

VIRGINIA: AT THE REGULAR MEETING OF THE TAZEVELL COUNTY BOARD OF SUPERVISORS HELD SEPTEMBER 10, 2024 AT FOUR O'CLOCK P.M. IN THE TAZEVELL COUNTY ADMINISTRATION BUILDING, 197 MAIN STREET, TAZEVELL, 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 Cruey led The Pledge of Allegiance to the United States flag followed by the invocation given by Supervisor Plaster.

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(1) Personnel at DSS.

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 approved the addition of the following item to Executive Session: A(1) Personnel at DSS.

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 approved the September 10, 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 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 minutes from the August 6, 2024 meeting. A copy is available in the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

## **CONSENT CALENDAR**

Mr. Young recommended that Item F be removed and voted on separately from the remainder of the Consent Calendar because Ms. Plaster had a potential conflict and did not participate in a poll circulated regarding a letter of support related to TCPS.

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 items A through E 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.

Upon motion of Supervisor Cruey seconded by Supervisor Presley and adopted by a vote of 4 to 0 with all members present and Supervisor Plaster abstaining from the vote, the Tazewell County Board of Supervisors hereby approves the Item F, listed in the Consent Calendar, being approval of a letter of support for Communities in Schools, which is a part of the agenda.

### **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.
- C. Ratify poll to donate \$250.00 from Northern District funds and \$250.00 from Southern District funds to AASC for TRIAD Sr. Safety Day
- D. Consider \$8905.33 grantee tax reimbursement to Bluefield University
- E. Ratify poll to donate \$4000.00 from Fire Apparatus line item to TVVFD for purchase of 2018 Ford Explorer utility vehicle
- F. Ratify poll to approve letter of support for Communities in Schools

**Consent Calendar Items**  
**September 10, 2024 Meeting**  
**Revised**

Source	Dept	Check #	To Acct	Amt	Description
VaCorp		610405	31020-6009	\$ 748.80	2017 Dodge Charger repairs
Operation Cease Fire Grant			91050-7041 →31020-8101	\$57,359.00	
CMCS		244736	31020-1150	\$ 819.40	CITAC overtime
Kegley Law Firm		5987	31020-6001	\$ 82.20	FOIA
Geo M. Cruise Charitable Foundation			7301-3099	\$1500.00	Library donation
Anonymous			7301-3099	\$20.00	Library donation
BEAR/E-rate			7301-5230	\$2482.49	Reimbursement
Joyce Johnston			7301-3099	\$50.00	Library donation
Courthouse Retrieval System		107406	12090-6001	\$250.00	COR information
<b>COR Assoc</b>		<b>1126</b>	<b>12090-5510</b>	<b>\$100.00</b>	<b>Reimbursement for training</b>

**DEPARTMENT REPORTS**

***Treasurer's Annual Report***

Tazewell County Treasurer, David Larimer, presented the Board with a binder containing all the delinquent real estate accounts for the County. He also distributed handouts detailing the financial condition of the county. A copy of those handouts is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

***Engineering – Kenneth Dunford***  
***Landfill***

Mr. Dunford announced that construction is on track at the landfill, as per Republic, with an estimated completion date of September 30, 2024.

Mr. Dunford also announced that rock was hit during the drilling of the landfill monitoring wells, requiring an additional \$2109.00 in expense.

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 amount of \$2109.00 to cover the expense of removing rock during the drilling of the monitoring wells at the landfill.

According to Mr. Dunford, the leachate tanks are due for inspection at an estimated cost of \$10,000.00, which includes draining, cleaning and the repairing of valves. Mr. Young stated that if the cost rises past \$10,000.00 a poll vote can be taken.

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 amount of \$10,000.00 for the draining, cleaning and valve repair on the leachate tanks.

**Roads**

Mr. Dunford declared the paving schedule complete, on time and within budget.

Supervisor Gillespie stated that he had multiple complaints from residents on Vanhoosier Road regarding the asphalt patches on that road. He stated that the patches protrude above the original asphalt and when winter snow removal is performed by residents of that road, the asphalt will most likely be damaged and there’s a likelihood that the equipment can be damaged as well. Mr. Young showed a map of the Vanhoosier Road area and explained the paving/patching process.

Mr. Dunford advised the cost would be approximately \$30,000.00 to finish paving all of the road. Supervisor Gillespie requested that the funds be shared/split from contingency and CST. Mr. Young agreed that is a possibility, pending approval by the CST, for which a meeting will be scheduled for that vote. Mr. Young asked that this matter be placed on the October 1, 2024 agenda.

Mr. Dunford directed the Board’s attention to the Bridge Inspection report contained in the agenda packet and pointed out the ratings for the Mountain Road bridge and the Sage Hill Road bridge. A copy of the report is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

**EXECUTIVE/CLOSED MEETING – 4:50 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.

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| <p><b>Executive/Closed Meeting – Pursuant to Virginia Code Section 2.2-3711</b></p> <ul style="list-style-type: none"> <li>▶ A( 3) Property disposition at Cavitts Creek Park</li> <li>▶ A( 3) Property acquisition for ATV trails</li> <li>▶ A(29) Contract negotiations regarding landfill construction</li> <li>▶ A(29) Contract negotiations regarding Springville FD engineer contract</li> <li>▶ A(29) Proposal evaluations regarding school facilities engineering contract</li> <li>▶ A( 3) Property disposition near fairgrounds</li> <li>▶ A( 3) Property acquisition near landfill</li> <li>▶ A( 5) Project RV</li> <li>▶ A( 1) Personnel in DSS</li> </ul> |
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**RETURN/CERTIFICATION/REPORT OF ACTION – 6:20 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: Three (3)

**ACTION FOLLOWING EXECUTIVE SESSION**

***Property acquisition for ATV trails***

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 and authorizes a Deed of Exchange between the Board and Blackberry Land Company (Blackberry) and authorizes the Chairman of the Board to execute the same, whereby:

- (1) Blackberry would convey unto the Board in fee simple the real estate previously conveyed unto the Board as a perpetual easement right-of-way under a previous Deed of Exchange between the Board and Blackberry, dated June 24, 2002, as described in Deed Book 853, Page 508 in the Tazewell County Circuit Court Clerk's Office, being 0.07 acres, more or less.
- (2) The Board would convey unto Blackberry an easement for the term of fifteen (15) years for the purposes of ingress, egress and regress concerning timber extraction and processing along the pathway of the previously constructed access haul road, which is located upon the eastern end of the Board's property at the Tazewell County Landfill, being Tax Map No. 057 A 0060.

***Contract negotiations regarding landfill construction***

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 authorizes the Tazewell County Administrator to divert solid waste of the Wythe-Bland

Joint Public Service Authority from the Tazewell County Landfill to the New River Resource Authority – Pulaski County Landfill on an as-needed basis through October 1, 2024.

***Landfill***

Mr. Young spoke, explaining that, while construction is scheduled to be completed prior to exhaustion of the current cell, the Board feels the dates are too close for comfort and wants to buy a margin of time by diverting JPSA waste.

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 voting against the same, the Tazewell County Board of Supervisors hereby approves the change order from Republic Services on Phase 5(A) Construction Change Order 30917875 for an increase not to exceed \$35,348.32, pertaining to ditch repair work only.

**SPECIAL PRESENTATION**

***Resolution for Dennis Jones***

Upon motion of Supervisor Gillespie, seconded by Supervisor Cruely 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 Dennis Jones for his service to the Tazewell Farm Bureau. A copy of the resolution is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

***Resolution for Regina Roberts***

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 presents a resolution to Regina Roberts for. A copy of the resolution is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

***Tazewell Class of '73 Foundation presentation***

Debbie Wilson represented the Tazewell Class of '73 Foundation, spoke of their mission regarding the proposed PBS documentary.

Upon motion of Supervisor Gillespie, seconded by Supervisor Cruely 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 giving a letter of support to the Tazewell Class of '73 Foundation to assist with their mission.

***Opioid Abatement Authority presentation***

Tony McDowell, Executive Director of the Opioid Abatement Authority, spoke regarding the purpose of the OAA and distributed information regarding the same. A copy is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

**PUBLIC HEARINGS**

***Public hearing to amend boundaries for the Virginia Enterprise Zone***

Mr. Collins explained the value of the Enterprise Zone and that parcels can be added/removed annually to give businesses the opportunity to take advantage of incentives to open a business in the Zone. Mr. Young presented information regarding the current parcels in the Enterprise Zone and the proposed changes, which require two (2) public hearings to effect. A copy of the map is available at the County Administration Office, 197 Main Street, Tazewell, Virginia 24651.

Michael St. Clair of South Carolina – asked if his agricultural property near Pounding Mill will be affected with a higher tax rate because of the Enterprise Zone being extended to the Pounding Mill area.

Mr. Collins and Mr. Young advised that the change would not affect his assessment or limit any uses of his property.

Aaron Roberts of Tazewell, Virginia – requested the Enterprise Zone include an area in Raven to benefit a business interested in opening in that area.

Mr. Young stated he would ask the Economic Development Department to work with Mr. Roberts to include the parcel.

A second public hearing will be held at the next Board of Supervisors meeting to be held on October 1, 2024.

### **CITIZEN COMMENTS – SCHEDULED**

#### ***Robert Duff***

The Chairman directed that this matter be tabled until the October 1, 2024 meeting.

#### ***Southwest Virginia Community College Scholarship appeals***

No one appeared to speak.

### ***SECOR***

Representatives from SECOR described their services and gave board members the opportunity to ask questions. Several members asked questions and the merits of the program were discussed.

### **CITIZEN COMMENTS - UNSCHEDULED**

Robert Carlson, North Tazewell, Virginia, spoke via telephone, asking if the Energix Citing Agreement has been returned to the County yet. The County Attorney advised that a signed copy has not yet been received.

### **ADMINISTRATIVE/FINANCIAL/COUNTY PROJECTS UPDATE**

#### ***Tannersville internet/WSA***

Mr. Young explained that Point Broadband has absorbed all of the previous GigaBeam customers in Tannersville but some customers in Thompson Valley are still served by GigaBeam until Point Broadband completes their install in that area. The WSA is essentially becoming obsolete according to Mr. Young.

Regarding the remaining balance in the WSA bank account, Mr. Collins suggested using the money on the Phase III project or create a program with StarLink for customers who are unserved; however, he stated the money must be used for purposes related to which it was collected. Mr. Collins advised the next step would be to have a special called meeting to conclude its operations, turning the funds remaining in the account back over to the county so that it may be distributed for broadband related purposes and make a formal request to the Board of Supervisors to dissolve the WSA, which can be by resolution.

Mr. Young urged the Board to consider how to best use the funds remaining in the WSA account, stating that the money came from the customers and several options were discussed.

**Consider surplus of the following items from TCSO: Smith & Wesson AR-10 Serial Number KN 06959; Leupold Mach 4 CQ/T 1-3x14mm scope Serial Number 440684Y; Glock 26 Gen 3 Serial Number EDF949; .357 Sig TMJ Ammo (19,000 rounds); .357 Sig GDHP Ammo (3,350 rounds) and 180 Glock .357 magazines**  
Upon motion of Supervisor Gillespie, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with Supervisor Cruey abstaining and no one against the same, the Tazewell County Board of Supervisors hereby approves the surplus of the following items from TCSO: Smith & Wesson AR-10 Serial Number KN 06959; Leupold Mach 4 CQ/T 1-3x14mm scope Serial Number 440684Y; Glock 26 Gen 3 Serial Number EDF949; .357 Sig TMJ Ammo (19,000 rounds); .357 Sig GDHP Ammo (3,350 rounds) and 180 Glock .357 magazines.

**Consider surplus of 2006 Ford E450 Super Duty crime scene van from TCSO (VIN1FDXE45546DA40371)**  
Upon motion of Supervisor Gillespie, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with Supervisor Cruey abstaining and no one against the same, the Tazewell County Board of Supervisors hereby approves the surplus of a 2006 Ford E450 Super Duty crime scene van from TCSO (VIN1FDXE45546DA40371).

**Consider designating a voting member for the 2024 VaCo Conference**  
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 designate Supervisor Chuck Presley as the voting member for the 2024 VaCo Conference.

**Fairground property damages**  
Mr. Young shared that some damage was sustained at the fairgrounds during the fair. He stated that some folding conference tables, a door and a door handle were damaged and would be replaced/repaired at a cost of \$1681.00.

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 approve \$1681.00 from contingency for replacement/repair of tables/door/door handle at fairgrounds.

**Discussion regarding DEQ polystyrene ban**  
Mr. Young announced that as of January 1, 2025 polystyrene will no longer be permitted. He said that restaurants have already begun the transition to cardboard and other materials for to-go containers.

Supervisor Gillespie asked about exemptions to the ban. Mr. Young stated that exemptions would be granted on a case-by-case basis and must be requested by the party seeking the exemption.

Upon motion of Supervisor Gillespie, seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby directs the County Attorney to draft an ordinance whereby an exemption to the polystyrene ban may be requested.

**Consider contributing \$75,000.00 from the Opioid Abatement Authority's Tazewell County Regional Account to the SECOR regional rehabilitation project**  
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 \$75,000.00 from the county's regional OAA account to the transition program operated by SECOR.

***Consider approving AASC Four County Transit contract***

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 entering into a contract with AASC for Four County Transit transportation services.

***Consider authorizing the Director of Public Communications and Tourism to appoint a committee to coordinate efforts for commemoration of the 250th Anniversary of the American Revolution***

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 authorizes the Director of Public Communications and Tourism to appoint a committee to coordinate efforts for commemoration of the 250<sup>th</sup> anniversary of the American Revolution.

***ESC Appreciation Dinner***

Upon motion of Supervisor Gillespie, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with all members present and Supervisor Cruvey abstaining and no one against the same, the Tazewell County Board of Supervisors hereby approves donations in the amounts below toward the ESC Appreciation Dinner:

\$400.00 Northern District funds  
\$400.00 Eastern District funds  
\$400.00 Western District funds  
\$400.00 Southern District funds  
\$400.00 Northwestern District funds  
**\$2000.00 Total**

***Bluefield Bouncy House inspection fee (\$165.00)***

Mr. Young advised that the County does not waive building permit fees for towns for amusement device inspections, but may donate an equal amount to the town.

Upon motion of Supervisor Presley, seconded by Supervisor Gillespie and adopted by a vote of 4 to 0, with all members present and Supervisor Cruvey voting against the same, the Tazewell County Board of Supervisors hereby approves a donation in the amount of \$165.00 from Eastern District funds to the Town of Bluefield for a bouncy house inspection.

***Consider approving emergency waste disposal agreement with Mercer County***

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 an emergency disposal credit agreement with Mercer County, West Virginia to transport waste in the event the landfill construction is not completed as scheduled, billed monthly.

Mr. Young advised he did not expect it would be necessary to send waste to Mercer County but wanted to be prepared should it become necessary.

***Consider surplus of a TCSO 2010 Ford Explorer (199,000 miles w/ multiple mechanical issues/severe rust) (VIN 1FMEU7DE1AUA20465)***

Upon motion of Supervisor Gillespie, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with Supervisor Cruey abstaining and no one against the same, the Tazewell County Board of Supervisors hereby approves the surplus of a TCSO 2010 Ford Explorer (199,000 miles w/ multiple mechanical issues/severe rust) (VIN 1FMEU7DE1AUA20465).

***Citizen objection regarding Cartwright Hill Road***

Mr. Collins explained that two residents of Cartwright Hill Road have objected to the discontinuance of state snow removal services on that road once it has been removed from the state road system. He also advised that based upon these objections, VDOT has withdrawn consideration of discontinuing this road.

***Other***

None

**Appointments**

***Fire/Rescue Board***

The Chairman directed that this matter be deferred to the October 1, 2024 meeting.

***SWCC College Board***

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 appoints Donna Kirby to serve on the SWCC Local Board.

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 appoints Mary Jeffries to serve on the SWCC Local Board.

***Tourism***

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 appoints Warren Hinkle to serve on the Tourism Committee.

***WSA***

Upon motion of Supervisor Plaster, seconded by Supervisor Hrovatic and adopted by a vote of 5 to 0, with all members present and voting in favor thereof and no one against the same, the Tazewell County Board of Supervisors hereby appoints Chuck Presley to serve on the Wireless Service Authority.

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 appoints Kyle Cruey to serve on the Wireless Service Authority.

***Workforce Investment Board***

No appointment was made.

## **BOARD CONCERNS**

### **Supervisor Presley**

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

Supervisor Presley asked that this matter be deferred to the October 1, 2024 meeting.

Supervisor Presley noted that the Town of Bluefield is interested in obtaining a van. Sheriff Hiatt explained that they generally take surplus vehicles to auction but said he'd make contact with the Town of Bluefield to discuss the same.

### **Supervisor Plaster**

#### ***Richlands Wrestling Club***

Upon motion of Supervisor Plaster, 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 amount of \$5000.00 from Northwestern Capital Improvement funds to the Richlands Wrestling Club (via Richlands High School) toward construction of a building for practices and matches.

#### ***Bearwallow internet***

Supervisor Plaster inquired as to who provides internet service to the Bearwallow area of Jewell Ridge near the Tazewell/Buchanan County line. Supervisor Gillespie stated he will provide that information after he attends an upcoming Cumberland Plateau meeting.

#### ***Football banners***

Upon motion of Supervisor Plaster, seconded by Supervisor Gillespie and adopted by a vote of 4 to 0, with all members present and Supervisor Cruey voting against the same, the Tazewell County Board of Supervisors hereby approves a donation in the amount of \$200.00 from Northwestern District funds to the Tourism Department for football banners.

### **Supervisor Cruey**

Supervisor Cruey stated that the Amonate Always organization asked if a dumpster can be set in the Amonate community for the purpose of discarding materials from the dismantling of dilapidated structures to improve the community. Mr. Young advised that Lusk Disposal has volunteered to set a dumpster in Amonate free of charge.

### **Supervisor Gillespie**

#### ***THS Band Booster***

Upon motion of Supervisor Gillespie, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with all members present and Supervisor Cruey voting against the same, the Tazewell County Board of Supervisors hereby approves a donation in the amount of \$750.00 from Southern District funds to the THS Band Boosters for the purchase of instruments and supplies.

#### ***OctoBrewFest***

Upon motion of Supervisor Gillespie, seconded by Supervisor Plaster and adopted by a vote of 4 to 0, with all members present and Supervisor Cruey voting against the same, the Tazewell County Board of Supervisors hereby approves a donation in the amount of \$2500.00 from Southern District funds to the OctoBrewFest event for supplies and promotion of Tazewell County.

***Discussion regarding Tazewell SROs***

Supervisor Gillespie announced that some grant funded SRO positions are expiring and will not be funded again. He asked Sheriff Hiatt to come forward and present additional information. Supervisor Gillespie asked that Sheriff Hiatt update the Board at the November Board of Supervisors meeting after his meeting with state officials.

Upon motion of Supervisor Gillespie, seconded by Supervisor Plaster and adopted by a vote 4 to 0, with all members present and Supervisor Cruey abstaining, the Tazewell County Board of Supervisors hereby authorizes the County Attorney and/or the County Administrator to draft a resolution in support of SRO positions remaining funding in TCPS.

The County Attorney stated that discussion regarding the SRO positions eliminates the need for Item A(1) Personnel at DSS on the second executive session agenda.

**Supervisor Hrovatic**

None.

**EXECUTIVE/CLOSED MEETING – 8:48 pm**

Upon motion of Supervisor Hrovatic, seconded by Supervisor Presley and adopted by a vote of 3 to 0, with Supervisor Gillespie and Supervisor Cruey 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:

<p><b>Second Executive/Closed Meeting – Pursuant to Virginia Code Section 2.2-3711</b></p> <ul style="list-style-type: none"> <li>▶ A( 7) Legal consultation regarding former library personnel</li> <li>▶ A( 1) Personnel in Finance Dept.</li> <li>▶ A( 1) Discussion regarding Tazewell SROs</li> </ul>
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**RETURN/CERTIFICATION/REPORT OF ACTION – 10:00 pm**

The Board of Supervisors returned to public session and Chairman Gilesie 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: Seven (7)

## **ACTION FOLLOWING EXECUTIVE SESSION**

### ***Project RV***

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 voting against the same, the Tazewell County Board of Supervisors hereby approves the application to the Tobacco Region Revitalization Commission for grant funding in obtaining a feasibility study for Project RV.

### ***Personnel at Library***

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 voting against the same, the Tazewell County Board of Supervisors hereby approves a repayment agreement between the Board and Natasha Hunt, a former employee of TCPL for unearned salary paid in error and authorize the Chairman to execute the same.

### ***Personnel in finance department***

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 voting against the same, the Tazewell County Board of Supervisors hereby accepts the pending retirement of one certain personnel in the finance department and promotes the following employees and authorizes an increase to their pay:

- Tina Altizer to Payroll Clerk (15% increase)
- Brittany Gillespie to HR Coordinator (10% increase)
- Tanya Mullins to Admin II
- Karen Smith to Admin III

### ***Property acquisition for ATV trails***

Upon motion of Supervisor Cruely, 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 voting against the same, the Tazewell County Board of Supervisors hereby approves that the Recreation and Parks Development and Facilities Authority of Tazewell County, Virginia (the RDA) adopt the *Lease for Public Recreational Trails* as proposed between the RDA and Pocahontas Surface Interests, LLC, pertaining to ATV recreational trails over real estate more particularly identified as Tax Map No. 010 A 0001 and thereby request that the RDA Chairman, Curtis Breeding, execute the same on behalf of the RDA.

Upon motion of Supervisor Cruely, 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 voting against the same, the Tazewell County Board of Supervisors hereby in accordance with and pursuant to the *Facilitation Agreement* adopted between the Tazewell County Board of Supervisors (the Board) and James C. Justice Companies, Inc. (Justice) on October 14, 2020, that upon final execution of the *Lease for Public Recreational Trails* as proposed between the

Recreation and Parks Authority of Tazewell County, Virginia (the RDA) and Pocahontas Surface Interests, LLC, pertaining to anticipated ATV recreational trails over real estate more particularly identified as Tax Map No. 010 A 0001, which is sufficient consideration to the Board, the Board transfer the amount of \$232,000.00 to Justice, which amount represents payments due to Justice for years 2020, 2021, 2022 and 2023 under the *Facilitation Agreement* for services rendered by Justice thereunder, being compensation for mineral taxes. Upon further motion that, contingent upon the previous conditions being satisfied in full, that the Board transfer an additional amount of \$58,000.00 to Justice on or before December 1, 2024, for the year 2024 under the *Facilitation Agreement* for services rendered by Justice thereunder, being compensation for mineral taxes.

***Personnel in DSS***

Upon motion of Supervisor Hrovatic, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with all members present and Supervisor Gillespie abstaining and no one voting against the same, the Tazewell County Board of Supervisors hereby approves that the County Attorney, Chase Collins be named as the General Counsel for Tazewell County DSS and be given a 10% pay increase commensurate with increased duties to be paid from the outside legal contractual services.

Upon amended motion of Supervisor Hrovatic, seconded by Supervisor Presley and adopted by a vote of 4 to 0, with all members present and Supervisor Gillespie abstaining and no one voting against the same, the Tazewell County Board of Supervisors hereby approves that the County Attorney, Chase Collins be named as the General Counsel for Tazewell County DSS and be given a 10% pay increase commensurate with increased duties.

**OTHER BUSINESS**

None.

**ADJOURN**

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 voting against the same, the Tazewell County Board of Supervisors hereby adjourns until Tuesday, October 1, 2024 at 4:00 pm.

A copy teste:

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Andy Hrovatic, Chairman