plaster 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.

ROBERT'S RULES OF ORDER SUSPENDED

Upon motion of Supervisor Plaster, seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors agree to suspend Roberts Rules of Order to allow the Board to move about in the agenda as it becomes necessary in the meeting.

SPECIAL PRESENTATIONS

VACO Award

James Hutzler, VACO representative, explained the role of VACO and presented Sheriff Brian Hieatt and Tazewell County with its first achievement award for the county's innovative approach of developing a program that can serve as a model to other counties. Mr. Hutzler reflected that necessity prompted the idea of allowing deputies to become EMT certified.

Supervisor Stacy described how the deputy-EMT program came to be and invited Mr. Hutzler and Senator Hackworth to pin the new deputy-EMTs.

Sheriff Brian Hieatt spoke about the success of the deputy-EMT program and along with Supervisor Stacy and Mr. Hutzler, pinned the three most recent EMT deputies: Deputy Greg Price, Deputy Steven Wright, Sgt. Joe Mabry and Deputy Bill Hacker. Senator Travis Hackworth joined in the pinning ceremony.

Sheriff Hieatt shared some examples of how the deputy-EMT program has already been helpful to the citizens of the county and pointed out that Supervisor Stacy was one of the first to complete the training and works as an EMT weekly.

Jack Clem Resolution

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 approved a resolution for Jack Clem for his 2023 championship tennis season at Richlands High School.

Tammy Allison Resolution

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

National 4H Week presentation and proclamation

Tammy Sparks, 4H Youth Development Extension Agent, shared information about the local 4H Youth club opportunities and three junior members spoke about the positive affect 4H has had in their lives. Supervisor Plaster presented a resolution proclaiming October 1-7, 2023 as National 4H Week in Tazewell County, Virginia.

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 approved a resolution proclaiming October 1-7, 2023 as National 4H Week in Tazewell County, Virginia.

Visit from Senator Travis Hackworth

The Chair recognized Senator Travis Hackworth.

Senator Hackworth reflected on the budget and economy and the needs in the county such as updated schools and increased availability of housing.

Pharmacy College Opioid Abuse Prevention Program - Request for support of grant application

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

Stream Sweepers

Wilder Meade from the Stream Sweepers spoke about the mission of the organization and the number of discarded tires and refuse their group has extracted from creeks and rivers in the area. Various members of the Board spoke regarding the correlation between refuse in creeks and flood mitigation in the county. Eric Young, County Administrator told Mr. Meade that Stream Sweepers would be considered for funding during the upcoming budget process and as well as be incorporated into the ongoing flood mitigation planning.

Supervisor Hrovatic inquired as to where the trash and recyclable items are taken and suggested that the tipping fee at the landfill be waived for the organization.

AGENDA APPROVED AS AMENDED

The Chairperson called for any additions to the agenda.

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 approved the October 3, 2023 amended agenda with additions/deletions, a copy of which is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

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 from the August 16, 2023 meeting and the September 12, 2023 meeting.

CONSENT CALENDAR

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 approves the items listed in the table and the Warrants as presented in the "Consent Calendar. The County Administrator is authorized to issue warrants in accordance with this action and said warrants shall be converted to negotiable checks by the Treasurer of Tazewell County, Virginia.

DEPARTMENT REPORTS

Engineering – Kenneth Dunford

Bridge repair

Mr. Dunford announced proposed repairs by VDOT to a bridge on Route 806 at Raven Road in Raven which will require temporary closure of the bridge /road.

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 approved a resolution for temporary closure of a bridge/road for repairs on Route 806 on Raven Road in Raven.

Revenue sharing

Mr. Dunford pointed out an error in the previously approved resolution for VDOT revenue sharing. The fiscal year quoted in the resolution was 2023-2024, but should have been 2025-2026. Mr. Collins suggested a motion to correct the date error.

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 approved a correction in the recent revenue sharing resolution, specifically correction of the fiscal year to read 2025-2026.

Pocahontas Gas, LLC

Mr. Dunford explained that Pocahontas Gas, LLC plans to install a pipeline in the Western District on Bellwood Drive and have requested access off of Bellwood Drive which is a county-maintained road and requires board approval. Mr. Dunford stated he has no issue with this project as long as Pocahontas (1) provides landowners with a two week notice prior to beginning construction (2) has flagmen to control traffic stoppage (3) advise 911 two weeks prior to beginning construction for the purpose of emergency vehicles that might need to come to the area (4) no impedance of drainage on the access road and (5) once construction is complete, the road will be repaired back to its original condition.

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 approved allowing Pocahontas Gas, LLC to install a pipeline at Bellwood Drive with these stipulations: Pocahontas Gas, LLC plans to install a pipeline in the Western District on Bellwood Drive and have requested access off of Bellwood Drive which is a county-maintained road and requires board approval. Mr. Dunford stated he has no issue with this project as long as Pocahontas (1) provides landowners with a two week notice prior to beginning construction (2) has flagmen to control traffic stoppage (3) advise 911 two weeks prior to beginning construction for the purpose of emergency vehicles that might need to come to the area (4) no impedance of drainage on the access road and (5) once the pipeline crosses the road ??? and authorize Mr. Dunford to obtain the necessary easements to effect the project.

EXECUTIVE/CLOSED MEETING – 5:25 pm

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, 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:

Executive/Closed Meeting – Pursuant to Virginia Code Section 2.2-3711:

- ▶ A(29) Evaluation of proposals – engineering service for Springville FD
- ▶ A(3) Negotiations for property acquisition: Pocahontas Land ATV easements
- ▶ A(3) Property acquisition at Cavitts Creek Lake
- ▶ A(5) Potential location of new business/expansion of existing business: Project SEC
- ▶ A(5) Potential location of new business/expansion of existing business: Project CRFP
- ▶ A(1) Personnel in EMS
- ▶ A(3) Property disposition at fairgrounds

RETURN/CERTIFICATION/REPORT OF ACTION – 7:00 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: One (1)

ACTION FOLLOWING EXECUTIVE SESSION

The Chairperson asked if there was any action following Executive Session.

Personnel in EMS

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 holding a public hearing to consider offering a loyalty incentive of \$300.00 for part time EMTs who work 300 hours per quarter for Tazewell County EMS.

PUBLIC HEARINGS

Nuisance abatement – Harrison property at Bandy

County Attorney, Chase Collins, explained the reason for the nuisance abatement and explained that an unoccupied mobile home was washed away and damaged in the 2022 flooding, causing debris to fall into the stream. He advised that the owners have been properly notified and although the owners have attempted to clean up some of the debris, they are unable to adequately clean complete the task and properly secure the mobile home. He continued that the cost to remove the mobile home is approximately \$9,800.00 which will result in a lien against the property for that amount.

The Chairperson called to order a public hearing that was duly advertised according to law regarding a public hearing regarding a nuisance abatement regarding the Olena Harrison property at Bandy, Virginia.

Now, the Chairperson called three times for public comments from the floor and being none, the hearing was closed.

Supervisor Asbury expressed concern that the property owners were victims of flooding that had caused the nuisance and asked the Board to give them more time to remedy the situation.

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 agree to defer this matter until the November 9, 2023 meeting.

Purchase of real property – Ira McGlothlin

Mr. Collins explained that the Tazewell County airport is involved in clearing trees from near the runway, which involves getting easements from contiguous property owners. He stated that some property owners were agreeable, some were not and one offered to simply donate her two (2) parcels to the county.

The Chairperson called to order a public hearing that was duly advertised according to law regarding a public hearing regarding donation of real property to Tazewell County.

Now, the Chairperson called three times for public comments from the floor and being none, the hearing was closed.

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 agree accept a donation of two parcels of real property near the Tazewell County Airport in exchange for \$1,900.00 (the cost the owner was originally offered for the easements).

CITIZENS COMMENTS – SCHEDULED

There were none.

UNSCHEDULED CITIZEN COMMENTS

The Chairperson called for unscheduled citizen comments.

Tazewell County Veterans Parade

Alfred Wicks 184 Outre Street, Tazewell, Virginia – shared information regarding the Veterans Day Parade held in Tazewell and asked that the Board match the donation amount given by the Town of Tazewell.

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 approved a donation in the amount of \$3,000.00 from Southern District funds to Tazewell Today for the Tazewell County Veterans Day Parade Committee.

Labor of Love Mission White Christmas

Teresa McKensie - 109 Ridgewood Lane, Radford, Virginia

Ms. McKensie asked for funding for the White Christmas distribution program spearheaded by Labor of Love Mission.

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 approved donations as indicated below to Labor of Love Mission for the White Christmas distribution program.

\$1000.00	Northern District
\$1000.00	Eastern District
\$1000.00	Southern District
\$ 500.00	Western District
<u>\$ 500.00</u>	Northwestern District
\$4000.00	Total

Citizen Concern

(name inaudible) Beavers requested assistance in getting a response from Clinch Valley Community Action he had submitted an application to for help with roof repair following a storm. Members of the Board also made suggestions to him as to other agencies which might be of help to him.

Request for facility usage

Robert “Spot” Steele – 4330 Witten Mills Road, North Tazewell, Virginia 24630

Mr. Steele asked for permission to use one of the buildings at the fairgrounds in February 2024 to host the Skills U.S.A. Mr. Young advised him to contact Tina Altizer to reserve the building at no cost since it’s a county event with TCPS.

ADMINISTRATIVE/FINANCIAL/COUNTY PROJECTS UPDATE

Consider attached items for surplus

Upon motion of Supervisor Plaster seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approves the attached items for surplus. A copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Consider accepting \$10,000.00 grant from Winston-Salem Foundation for BGFD

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 approves to accept a \$10,000.00 grant from the Winston-Salem Foundation for BGFD.

Consider abatement for Time Warner Cable Business, LLC

Mr. Collins presented an abatement request from the Commissioner of the Revenue for Time Warner Cable Business, LLC. The Board discussed the abatement process and the risk of paying interest to TWC if the abatement were denied or the Court overturned the denial.

Upon motion of Supervisor Stacy seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approves an abatement for Time Warner Cable Business, LLC.

Consider abatement for Norfolk and Western Railway Company

Mr. Collins presented an abatement request from the Commissioner of the Revenue for Time Warner Cable Business, LLC. The Board discussed the abatement process and the risk of paying interest to TWC if the abatement were denied or the Court overturned the denial.

Mr. Young noted the same issues discussed with respect to the TWC abatement would apply to the N&W abatement request.

Upon motion of Supervisor Stacy seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approves an abatement for Norfolk & Western Railway Company.

Animal Shelter – the next chapter

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

VML/VACO Steering Committee

The County Administrator explained that a Board member is typically assigned as proxy for the Board at the VACO Conference and that Supervisor Stacy is registered to attend the Conference in November.

Upon motion of Supervisor Asbury seconded by Supervisor Plaster and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approves Charles Stacy as proxy for the Board at the VACO Conference in November.

Virginia Project for Ambulance Service Sustainability (V-PASS) update

Mr. Young explained that Barry Brooks, EMS Director, worked to qualify for the state program, but funding was cut. Supervisor Stacy suggested addressing this matter at the legislative visit to Richmond in January.

Labor of Love fairgrounds usage request

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

Consider authorizing appropriation of \$10k from contingency for CPRHA regional housing study

Mr. Young advised the Board that CPRHA applied for a grant for a housing study and asked for a pledge of \$10k from Tazewell County to fund the study. He said the pledge of additional funding would enhance the likelihood of CPRHA getting the grant.

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 \$10,000.00 from contingency to CPRHA for the purpose of a housing study.

School facilities assessment

Mr. Young stated that an advertisement was placed to obtain a firm to assess the current school facilities and make recommendations. He said a committee is necessary to evaluate the submissions and asked the Board to select two (2) members to serve on the committee.

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 appoint Supervisor Hrovatic and Supervisor Gillespie to serve on the committee to evaluate the submissions for facilities assessment.

Mr. Young said he would ask the school board to do the same.

Flood Relief

Mr. Young announced that the funding for flood relief for the July 2022 flooding has been released. He described the process and stated a team of staff members is in place to accept and evaluate applications so the money can be distributed as quickly as possible to the residents affected by the flooding. He said to receive the funding, DHCD required a memorandum of understanding be entered into.

Upon motion of Supervisor Asbury seconded by Supervisor Plaster and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approve an MOU between Tazewell County and DHCD for Bandy flood relief. A copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Flood Mitigation

Mr. Young presented a chart of actions ranked in order of priority that the flood mitigation consultant recommends be taken to alleviate future possible flooding and asked that the priority actions be approved so work can begin as soon as possible. A copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Supervisor Stacy asked about proceeding with beaver eradication. Mr. Young explained that only a landowner can eradicate beavers on the property and stated that the Board can choose to ascertain someone to do that at the Bluestone.

Mr. Young suggested charting the priority actions much in the same way the county road paving is done. He also suggested talking further with the staff from Stream Sweepers regarding funding that organization to assist with cleaning trash from the waterways where flooding is most likely. Mr. Young also stated that the county will be working with DEQ for a debris removal plan and working with PSA for manhole replacement.

Supervisor Stacy asked if he can make a motion to approve a portion of the action list, particularly beaver eradication at the Bluestone. Mr. Young stated he will give someone permission to remove the beavers at the Bluestone.

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 approve the priority flood mitigation actions presented by the County Administrator. A copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Outside funding requests:***Second Tuesday Sewing Club***

The Chair directed that staff explore possible locations where the club might meet, as they aren't eligible for funding due to not being a 501© 3.

SWCC Festival of the Arts 2024

Upon motion of Supervisor Plaster seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby approve donations as indicated below for the SWCC Festival of the Arts 2024 program.

\$1250.00	Western District funds
<u>\$1250.00</u>	Northwestern District funds
\$2500.00	Total

Appointments:

Planning Commission

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

CRVI

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

Fire/Rescue Board

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

RDA

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

Equalization Board

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 appoint Amanda Kuepper to serve on the Equalization Board.

Upon motion of Supervisor Gillespie seconded by Supervisor Stacy and adopted by a vote of 5 to 0, the Tazewell County Board of Supervisors hereby reappoint Sandy Addair to serve on the Equalization Board.

The Chairperson directed remaining appointments be deferred until the November 9, 2023 meeting.

BOARD CONCERNS

Supervisor Gillespie

Landfill construction/maintenance

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

Supervisor Asbury

Donation to Bandy Community Center

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 approves a donation in the amount of \$500.00 from Northern District funds to the Bandy Community Center to help with the Labor Day Festival expenses.

Breast Cancer Awareness

Supervisor Asbury announced that she and Supervisor Stacy plan to throw little pink footballs to the crowd at the THS and GHS football games pending TCPS approval.

Supervisor Stacy

EMS Endowment

The Chairperson directed that this matter be deferred until the November 9, 2023 meeting.

Virginia FBLA

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 a donation in the amount of \$300.00 from Eastern District funds to the GHS FBLA to sponsor an event for the Virginia State Leadership Conference.

VFW Post 9696

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 a donation in the amount of \$1,500.00 from Eastern District funds to VFW Post 9696 for Veterans Day banners.

VFW Post 9696

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 a donation in the amount of \$5,000.00 from Eastern District funds to VFW Post 9696 for the purpose of paving.

Beaver Mitigation

Supervisor Stacy asked Mr. Young to approve having beavers eradicated at the Bluestone Industrial Park. Mr. Young advised he will make arrangements for someone to remove the beavers.

Supervisor Hrovatic

None.

Supervisor Plaster

None.

OTHER BUSINESS

Eric Young informed the Board that Don Dunford, former Virginia Delegate and Board of Supervisors member passed away and suggested that Mr. Dunford be recognized by the Board at some date in the future.

ADJOURN

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 adjourns until the next regular meeting on November 9, 2023 at 4:00 pm.

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Shanna Plaster, Chairperson