

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD MAY 7, 2024 AT FOUR O'CLOCK P.M. IN THE TAZEWELL COUNTY ADMINISTRATION BUILDING, 197 MAIN STREET, TAZEWELL, VIRGINIA 24651

PRESENT: ANDY HROVATIC, CHAIRMAN
AARON GILLESPIE, VICE-CHAIRPERSON
KYLE CRUEY, MEMBER
CHUCK PRESLEY, MEMBER
SHANNA PLASTER, 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

MINUTES

Chairman, Andy Hrovatic called the regular meeting to order and presided with all other members present.

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

Chairman Hrovatic 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 Chairperson called for any additions to the agenda.

Upon motion of Supervisor Presley, seconded by Supervisor Cruey 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 May 7, 2024 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 Plaster, seconded by Supervisor Cruey 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 April 9, 2024

meeting. A copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

CONSENT CALENDAR

Upon motion of Supervisor Presley seconded by Supervisor Crucey 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", which is attached to the agenda. 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.

Consent Calendar
 (All items on the consent calendar are considered to be routine matters. The following items may be enacted by one motion, with the concurrence of the Board of Supervisors, a member may request that an item be removed for further discussion)

- A. Approval of Warrants
- B. County Departments - Transfer the following amounts from the Contingent Expenditures and Grant Account No. 91050-7041 to various department accounts as shown on the attached table

**Consent Calendar Items
 May 7, 2024 Meeting**

REVISED

Source	Dept	Check #	To Acct	Amt	Description
CMCS	TCSO	243232	31020-1150	\$ 1525.37	CITAC reimbursement
Bedford County, Virginia	TCSO	9078053	31020-5510	\$ 614.30	Reimbursement
VaCorp	TCSO	594706	31020-6009	\$ 500.00	2017 Charger repair
Carilion	TCSO	685206	32040-5510-1	\$ 1750.00	LE-EMT grant
Donation	TCSO	Cash	035600-8109-15	\$ 565.00	Project Lifesaver
Joyce Johnston	TCPL	8299	7301-3099	\$ 50.00	Donation
Taz Co Farm Bureau	TCPL	7970	7301-3099	\$ 150.00	Donation
VaCorp	Bishop VFD	595148	32010-8109	\$ 8075.00	Accident repair
Library of Virginia	TCCC	EDI 9656	4-100-21060-6021	\$27247.00	LVA records
DCJS	TCSO	EDI 33425	31020-1150	\$ 4407.00	Reimbursement
Cecil Gillespie	TCPL	1021	7301-6012	\$ 1000.00	Donation
Commonwealth of VA	TCSO	25383168	31020-6001	\$ 361.50	Reimbursement
TCCC	TCSO	25664	31020-6001	\$ 42.73	
Commonwealth of VA	TCSO	25432116	31020-6001	\$ 96.00	

DEPARTMENT REPORTS

Tazewell County Public Schools Audit Report – Dr. Chris Stacy

Dr. Stacy explained to the Board about a reimbursement issue pointed out in the County’s annual audit report. Dr. Stacy acknowledged that there has been a “lag” in requesting reimbursements in a timely manner, which has created a situation in which grant funds due to TCPS by reimbursement were not requested in a timely manner, therefore making the money available to TCPS appear to be less than actually was available. Dr. Stacy stated that to prevent this from happening in the future, TCPS will need to act in a timelier manner, such as making reimbursement requests more frequently.

Dr. Stacy also spoke regarding the importance of the school carryover. He stated that, in the past during the months that no funds are received from the County, TCPS tried to create a carryover in order to function during those dry times from July through November. He stated that he and his staff have discussed starting the TCPS budget process earlier in the year to help prevent reimbursement issues.

Eric Young, County Administrator, explained that he had become aware of this situation from the auditor that TCPS had drawn down approximately \$6m in reimbursements for local expenditures that were not included in the financial statements as receivables and not included in the budget request received from TCPS as revenue that they were expecting. He said, according to the auditor, this event has occurred for five (5) consecutive years. He continued by saying that the County budgeted money for TCPS based on their budget documents.

Mr. Young asked Dr. Stacy what TCPS plans to do procedurally to ensure that this issue doesn’t arise again, explaining that the County audit had to be revised, which doesn’t paint a positive picture of Tazewell County.

Dr. Stacy informed the Board that many reimbursement requests can be made monthly or at least more regularly than in the past.

Mr. Young conveyed to the Board that he and Dr. Stacy had previously discussed having someone sign an affidavit to affirm the list of grants TCPS has.

Supervisor Cruey asked Dr. Stacy how TCPS plans to prevent this issue from arising again in the future. Dr. Stacy reiterated that TCPS plans to do reimbursement draw-downs monthly from this point forward.

Supervisor Gillespie asked Dr. Stacy if any of the reimbursement money was used to construct any of the new sports fields that are being done Dr. Stacy stated that the money in question is still sitting on the books.

Supervisor Cruey stated that his concern is that TCPS was aware of the “extra” money but failed to make the County aware that there was money that would become available to TCPS.

Mr. Young stated that by doing twice a year tax billing, TCPS is able to get monthly budget payments to help make it easier to get through the year, which would make them less dependent on the carryover. He said the current budget that will be advertised indicates \$11.5m in carryover

and asked Dr. Stacy if he anticipates that amount. Dr. Stacy responded that he isn't sure without looking further into the TCPS budget.

Supervisor Hrovatic asked Dr. Stacy if any of the money was contractually obligated or committed. Dr. Stacy advised that it was not.

In response to a question by Supervisor Hrovatic, Dr. Stacy summarized the remaining school year by describing current and upcoming events at TCPS.

Mr. Young reminded the Board that each May they are required to inform TCPS whether the County will meet the local match obligation. He said this year's amount is \$15,984,484.00.

Upon motion of Supervisor Presley, 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 approve the TCPS FY25 local match obligation in the amount of \$15,974,484.00.

Engineering – Kenneth Dunford

Supervisor Gillespie asked about the status of construction at the Tazewell library branch. Mr. Collins advised that he should have the contract ready in the next couple of days.

Supervisor Hrovatic asked about transfer station refuse hauling trailers. Mr. Dunford said that the current option is a walking floor trailer at an estimated cost of \$325,000.00.

Supervisor Hrovatic stated his concern about overflowing convenience stations during the time the walking floor trailer is being installed at the transfer station. Mr. Dunford stated there are several options to keep that under control.

Mr. Collins asked the Board to approve a public hearing for the adoption of the DEQ Model Erosion and Sediment Control Ordinance and authorize advertisement of the same.

Upon motion of Supervisor Plaster, seconded by Supervisor Presley and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve advertisement of a public hearing in regard to the DEQ Model Erosion and Sediment Control Ordinance.

Mr. Dunford responded to Supervisor Hrovatic's inquiry regarding the paving schedule, saying there is a pre-bid meeting scheduled for May 13, 2024 and that the matter will be up for approval at the June 4, 2024 meeting.

An unidentified speaker from the audience inquired regarding the transfer station trailer. Mr. Young advised that the most likely course will be the purchase of a walking-floor trailer, once it's decided how it will be paid for, which requires waiting until the end of the fiscal year to determine how much money is left to use.

EXECUTIVE/CLOSED MEETING – 4:30 pm

Upon motion of Supervisor Presley, 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) Contract negotiations with Republic regarding landfill cell construction change order request
- ▶ A(29) Contract negotiations regarding modification of the Bluefield, WV Solid Waste Disposal Agreement at the Tazewell County Landfill
- ▶ A(29) Door-to-door trash collection bid evaluation
- ▶ A(7) Legal consultation regarding landfill operations agreement
- ▶ A(29) Contract negotiations regarding modification of the Wythe/Bland JPSA
- ▶ A(3) Property acquisition regarding the Gratton Convenience Area
- ▶ A(29) Contract negotiations with SEH regarding Springville FD
- ▶ A(29) Contract negotiations with PSA regarding Jonah Water Agreement

RETURN/CERTIFICATION/REPORT OF ACTION – 6:12 pm

The Board of Supervisors returned to public session and Chairman 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: Six (6)

ACTION FOLLOWING EXECUTIVE SESSION

Upon motion of Supervisor Cruey, seconded by Supervisor Presley 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 Change Order #2 to the contract with Republic for the landfill construction of Cell 4(B)(1) for filling sink holes or voids discovered in the new floor of the cell being constructed and in the rainwater diversion ditch line for a cost not to exceed \$275,000.00.

Upon motion of Supervisor Cruey, seconded by Supervisor Presley and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the County Administrator pay \$49,096.00 to Capital Waste Services for their disposal of landfill leachate by trucking to the Tazewell waste water plant but not pay the remainder of invoice #803142; #87282 and #885682 for trucking leachate to Bluefield West Virginia's waste water plant, per the terms of our 2023 agreement which requires them to dispose of leachate at Tazewell as long as the Tazewell plant can accept it, before disposing of it elsewhere.

Upon motion of Supervisor Presley, seconded by Supervisor Cruey and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approve to renew the Solid Waste Disposal Contract with Bluefield, West Virginia for a rate of \$35.00 per ton for a term of five years, with a renewal option for another five years at the then current actual cost per ton.

Upon motion of Supervisor Plaster, seconded by Supervisor Cruey 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 resolve that, in the event the ARC grant funds are spent and the Pure Salmon Project does not go forward, the Board of Supervisors will repay to ARC whatever portion of the ARC grant has been expended by the PSA, up to \$1,000,000.00 and that the County Administrator be authorized to seek issuance of a letter of credit of up to \$1,000,000.00 from a banking institution with whom the Count deposits its reserves to provide security to the Appalachian Regional Commission in support of their \$1,000,000.00 grant to the Tazewell County Public service Authority for construction costs related to the Pure Salmon Water and Waste Water improvement projects.

Mr. Young explained details of this project to the audience. He sated that the PSA has \$9m in grants to improve its water and waste water systems for Project Jonah (Pure Salmon) and that one of those grants be repaid if the project did not proceed. Further, he explained the PSA's obligation.

Upon motion of Supervisor Plaster, seconded by Supervisor Cruey 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 instructing the Tazewell County Public Service Authority *not* to proceed with construction activities on Project Jonah water and waste water improvements until the Board has been given an opportunity to review the bids in full.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Plaster and adopted by a vote of 4 to 1, with all members present and Supervisor Gillespie voting against the same, the Tazewell County Board of Supervisors hereby finds Lusk Disposal Services, Inc as the lowest responsive and responsible bidder for the door-to-door solid waste disposal invitation for bids and authorize the County to begin negotiations with Lusk as to the service provided.

Mr. Young reminded the audience that there is no obligation on the County's part to begin door-to-door trash pickup, but just an opportunity to negotiate with the low bidder.

SPECIAL PRESENTATIONS

GHS Cheerleader resolution

Upon motion of Supervisor Presley, 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 present a resolution to the Graham High School Cheerleaders for their accomplishments in the 2023 cheerleading season. A copy of the resolution is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Emily Hinkle resolution

Upon motion of Supervisor Cruey, seconded by Supervisor Presley 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 present a resolution to Emily Hinkle for her accomplishments in her business and dance career. A copy of the resolution is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Kendra Vance resolution

Upon motion of Supervisor Plaster, seconded by Supervisor Presley 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 present a resolution to Kendra Vance for her dance career. A copy of the resolution is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Jerry McReynolds resolution

Upon motion of Supervisor Hrovatic, seconded by Supervisor Cruey 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 present a resolution to Jerry McReynolds for his accomplishments and dedication to Tazewell County and the Tazewell County Airport. A copy of the resolution is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Cassie Ogle resolution

Upon motion of Supervisor Gillespie, seconded by Supervisor Presley 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 present a resolution to Cassie Ogle for her accomplishments as a Library Technician at the Tazewell County Library. A copy of the resolution is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Older Americans Month 2024 proclamation

Upon motion of Supervisor Cruey, 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 declare May 2024 as the Older Americans Month. A copy of the resolution is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

PUBLIC HEARINGS

Six-Year Plan

Jeff Buchanan from VDOT explained the Six-Year Plan and answered questions from the Board.

Public hearing to approve Resolution for approval of Secondary Highway Six-Year Plan (2024/25 through 2029/30) and construction priority list (2024/25) for Tazewell County, Virginia

The Chairman called to order a public hearing that was duly advertised according to law for the approval of a Resolution for approval of Secondary Highway Six-Year Plan (2024/25 through 2029/30) and construction priority list (2024/25) for Tazewell County, Virginia.

The Chairman called for public comments from the floor.

Bill Farmer, Falls Mills, Virginia commented regarding the width of public right of way along roads to be improved. Mr. Buchanan advised the right of way width varies from road to road.

The Chairman called a second and third time for additional public comments from the floor.

The Chairman closed the public hearing.

Upon motion of Supervisor Cruey, seconded by Supervisor Presley 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 Resolution for approval of Secondary Highway Six-Year Plan (2024/25 through 2029/30) and construction priority list (2024/25) for Tazewell County, Virginia.

CITIZENS COMMENTS – SCHEDULED

Laura Mollo, Richlands, Virginia – spoke regarding the budget and whether the school board could keep the funds discussed with Dr. Stacy earlier. Among other items, she asked that the Board also advertise in The Voice newspaper rather than only the Bluefield Daily Telegraph and Clinch Valley News/Press. Mr. Young shared that the Board has no problem advertising in The Voice. Mr. Collins explained that the price to advertise in the Bluefield Daily Telegraph is much less than to advertise in other local newspapers.

Mr. Young pointed out that normally in May, the Board votes on the TCPS carryover. That vote did not happen tonight.

Supervisor Gillespie also pointed out that the TCPS carryover approval would be subject to legal review.

Mr. Young reminded the Board that he required TCPS to verify their remaining funds because the budget they presented to the County indicates TCPS will have approximately \$11.5m left on June 30, 2024. He said “Just because the Board hasn’t taken money back from TCPS tonight doesn’t mean that won’t happen”. Mr. Young also reminded the Board that, when asked, Dr. Stacy confirmed that the money remaining is not already obligated, it’s possible to still take a portion of that money. Mr. Young asked the Board if they desired a letter to Dr. Stacy instructing him not to obligate any of the remaining funds until the Board reconvenes in June.

Upon motion of Supervisor Cruey, seconded by Supervisor Presley and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby authorizes the County Administrator to direct a letter to Dr. Stacy, instructing him not to obligate the Esser reimbursement funds until after the Board of Supervisors meets on June 4, 2024.

Wilder Meade, Project Manager for StreamSweepers - spoke regarding trash and tire clean-up at highly polluted areas on the Clinch River. He explained how they choose which areas of the river to clean up and also requested a donation in the amount of \$10,000.00 to assist the organization in continuing their cleanup efforts.

Mr. Young reminded the Board of the flood study from 2023 and that one of the points made by the study was flooding caused by debris in the waterways. He pointed out that anything that can be done to alleviate that problem is a plus and that a donation to this organization would be money well spent.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Plaster and adopted by a vote of 4 to 1, with all members present and Supervisor Cruey voting against the same, the Tazewell County Board of Supervisors hereby approves a donation as follows to (StreamSweepers) American Climate Partners:

\$3000.00 from Western District funds
\$2000.00 from Northwestern District funds
\$5000.00 Total

UNSCHEDULED CITIZEN COMMENTS

Robert Carlson, North Tazewell, Virginia – spoke in objection to the use of cadmium telluride batteries at the proposed solar farm in the County

Bill Farmer, Falls Mills, Virginia – spoke regarding trash/debris/clutter at certain properties and the lack of water lines to the Yards area.

ADMINISTRATIVE/FINANCIAL/COUNTY PROJECTS UPDATE

Personal property rate ratio ordinance

County Administrator, Eric Young, presented a chart describing the possible outcomes for personal property tax rate adjustment. He demonstrated with a chart that contributing to the PPTR fund, rather than simply cutting the assessment ratio could increase the benefit to the average tax payer. A copy of the chart is available in the County Administration Office at 197 Main Street, Tazewell, Virginia 24651.

The Chairman directed the matter be deferred until the June 4, 2024 meeting.

Triangle Sportsmen's Club tax exempt request

Chase Collins explained that Triangle Sportsmen's Club recently came before the Board to request tax exempt status; however, the Code section under which the request was made was incorrect, therefore requiring the Commissioner's office to render a decision as to the request. Mr. Collins advised that Triangle has not yet made a request to the Commissioner's office.

The Chairman directed the matter be deferred until the June 4, 2024 meeting.

Budget update

Mr. Young announced that the Budget Committee has assembled a balanced budget as of this date and asked the Board for approval to advertise the same. He also detailed the various cuts that were necessary to arrive at the balanced budget. Young reviewed that the Board closed the anticipated budget gap with more than \$2.5m in cuts and with the help of refunds from the regional jail and level funding for DSS. He also advised that the proposed budget included \$1m in personal property tax cuts.

Upon motion of Supervisor Presley, 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 advertisement of the proposed FY25 budget as recommended by the Budget Committee to be presented at the June 4, 2024 meeting.

Board of Equalization update

Mr. Young spoke about the role of the BOE and about the increase in hearings this year due to the reassessment.

The County Administrator asked that the Board of Equalization be compensated for the reassessment hearings they conduct at the rate of \$125.00 per day and asked for ratification of the previous poll taken.

Upon motion of Supervisor Presley, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with all members present and Supervisor Cruey abstaining, the Tazewell County Board of Supervisors hereby approves a stipend for the Board of Equalization in the amount of \$125.00 for each day of reassessment hearings they participate in.

SWCC Support letter

Eric Young explained that SWCC has asked for a letter of support for a grant for a telecommunications equipment training program to instruct people how to use telemedicine equipment.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Presley 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 support letter to SWCC indicating support of a telecommunications equipment training program.

FOIA policy presentation

Chase Collins, County Attorney, presented the updates and changes in the FOIA policy.

Supervisor Cruey suggested that the lowest paid full time employee's pay be used in calculating employee time in FOIA preparation and also disposing of any charge of \$10.00 or less.

Upon motion of Supervisor Gillespie, seconded by Supervisor Cruey 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 updated FOIA policy, with Supervisor Cruey's amendments, as prepared by the County Attorney. A copy is available at the County Administration Office at 1697 Mian Street, Tazewell, Virginia 24651.

Flood Mitigation grant applications

The County Administrator announced that the County was awarded four of the grants that were applied for:

- Study for downtown Bluefield flooding remedy- \$258,000.00. The County's match is \$25,826.00
- Study for Bottom Road in Doran - \$215,000.00. The County's match is \$21,000.00
- Study to remove debris from waterways - \$285,000.00. The County's match is \$28,000.00
- Implementation grant (Richlands Elementary School) - \$996,00.00. The County's match is \$49,000.00

Mr. Young stated that last year, money had been set aside for the match portion; however, that money is no longer available in the upcoming budget. Mr. Young suggested asking TCPS for funds for the Richlands Elementary School flood mitigation. He also suggested using a priority system for determining which project should come first.

Supervisor Cruey suggested joining forces with the National Guard to work on some of the flood mitigation projects.

The Chairman directed the matter be deferred until the June 4, 2024 meeting.

Consider approving \$17,836.50 from contingency for increase in software costs for Commissioner of the Revenue's personal property assessment software

According to the County Administrator, costs have increased dramatically for the software used to determine the values of personal property.

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 approves the amount of \$17,836.50 from contingency to cover the increase in software for the Commissioner of the Revenue's personal property assessment software.

Resolution for Rural Rustic Road designation

Jeff Buchanan from VDOT explained the purpose of the Rural Rustic Road designation.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Cruey 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 resolution for Rural Rustic Road designation.

Consider approving CMCS to act as their own fiscal agent

Mr. Young explained that CMCS requested to be their own fiscal agent, which would allow them to draw down grant money quicker.

Upon motion of Supervisor Plaster, seconded by Supervisor Presley 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 Cumberland Mountain Community Services to act as their own fiscal agent.

Consider donation of 2001 Ford F550 utility truck (VIN VIN1FDAW57FX1EA68736) to Thompson Valley VFD

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 approves the donation of 2001 Ford F550 utility truck (VIN VIN1FDAW57FX1EA68736) to Thompson Valley VFD.

Consider surplus of totaled TCSO 2015 Ford Explorer (VIN 1FM5K8AR9FGC42583)

Upon motion of Supervisor Gillespie, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with all members present and Supervisor Cruey abstaining from the vote, the Tazewell County Board of Supervisors hereby approves the surplus of TCSO 2015 Ford Explorer (VIN 1FM5K8AR9FGC42583).

Other

The County Administrator requested to add an item to Executive Session: A(29) Negotiation of Springville Fire Station contract

Outside funding requests

Chamber of Commerce Octobrewfest funding request

Keisha Cole, Director of the Chamber of Commerce shared details of the upcoming OctobrewFest. Supervisor Gillespie was absent from the discussion regarding this matter. The Chairman directed that this matter be deferred until the June 4, 2024 meeting.

Supervisor Cruey made a motion to deny funding for both the OctobrewFest and the Juneteenth Celebration. The motion died.

Juneteenth Celebration funding request

Mr. Young suggested donating the cost of the fairgrounds rental to the Juneteenth Celebration. Supervisor Gillespie was absent from the discussion regarding this matter. The Chairman directed that this matter be deferred until the June 4, 2024 meeting.

Supervisor Gillespie returned to the meeting and was informed as to the discussion on the funding requests.

Appointments

Library Board

The Chairman directed that this matter be deferred to the June 4, 2024 meeting.

Fire/Rescue Board

The Chairman directed that this matter be deferred to the June 4, 2024 meeting.

New River Highlands RC&D Council

The Chairman directed that this matter be deferred until the June 4, 2024 meeting.

Equalization Board

Upon motion of Supervisor Presley, seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Gerald (Jerry) Altizer to serve on the Equalization Board.

SWCC local board

The Chairman directed that this matter be deferred until the June 4, 2024 meeting.

IDA (Marco Warner resignation)

The Chairman directed that this matter be deferred until the June 4, 2024 meeting.

Upper Tennessee River Roundtable

The Chairman directed that this matter be deferred until the June 4, 2024 meeting.

DSS (replace Maggie Asbury)

Mr. Young brought to the Board's attention that Ms. Asbury had requested to remain on the DSS Board prior to Supervisor Cruey's appointment of Sheena McGlothlin.

BOARD CONCERNS

Supervisor Presley

Fire/EMS levy

Supervisor Presley spoke about lack of funding for EMS and expressed interest in having budget work sessions.

Mr. Collins stated that there are allowance in the Code that do permit levies. Supervisor Presley asked Mr. Collins to prepare some information regarding that for the next meeting.

Supervisor Presley also requested that trees at the entrance to Fincastle Farms in Bluefield be cut back to allow better viewing of traffic at the intersection.

Supervisor Plaster

Opioid Committee (resignation of Melinda Smith)

Upon motion of Supervisor Plaster, seconded by Supervisor Presley 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 Dr. Chris Stacy to serve on the Opioid Committee.

Supervisor Cruey

Supervisor Cruey mentioned the importance of observing the upcoming Memorial Day holiday.

Supervisor Gillespie

Ratify poll for \$7500.00 donation from Southern District funds to Fair Association for OTR Derby

Upon motion of Supervisor Gillespie, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with all members present and Supervisor Cruey abstaining, the Tazewell County Board of Supervisors hereby approves a donation in the about of \$7500.00 from Southern District Capital Improvement funds to the OTR Derby.

Consider surplus of 1992 Chevrolet by Clearfork VFD (VIN 1GNGK26KONJ348912)

Upon motion of Supervisor Plaster, seconded by Supervisor Presley 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 surplus of a 1992 Chevrolet by Clearfork VFD (VIN 1GNGK26KONJ348912).

Supervisor Hrovatic

Supervisor Hrovatic mentioned there is a Runway 5K event at the Tazewell County Airport on Memorial Day weekend.

Supervisor Hrovatic asked for an update regarding the readiness of the new horse arena at the fairgrounds.

Mr. Young stated that all work to be done by the county is complete and once the members of Tazewell Horse Show, LLC come to finish whatever they need done, the arena is ready to use.

EXECUTIVE/CLOSED MEETING – 9:00 pm

Upon motion of Supervisor Presley, seconded by Supervisor Plaster 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:

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

- ▶ A(1) Personnel in Administration
- ▶ A(1) Personnel in Judicial Administration
- ▶ A(29) Evaluation of SEH bids for School Facilities Upgrade bids

RETURN/CERTIFICATION/REPORT OF ACTION – 9:45 pm

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

**CERTIFICATION OF
EXECUTIVE/CLOSED MEETING
TAZEWELL COUNTY BOARD OF SUPERVISORS**

WHEREAS, the Tazewell County Board of Supervisors has convened an executive/closed meeting on this date pursuant to an affirmative vote and in accordance with The Virginia Freedom of Information Act; and

WHEREAS, 2.2-3711 of the Code of Virginia requires a certification by the Board of Supervisors that such executive/closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED, that the Tazewell County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) that only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive/closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Tazewell County Board of Supervisors. The Chairman called for a roll call vote with the following vote hereby recorded.

The Chair called for a roll call Vote on the Certification:

Ayes: Five (5)
Nays: None (0)
Absent: None (0)

Absent during vote: None (0)
Report of Action: One (1)

ACTION FOLLOWING EXECUTIVE SESSION

Upon motion of Supervisor Presley, 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 eliminating the full-time position of Administrative Assistant II at Cavitts Creek Lake and further approves a hiring freeze for the Judicial Clerk position until July 2025.

Upon motion of Supervisor Presley, 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 Board request \$1,000,000.00 from ARC and \$750,000.00 from private donation and authorizes the County Administrator to proceed with regard to the Springville Fire Station.

OTHER BUSINESS

Eric Young shared a request from the Clerk of Circuit Court for approval of \$2999.00 to purchase some office furnishings for the Clerk's office.

Upon motion of Supervisor Gillespie, seconded by Supervisor Presley 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 \$2999.00 to the Circuit Court Clerk's office for office furnishings.

ADJOURN

Upon motion of Supervisor Plaster, seconded by Supervisor Presley 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 June 4, 2024 at 4:00 pm.

a copy teste:

Andy Hrovatic, Chairman