

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEWELL COUNTY BOARD OF SUPERVISORS HELD AUGUST 6, 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, RICHLANDS NEWS & PRESS;  
WARREN HINKLE, THE VOICE

ABSENT:

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## MINUTES

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

Supervisor Presley 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.

County Administrator, Eric Young, requested that an item be added to Executive Session: A(29) Contract negotiations with SEH regarding Springville Fire Station.

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 approved the addition of the following item to Executive Session: A(29) Contract negotiations with SEH regarding Springville Fire Station.

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 approved the August 6, 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 Gillespie, seconded by Supervisor Cruvey 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 suspending Robert's Rules of Order so that the Board can move freely through the agenda.

Upon motion of Supervisor Gillespie, seconded by Supervisor Cruvey 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 June 27, 2024 meeting. A copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

## **CONSENT CALENDAR**

Supervisor Presley stated that he is in support of Teen Venture (Item E) once he spoke with Supervisor Plaster and the County Administrator regarding the changes that have been made, but if the project were to go awry, he feels the Board should be prepared to withhold support.

Supervisor Cruvey asked that Item E be removed and voted on separately from the remainder of the Consent Calendar.

Upon motion of Supervisor Cruvey 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 items A through D 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.

Supervisor Plaster stated that she would abstain from the vote on Item E and explained that that item is simply to ratify a poll for a letter of support to the town in support of Teen Venture.

Supervisor Gillespie agreed with Supervisor Presley, stating that the Board has, in the past, supported programs that had difficulties that were corrected and echoed the show of support for Teen Venture.

Supervisor Cruvey stated he has concerns regarding Teen Venture. Supervisor Plaster offered to supply a copy of another support letter as well as a copy of the new personnel policy for Teen Venture.

Upon motion of Supervisor Hrovatic seconded by Supervisor Presley and adopted by a vote of 3 to 1 with all members present, Supervisor Plaster abstaining and Supervisor Cruvey voting against the same, the Tazewell County Board of Supervisors hereby approves the Item E listed in the Consent Calendar, which is a part of the agenda.

Mr. Young requested to add an item to the Consent Calendar: To transfer the amount of \$12,912.00 from the Contingent Grants Account 91050-7041 to Eastern District funds, then place the same amount from Eastern District funds into Emergency Management line item. He explained that the Town of Bluefield had agreed to pay half of the match for their downtown flood study and at the previous meeting, the Board had voted to transfer the county's share from District funds to Emergency Management; however, the finance department

had misread the minutes and sent funds to the Town of Bluefield. The Town of Bluefield returned the funds, which are in the contingent grant account. Mr. Young asked that the funds be transferred back through the district fund to the Emergency Management line item.

Upon motion of Supervisor Gilespeie 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 Item F and added to the table 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. 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.
- C. Approval of Warrants
- D. Ratify poll to donate \$33,500.00 to Bishop VFD from Fire Apparatus line item for purchase of 2020 F150 brush truck (VIN 1FT EW1E55LFA96210)
- E. Ratify poll to follow recommendation of National Opioid Litigation counsel regarding joinder of new defendants into the litigation
- F. Ratify poll for letter of support for Teen Venture

**Consent Calendar Items  
August 6, 2024 Meeting  
Revised**

Source	Dept	Check #	To Acct	Amt	Description
Kegley Law Firm		5955	03660-6001	\$57.40	FOIA services
VaCorp		605183	31020-6009	\$2125.27	2020 Explorer VIN 2651
VaCorp		607338	31020-6009	\$799.15	2021 Ford Interceptor repair
Shea Cook, PC		10587	31020-6001	\$37.10	FOIA response
C of VA		25398994	31020-5510	\$124.75	Training reimbursement
Bedford County		82227	31020-5510	\$711.72	Training reimbursement
CMCS		244038	31020-1150	\$1965.40	CITAC overtime
CMCS		24364	31020-1150	\$1596.91	CITAC overtime
MM&Assoc		11018	31020-6010	\$3000.00	Donation to TCSO
Cynthia Tomblinson		357456	035600-8109-16	\$84.00	Peer Support Team fundraiser
Town of Pocahontas		3520	91050-7041	\$15,000.00	Fire Premium Funds
<b>VaCorp</b>		<b>608946</b>	<b>31020-6009</b>	<b>\$500.00</b>	<b>2019 F150 repair</b>

## **DEPARTMENT REPORTS**

### ***Engineering – Kenneth Dunford***

Mr. Dunford announced that construction inside the library is on schedule and might be completed slightly before the 90-day deadline. He also announced that installation of the liner at the landfill began on this day.

Mr. Dunford reminded the Board about monitoring wells and asked for \$14,030.00 from Operating Contingency to pay Marshall Miller for overseeing the installation of the wells.

Upon motion of Supervisor Presley, seconded by Supervisor Cruvey 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 \$14,030.00 from Operating Contingency to be paid to Marshall Miller for overseeing the installation of the monitoring wells.

Mr. Dunford informed the Board that there would be future requests for approval for money for pumps.

Mr. Dunford explained that the current IT hardware system is antiquated, some parts of it being almost twenty years old. A five-year lease/purchase agreement has been negotiated in the amount of \$135,584.45 for each year. Installation of the new system is a nine-week timeline with a cost of \$118,500.00. Battery backup packs will cost \$50,932.38 and that expense is covered with ARPA funds. Mr. Young reminded the Board that the IT hardware and installation had been budgeted.

Upon motion of Supervisor Plaster, seconded by Supervisor Gillespie and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby approves the lease/purchase of IT equipment from CISCO, the installation of the equipment by ESI and the purchase of battery backup packs. A copy of the agreements is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Supervisor Hrovatic asked the status of road paving. Mr. Dunford advised the paving is in progress but not complete.

## **BOARD CONCERNS**

### ***Supervisor Gillespie***

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 a donation of \$4,000.00 to the Tannersville VFD to be used for property maintenance.

### ***Tourism Appointment***

Upon motion of Supervisor Gillespie, seconded by Supervisor Cruvey 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 Susan Reeves to serve on the Tourism Committee.

## **EXECUTIVE/CLOSED MEETING** – 4:25 pm

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, the Board enters into an Executive/Closed meeting and invites all persons necessary to conduct business in this session, pursuant to Virginia Code Section 2.2-3711.

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

- ▶ A(29) Contract negotiations with Pure Salmon regarding water use agreement
- ▶ A( 3) Property acquisition regarding a landfill monitoring well site
- ▶ A(29) Contract negotiations with Republic regarding landfill construction
- ▶ A(29) Contract negotiations with Merchant McIntrye regarding legal representation for grant applications
- ▶ A( 7) Discussion regarding potential national insulin litigation
- ▶ A( 7) Property acquisition regarding easements for ATV trails near Boissevain
- ▶ A( 1) Personnel - Judicial Administration
- ▶ A( 1) Personnel – Library
- ▶ A(29) Contract negotiations with SEH regarding Springville Fire Station

**RETURN/CERTIFICATION/REPORT OF ACTION – 6:10 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: Four (4)

**ACTION FOLLOWING EXECUTIVE SESSION**

***Contract negotiations with Merchant McIntrye regarding legal representation for grant applications***

Upon motion of Supervisor Gillespie, seconded by Supervisor Cruvey 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 renewal of the Merchant McIntyre contract for grant application drafting and lobbying services at the same rate as the 2019 contract and authorize the chairman to sign the agreement. A copy is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

***Personnel - Judicial Administration***

Supervisor Presley stated: As you know, we eliminated the Law Clerk position from the budget with the Clerk left in May. Since that time, the Judge’s secretary has been performing those duties in addition to her own without any additional pay. We plan to restore the law clerk position in July of 2025 and plan to use Opioid Abatement Settlement funds to hire a full time Drug/Recovery Court Clerk this fall. In the meantime, the work still needs to move forward. Therefore, we have a temporary solution.

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 voting against the same, the Tazewell County Board of Supervisors hereby approves salary increase for Judicial Administrative Assistant 1 position by \$10,000.00 annually until the law clerk position is filled in FY26; and further that the salary for the Judicial Administrative Assistant 1 position be increased by a rate of an additional \$10,000.00 annually, until the full time position of Recovery Court Administrative Assistant is hired this fall, with the supplement being paid from the Opioid Abuse Abatement Sentiment funds previously budgeted for the Recovery Court Administrator position created in June; lastly, that both of these pay increases be made retroactive to May 2024, when the law clerk who previously performed those duties left and the Judicial Administrative Assistant assumed them.

***Landfill***

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 votes to ratify the County Administrator’s decision to ask the Wythe/Bland JPSA to divert their solid waste to the New River Valley Regional Landfill until September 30<sup>th</sup> and authorize the Administrator to end such diversion should the new cell at the landfill become available prior to that date.

***Property acquisition regarding a landfill monitoring well site***

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 authorizes the County Administrator to offer Blackberry Properties, LLC the amount of \$500.00 for the 0.07 acre monitoring well site and right of way to access it as discussed in executive session.

**SPECIAL PRESENTATION**

***Resolution for Tazewell Little League Jr. Softball***

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 presents a resolution to Tazewell Little League Jr. Softball team. A copy of the resolution is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

***Recognition of Josh Salyers***

Josh Salyers was promoted to the rank of Lieutenant within the Tazewell County EMS as a 17-year veteran and previous Training Officer. He was introduced and administered the pledge by EMS Director, Barry Brooks. Captain Courtney Evans and Lt. Salyers daughter, Lily pinned him.

*Supervisor Gillespie left the meeting at 6:20pm.*

**CITIZEN COMMENTS – SCHEDULED**

Laura Mollo, Richlands, Virginia, spoke via telephone regarding Teen Venture and objected to the Board's support of Teen Venture.

**CITIZEN COMMENTS - UNSCHEDULED**

Robert Carlson, North Tazewell, Virginia, spoke regarding solar projects. He shared a handout that he asked be made part of the minutes of this meeting. A copy is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

**ADMINISTRATIVE/FINANCIAL/COUNTY PROJECTS UPDATE**

***Thompson Foundation Hiking Trail grant***

The County Administrator announced that there is approximately \$54,000.00 of the grant funds remaining in the Thompson Foundation Hiking Trails grant awarded to the County in 2019. As the Town of Richlands has changed their plans regarding the hiking trail, he asked the Board to consider reallocating funds in the grant for trails in Richlands to the new Richlands trails and using the remaining funds to make Crab Orchard Museum the trail head for the Clinch Mountain Trail that CPPDC is going to do. He advised that CPPDC has obtained an easement from the Ratcliff Foundation and plans to build a trail that would end near the museum.

***Consider surplus of retired Deputy Nelson Blankenship's service weapon (Glock 9mm #CBKA887) and allow him to purchase for \$1.00 pursuant to Sec.59-148.3 of the Code of Virginia***

Upon motion of Supervisor Hrovatic, seconded by Supervisor Presley and adopted by a vote of 3 to 0, with Supervisor Gillespie absent and Supervisor Cruvey abstaining and no one against the same, the Tazewell County Board of Supervisors hereby approves the surplus of Deputy Nelson Blankenship's service weapon (Glock 9mm #CBKA887) and allow him to purchase for \$1.00 pursuant to Sec.59-148.3 of the Code of Virginia.

***Consider surplus of retired Deputy Kevin Murray's service weapon (Glock 9mm #CBKA867) and allow him to purchase for \$1.00 pursuant to Sec.59-148.3 of the Code of Virginia***

Upon motion of Supervisor Hrovatic, seconded by Supervisor Presley and adopted by a vote of 3 to 0, with Supervisor Gillespie absent and Supervisor abstaining and no one against the same, the Tazewell County Board of Supervisors hereby approves the surplus of retired Deputy Kevin Murray's service weapon (Glock 9mm #CBKA867) and allow him to purchase for \$1.00 pursuant to Sec.59-148.3 of the Code of Virginia.

***PPTRA payment approval***

The County Administrator advised that there is \$1m set aside in the budget for PPTRA that needs to be transferred into the PPTRA fund for the Personal Property Tax Relief.

Upon motion of Supervisor Cruvey, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves the transfer of \$1m to the general fund for the purpose of PPTRA.

***Sequestered school funds update***

Mr. Young advised he plans to meet with Dr. Stacy of TCPS and the Chairman of the school board to discuss the sequestered school funds and how TCPS can go about requesting money from that fund.

***Fair Association check***

At a recent meeting, Supervisor Gillespie donated \$2,500.00 from Southern District funds to the Fair Association to assist with the OTR event and according to Mr. Young, the Fair Association has returned the funds.

Upon motion of Supervisor Plaster, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby accepts the amount of \$2,500.00 back into Southern District funds from a donation previously directed to the Fair Association.

***Revised Animal Shelter Board bylaws***

County Attorney, Chase Collins spoke regarding the background of the Animal Shelter board, described the changes that were made to the bylaws and the reason for the changes. He advised that the Animal Shelter Board agreed to the changes.

Upon motion of Supervisor Presley, seconded by Supervisor Hrovatic and adopted by a vote of 3 to 0, with Supervisor Gillespie absent and Supervisor Cruvey out of the room and no one against the same, the Tazewell County Board of Supervisors hereby approves the changes to the Animal Shelter Board bylaws.

***Consider approving DCR grant agreement for Flood Study grants***

Mr. Young reminded the board of the four (4) flood grants the county was awarded. He shared that three (3) of the grants can be partnered with RES, the group that provided the initial flood study. He advised that one (1) will most likely need to be advertised for bids. He advised that a series of votes is necessary to approve the agreements.

Upon motion of Supervisor Presley, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves the DCR Flood Mitigation Grant Agreement (CFR240466 for \$257,000.00) for downtown Town of Bluefield.

Upon motion of Supervisor Plaster, seconded by Supervisor Cruvey and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves the DCR Flood Mitigation Grant Agreement (CFR240465) for Bottom Road in Doran.

Upon motion of Supervisor Cruvey, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves the DCR Flood Mitigation Grant Agreement (CFR240461 for \$194,000.00) for a county-wide stream obstruction study.

Upon motion of Supervisor Plaster, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves the DCR Flood Mitigation Grant Agreement (CFR2404 for \$946,000.00) to implement flood mitigations measures at Richlands Elementary School.



***Consider ratifying poll to transfer \$11,000.00 from contingency to Tazewell County Public Library for cleaning/painting/ceiling tile replacement and book shelf repair now and authorizing an additional \$5,000.00 match for furniture, contingent upon the Friends of the Library matching with \$5,000.00 of donations***

Mr. Young suggested that as the library construction ends would be an appropriate time to perform some painting, cleaning and minor repair. Library Director, Erica Galway agreed and spoke about the same.

Upon motion of Supervisor Plaster, seconded by Supervisor Cruvey and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves the transfer of \$11,000.00 from contingency to Tazewell County Public Library for cleaning/painting/ceiling tile replacement and book shelf repair now and authorizing an additional \$5,000.00 match for furniture, contingent upon the Friends of the Library matching with \$5,000.00 of donations.

***Consider holding a public hearing to grant tax exempt status to new medical facility***

Chase Collins informed the Board that the Tazewell Community Foundation requested that the new medical complex to be built at the end of Market Street in Tazewell be considered tax exempt by ordinance. He advised such a decision will require a public hearing.

The Chair made the point that the tax assessed value of the property can't be determined until the building is constructed and directed that the matter be deferred until adequate information is available.

***Consider approving CMCS Performance Contract***

Mr. Young announced that each year, the County is required to enter into a new contract with Cumberland Mountain Community Services. He presented the voluminous contract from the State.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Plaster and adopted by a vote of 3 to 0, with Supervisor Gillespie and Supervisor Cruvey absent and no one against the same, the Tazewell County Board of Supervisors hereby approves entering into the new contract with CMCS, pending legal review. A copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

***Consider approving donation of \$25,000.00 from fire department budget line item 32010-8105 to BGVFD for purchase of 2020 F250 SD (VIN 1FT7W2B67LED95439)***

EMS Director, Barry Brooks, explained that the use of this type of truck is for events that don't require the bigger trucks and that this type of truck is more maneuverable in some situations such as when trees blocking the road need to be cut.

Upon motion of Supervisor Presley, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves donation of \$25,000.00 from fire department budget line item 32010-8105 to BGVFD for purchase of 2020 F250 SD (VIN 1FT7W2B67LED95439).

***VDOT/Litter Control***

Mr. Young announced that there is a grant offer from VDOT to help pay for litter pickup program in an amount up to \$40,000.00. He said that right now we could only take advantage of \$30,000.00 due to time constraints but asked to approve up to \$40,000.00.

Upon motion of Supervisor Presley, seconded by Supervisor Plaster and adopted by a vote of 3 to 0, with Supervisor Gillespie absent and Supervisor Cruvey abstaining and no one against the same, the Tazewell County

Board of Supervisors hereby approves the transfer \$7,680.00 from contingency to Landfill Budget for VDoT Litter Control Grant Match and to approve the VDOT litter control grant.

***Discussion regarding Tannersville internet/WSA***

Mr. Young relayed difficulties with the Tannersville internet service through Gigabeam and that the minimum cost to make repairs is approximately \$6000.00. He suggested that the matter be deferred until the WSA meets.

***OAA Regional Agreement with Legal Aid***

According to Mr. Young, Southwest Virgini Legal Aid proposed an agreement for Legal Aid to provide civil representation to individuals coming out of opioid rehabilitation. He advised that, although the Board chose not to fund the program, a letter of support from the Board was given and Tazewell County residents will be served at no cost upon entering into an agreement with Legal Aid.

Upon motion of Supervisor Plaster, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves entering into an agreement with Southwest Virginia Legal Aid for services to county residents overcoming opioid addiction at no cost. A copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

***Consider approving/accepting \$753,380.73 from DHCD Flood Relief Grant Program for disbursement to Bandy flood victims***

The County Administrator described the flood relief grant process and explained that this request is for the funds the County expects to need from DHCD to fulfill the applicants' awards.

Upon motion of Supervisor Cruey, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves a supplemental budget appropriation in the amount of \$753,380.73 and authorizes the County Administrator to accept the amount of \$753,380.73 into the Bandy Flood Relief Grant line item.

***Consider approving payments of \$758.87 and \$895.73 to Crab Orchard Veterinary Services for DMV spay/neuter program***

Mr. Young announced that each year the County receives money from DMV which is a portion of the cost of Animal Friendly license plates purchased by the public. The County uses this money toward spay/neuter of animals adopts from the animal shelter, usually performed by Crab Orchard Veterinary Services.

Upon motion of Supervisor Cruey, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves to accept the amounts of \$758.87 and \$895.73 from DMV and then donate the amounts of \$758.87 and \$895.73 to Crab Orchard Veterinary Services for the spay/neuter of animals adopted at the Tazewell County Animal Shelter.

***Other***

The regional jail system originally budgeted to undertake some significant improvements, according to the County Administrator. He explained that the SWVRJA decided to finance the projects rather than pay up front, which increases Tazewell County's contribution approximately \$50k per year for several years; however, because the funds were not spent up front, the County will receive \$618K to add back to our budget this year.

Mr. Collins reminded the Board of a previous resolution to abandon State Route 9561 near the previous Pocahontas High School. He continued that VDOT has again requested the abandonment of that route.

Upon motion of Supervisor Cruey, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby approves the abandonment of State Route 9561 near the previous Pocahontas High School.

Mr. Young asked for guidance regarding what avenue the Board wishes the Opioid Committee to take and what goals are in mind for how that committee can help the county residents overcoming opioid addiction.

Supervisor Hrovatic commented that the Board had placed expert members on the committee to make decisions regarding that they choose to implement.

Mr. Young recommended that the committee establish the priorities they wish to fund, followed by a solicitation, with the appropriate selections to be made by the committee afterward.

### **Appointments**

#### ***Fire/Rescue Board***

The Chairman directed that this matter be deferred to the September 10, 2024 meeting.

#### ***Upper Tennessee River Roundtable***

Upon motion of Supervisor Hrovatic, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Curtis Breeding to serve on the Upper Tennessee River Roundtable.

The County Administrator advised that Mr. Breeding did not want to be reappointed.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby rescinds Supervisor Hrovatic's previous motion to reappoint Curtis Breeding to serve on the Upper Tennessee River Roundtable.

The Chairman directed that this matter be deferred to the September 10, 2024 meeting.

#### ***SRRA (Spearhead Trails)***

Upon motion of Supervisor Plaster, seconded by Supervisor Cruey and adopted by a vote of 4 to 0, with Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Rick Wood to serve on SRRA.

#### ***SWCC College Board***

The Chairman directed that this matter be deferred to the September 10, 2024 meeting.

#### ***Tourism***

Upon motion of Supervisor Hrovatic, seconded by Supervisor Presley and adopted by a vote of 4 to 0, Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby reappoints Brad Ratliff to serve on the Tourism Committee.

The County Administrator asked that the Board hear Supervisor Cruey's Board Concerns so that he might excuse himself from the meeting.

### **Supervisor Cruey – Board Concerns**

Supervisor Cruey stated that he was not feeling well and apologized for having to come in and out of the meeting. The Chair took up Supervisor Cruey's Board Concerns early in the agenda.

### ***Speed reduction ordinance update***

Supervisor Cruey inquired regarding the process for which to enact speed reduction ordinance. The County Attorney stated that this action requires a public hearing and once he has a list of street/roads for the ordinance, he will advertise for the same. Mr. Collins explained the background of the speed reduction ordinance.

### ***Consider donation to TRIAD***

Supervisor Cruey stated that he and Supervisor Gillespie desire to donate the amount of \$250.00 from each of their respective districts to the TRIAD Senior Safety Day in October. Supervisor Plaster reminded the Board that, in the past, donations for TRIAD had to be sent through a 501c3 agency because TRIAD does not have that standing.

Because Supervisor Gillespie was absent from the meeting, Mr. Young stated the vote can be conducted by email poll and ratified at the September 10, 2024 meeting.

### ***Supervisor Cruey left the meeting at 7:17pm***

Supervisor Plaster asked to revisit the Tourism Committee appointments.

Upon motion of Supervisor Plaster, seconded by Supervisor Hrovatic and adopted by a vote of 4 to 0, Supervisor Gillespie absent and no one against the same, the Tazewell County Board of Supervisors hereby appoints Rod Cury to serve on the Tourism Committee.

### ***WSA***

The Chairman directed that this matter be deferred to the September 10, 2024 meeting.

### ***VCEDA***

The Chair invited Supervisor Presley and Supervisor Plaster to discuss who among them would like to serve. Both expressed interest. After a brief discussion, a motion was made.

Upon motion of Supervisor Presley, seconded by Supervisor Hrovatic and adopted by a vote of 2 to 0, with Supervisors Gillespie and Cruey absent, Supervisor Hrovatic abstaining and no one against the same, the Tazewell County Board of Supervisors hereby appoints Shanna Plaster to serve on VCEDA.

## **BOARD CONCERNS**

### **Supervisor Presley**

#### ***Sanders House***

Supervisor Presley asked that this matter be deferred to the October, 2024 meeting.

Supervisor Presley asked the County Attorney for information about placing a levy on a future ballot. Mr. Collins provided details regarding the same.

Supervisor Presley asked about having a budget for brush/tree cutting on roads. Mr. Young offered options for placing that in the budget.

Supervisor Presley addressed EMS Director, Barry Brooks regarding additional funding through grant opportunities for fire/EMS.

Supervisor Presley suggested that the Board scrutinizing non-profit programs more thoroughly prior to funding them.

Supervisor Presley stated he would like to hear periodic updates from county boards/authorities/committees just to be informed as to what each actually does.

Supervisor Presley asked for fair information to distribute in the Eastern District.

Supervisor Presley asked about the unoccupied surgery center and whether that property is tax exempt. He stated the desire for that property to be more useful.

**Supervisor Plaster**

None

**Supervisor Hrovatic**

Upon motion of Supervisor Hrovatic, seconded by Supervisor Plaster and adopted by a vote of 3 to 0, with Supervisor Gillespie and Supervisor Cruely absent and no one against the same, the Tazewell County Board of Supervisors hereby approves a donation in the amount of \$5,000.00 from Western District funds to the Town of Cedar Bluff to assist with the Cedar Bluff Festival.

Supervisor Hrovatic complimented the PSA and the excellent job they have done on upgrades and other work. He also asked that a resolution in support of the PSA be presented at the September 2024 meeting.

Upon motion of Supervisor Hrovatic, seconded by Supervisor Presley and adopted by a vote of 3 to 0, with Supervisor Gillespie and Supervisor Cruely absent and no one against the same, the Tazewell County Board of Supervisors hereby approves the presentation of a resolution commending the Tazewell County PSA at the September 10, 2024 meeting.

**EXECUTIVE/CLOSED MEETING** – 7:36 pm

Upon motion of Supervisor Hrovatic, seconded by Supervisor Presley and adopted by a vote of 3 to 0, with Supervisor Gillespie and Supervisor Cruely absent and no one against the same, 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 (if necessary)**

▶ A( 1) Personnel – County Attorney annual evaluation

**RETURN/CERTIFICATION/REPORT OF ACTION – 7:56 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: Three (3)

Nays: None (0)

Absent: None (2)

Absent during vote: None (0)

Report of Action: None (0)

**ACTION FOLLOWING EXECUTIVE SESSION**

None

**OTHER BUSINESS**

None.

**ADJOURN**

Upon motion of Supervisor Presley, seconded by Supervisor Plaster and adopted by a vote of 3 to 0, with Supervisor Gillespie and Supervisor Cruet absent and no one against the same, the Tazewell County Board of Supervisors hereby adjourns until Tuesday, September 10, 2024 at 4:00 pm.

A copy teste:

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Andy Hrovatic, Chairman