

Council Meeting Minutes

September 9, 2025

Present:

Mayor Michael Hoops

Vice Mayor Joe Beasley

Councilmember Jonathan Hankins

Councilmember Danny Willis

Councilmember Zach Cline

Councilmember David Fox

Absent:

Staff members present were Town Manager, LeeAnne Regon; Executive Assistant, Susan Reeves; Attorney, Brad Pyott; Clerk-Treasurer, Jessica Hayes; Police Chief, Stan Lampert; Public Works Director, Chris Mitchell.

EXECUTIVE SESSION

Vice Mayor Beasley made a motion to enter into the executive session. Councilmember Cline seconded the motion. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

The Town Council entered into Executive Session at 6:31pm

Certification of Executive Session

RESOLUTION

Motion made by: Beasley

Resolution Number: ES250909

Motion Seconded by: Cline

Meeting Date: September 9, 2025

Vote: All voted Aye

Purpose: Prospective Business and
Personnel Matters

CERTIFICATION OF EXECUTIVE SESSION

WHEREAS, the Tazewell Town Council has convened an executive session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by this Council that such executive session was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED, the Tazewell Town Council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia Law were discussed in the executive session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive session were heard, discussed or considered by the Tazewell Town Council.

VOTE

Ayes: Willis, Cline, Fox, Beasley, Hankins

Nays: none

(For each nay vote, the substance of the departure from the requirements of the Act should be described.)



Treasurer Hayes, Clerk

Vice Mayor Beasley made a motion to leave the executive session. Councilmember Cline seconded the motion. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

Mayor Hoops read the resolution for the Certification of Executive Session. On roll call vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

PUBLIC HEARING

Public Hearing

1. Land Use Assessment Ordinance Amendment

Mayor Hoops opened the public hearing for the Land Use Assessment Ordinance Amendment at 7:00pm.

Notice of Public Hearing

NOTICE is hereby given that on Tuesday, September 9, 2025, at 7:00 p.m., in the Council Chambers of the Municipal Building for the Town of Tazewell, Virginia ("Town"), located at 211 Central Avenue, Tazewell, Virginia, the Town Council will hold a PUBLIC HEARING, pursuant to Virginia Code §58.1-3230 (Cum. Supp. 2025) and Town Charter Sec. 3-8 to provide the citizens of the Town an opportunity to be heard with respect to a proposal for the Town to amend Chapter 10, "Taxation", of the Town Code and adopt a special assessment for land use preservation ordinance regarding the taxation of real estate devoted to agricultural, horticultural, forest and open space uses within the corporate limits of the Town.

A copy of the proposed amended Ordinance is available for review and inspection during normal business hours (8:00 a.m. - 4:30 p.m.) at the Town of Tazewell Municipal Building, as referenced hereinabove.

References:

Town Charter Sec. 3-8

Va Code §58.1-3230 (Cum. Supp. 2025)

Kerry Johnson spoke-Maplewood Ln- Asked if his properties would qualify for this. Councilmember Willis informed him that they want to be able to offer this to our citizens in town with farm use property. Mr. Johnson asked what they would have to do to qualify. The council responded that they do not need to do anything at this time they are just requesting an amendment for this. The council informed them that there are approximately seven properties that would qualify for this and that includes his own.

Public Hearing adjourned at 7:05pm

2. Town Manager Residency Mileage Extension Charter Amendment

Mayor Hoops opened the public hearing for the Town Manager residency mileage extension charter amendment at 7:15pm

NOTICE OF PUBLIC HEARING

Pursuant to Virginia Code §15.2-202 (Repl. Vol. 2018), the Council for the Town of Tazewell will hold a PUBLIC HEARING on September 9, 2025 at 7:15 p.m. in the Council Chambers for the Town, located at 211 Central Avenue, Tazewell, Virginia 24651, at which time and place the citizens of the Town of Tazewell shall have the opportunity to comment on the Town Council's request for the General Assembly to amend the Town's existing Charter. A summary of the proposed Charter amendment involves the revision of the language of Sec. 3-91 of Article III. The Council, to read as follows:

Public Hearing adjourned at 7:17pm

CALL TO ORDER

Mayor Hoops called the public council meeting to order at 7:30pm in the Town Hall Council Chambers

Pledge of Allegiance.

Nate Thomas led the meeting in the invocation prayer

Special Presentation/Request(s)

A. New Employee Introductions for Recreation Director Kenneth Hicks, Customer Service Associate Samantha Pruett and Cynthia Harman as Water Clerk, and Victoria Smith as Accounts Payable Clerk.

Treasurer Hayes introduced two new additions to the customer service staff. Samantha Pruett as Customer Service Associate and Cindy Harman as Water Clerk Customer Service Associate. Treasurer Hayes also announced the promotion of Vickie Smith to Accounts Payable Clerk. Public Works Director Mitchell introduced Kenneth Hicks as the new

Recreation Director. Kenneth Hicks spoke about his goals and projects he looking forward to bringing to life as recreation director.

B. Updates on EMS Renovations, Clinch River Pavilion & Farmer's Market Project, and Rt 460 Waterline Project Concerns about Dust.

Councilmember Fox inquired about the EMS Renovations. The Town of Tazewell has \$654,000 allocated for this project. Manager Regon reported that one renovation option would cost approximately \$212,000 more than the available funds. Manager Regon contacted Eric Young to request County support for the project. Councilmember Cline asked about the status of congressional funds and if there are any known obstacles. Manager Regon stated that two main challenges are securing additional funding and addressing environmental concerns. There are plans to seek bids for the renovation to obtain more accurate cost estimates. EMS Director Saleem will be invited to speak at the next meeting regarding specific needs for the project.

Clinch River Pavilion update- an RFP for construction has begun. There was a mandatory meeting for bids. They had three companies attend. They held the meeting on site so that the construction site could be reviewed by the applicants. There will be an 86 x 96 slab for the structure. One bidder was local. One is from Wytheville and one is from Pennsylvania. Bids are due next Friday. On Monday the following week they will review and then award a winner for construction. Phase 1 involves construction, Phase 2 focuses on bathrooms and kitchen, and Phase 3 is under consideration. Councilmember Cline inquired about the use of the top tier of the existing slab, to which Manager Regon explained that contractors at the bid meeting determined it could not support the project's weight. However, an 86x96 slab will be available for work. Cara Spivey noted that this has been included in the original design plans.

Regarding the Rt 460 Water Project, Councilmember Fox requested information on project completion and paving. A pressurization test is scheduled for Thursday at 8am. One test with the Health Department has been completed, and another is set for tomorrow. After successful testing, customer connections to the new line will begin. Preparations for future phases are underway, including the installation of two additional wet taps. The Town will implement a reduced work zone speed limit in both directions, a measure supported by Councilmember Cline.

Manager Regon also stated that Clatterbuck will conduct pavement striping next week.

Local Business Recognition-None

Approval of Minutes

Vice Mayor Beasley made a motion to approve minutes from the August 12, 2025 meeting. Councilmember Cline seconded the motion. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

Approval of Financial Statements & Financial Report

Councilmember Cline made a motion to approve financial statements and financial reports for August 2025. Vice Mayor Beasley seconded. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

Committee/Conference Updates

A. Planning Commission Committee

Building Official Hurley stated that work has begun on the Comprehensive Plan Update, which is scheduled for completion by next September. The update will be developed over the next several months, after which recommendations will be presented to the council. Councilmember Cline inquired about effective ways to collaborate with the Planning Commission regarding the plan. Manager Regon reported that she shared their suggestions at the meeting held the previous night. There was consensus that joint meetings should be held to finalize decisions. IEDA indicated an interest in participating in these meetings.

Unfinished Business

Cara Spivey provided an update on the IEDA meeting, reporting progress on several projects, including the Clinch River Pavilion. The team has communicated with community members and local businesses regarding preferences for the North Tazewell area.

Councilmember Cline inquired about the meeting at the Train Station with local business owners involved in the North Tazewell Revitalization effort. She noted that several IEDA members are interested in contacting business owners. This initiative includes opportunities for grant funding to renovate the façades of the North Tazewell Business District. Manager Regon stated that they plan to reach out to the Historical Review Board.

Billy Wagner Park Committee

Attorney Pyott, along with Larry Blankenship and Cara Spivey, attended the meeting to request a resolution of support for the renovation project. They are seeking \$25,000, which represents 10 percent of the total project cost, for site renovations, lighting upgrades for the mini park, masonry work, plumbing upgrades, and foundation improvements. An identical level of support is being requested from the County. At this time, \$12,500 has been committed, with a plan to return and request the remaining amount at a later date.

Attorney Pyott presented the design plans to the council, outlining the vision for the park renovation. The goal is to develop a permanent and iconic location in the Town of Tazewell. Councilmember Cline moved to support the resolution, and Vice Mayor Beasley seconded the motion. Councilmember Fox observed that, given the property's prominent location within the Town, it would be a valuable investment and suggested commemorating Coach Peery as part of the project. There is also consideration for installing an additional mural at the site, though the property is not town-owned they are reaching out with John and Sharon Thomas to see if it would be possible to use their building for an additional mural option; however, they view it as a unique opportunity. Attorney Pyott noted that the current plan includes incorporating replicas of the Town and County seals into the park's floor design.

Mayor Hoops read the resolution.

RESOLUTION of SUPPORT

Council member introduced the following Resolution which was read for the first time on September 9, 2025:

WHEREAS, William Edward ("Billy") Wagner is southwestern Virginia native, born in Marion, Virginia, raised in Smyth and Tazewell Counties, and a Tazewell High School graduate, Class of 1990; and

WHEREAS, despite breaking his dominant right arm twice before the age of 10, Billy learned to throw left handed and became a standout Tazewell athlete on the baseball field during his Bulldog career, earning All State honors under the guidance of coach Lou Peery; and

WHEREAS, despite his high school achievements, Billy's 5'5", 135lb stature did not attract any Division I colleges to recruit him, but in the furtherance of both his baseball and football athletic aspirations, Billy was able to attend Division III Ferrum College; and

WHEREAS, Billy thrived on the pitcher's mound at Ferrum to the extent that his coaches directed him solely to playing baseball, where he went on to set NCAA single season records for strike outs per nine innings and fewest hits allowed per nine innings, finally garnering the attention of several Major League Baseball scouts; and

WHEREAS, Billy was drafted by the Houston Astros in the first round of the 1993 MLB draft, and went on to play in the Major Leagues for 16 years with the Astros, Mets, Phillies, Red Sox and Braves, during which tenure he accomplished the following: 422 saves (8th highest all time); a career 2.31 ERA ("Earned Run Average" - lowest among retired southpaws); a WHIP average of 0.998 (Walks, Hits per Innings Pitched - lowest among all retired relief pitchers); highest ever MLB strike out ratio per 9 innings (11.9); a 7 time MLB All Star selection; and

WHEREAS, Billy was elected to the Virginia Sports Hall of Fame in 2012; and was inducted into the Major League Baseball Hall of Fame in Cooperstown, NY on July 27, 2025, as a member MLB Hall of Fame Class of 2025 - only the sixth Virginian to be enshrined in Cooperstown, and the first ever Division III player and southwest Virginian to achieve the honor; and

WHEREAS, in honor of Billy's extraordinary achievements, and in a demonstration of heartfelt civic pride to recognize Billy's phenomenal accomplishments, the Industrial / Economic Development Authority ("IEDA") of the Town of Tazewell, along with several members of the Tazewell community identified as the "Billy Wagner Park Project Committee," have embarked upon a project to renovate and dedicate the mini-park located at the corner of Main Street and Marion Avenue, to be designated as "Billy Wagner Park", inclusive of a life-size bronze statue of Billy to be installed and dedicated in Billy's honor in the Fall of 2026; and

WHEREAS, efforts are underway with the Billy Wagner Park Project Committee within the Tazewell community, Southwestern Virginia and beyond to raise the funds necessary for the commissioning of the statue and the construction of the renovations for the Park; and

WHEREAS, approximately \$80,000.00 of the budget for the Project directly involves renovations to the current mini-park, inclusive of a site preparation for a brick-walled courtyard, electrical and plumbing improvements, and landscaping to develop the Park into an aesthetically pleasing focal point for Main Street activities and Town of Tazewell events year round; and

WHEREAS, the Council for the Town of Tazewell has determined that this Project is a worthwhile endeavor to honor the outstanding achievements of a native son, while contributing to the improvements to an I/EDA asset within the Town.

NOW THEREFORE, BE IT RESOLVED by the Council of the Town of Tazewell, Virginia, that the Council hereby fully supports the enthusiastic efforts of the Town I/EDA and the Billy Wagner Park Project Committee in their desire and dedicated willingness to see the Billy Wagner Park come to fruition; and,

BE IT FURTHER RESOLVED by the Council of the Town of Tazewell, that in its support of the Project the Council hereby agrees to designate the sum of \$25,000.00 to the Town of Tazewell I/EDA to be applied toward the Billy Wagner Park Project renovation, specifically directing that the I/EDA utilize said \$25,000.00 toward the construction of the Park's brick courtyard, the necessary plumbing and electrical infrastructure and installation, and the landscaping required for the Park's planned renovation.

This Resolution was seconded by Council member Beasley.

A vote being called on the Resolution, the Council voted as follows:

Beasley	<u>Aye</u>
Cline	<u>Aye</u>
Fox	<u>Aye</u>
Hankins	<u>Aye</u>
Willis	<u>Aye</u>

Pat D. H.
Mayor

Jessica Hays
Town Clerk

9/9/25
Date

On roll call vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, nay; Vice Mayor Beasley, aye.

New Business

A. 2nd Reading Platting Ordinance Amendment

Attorney Pyott conducted the first reading of the Platting Ordinance Amendment. The second reading has been scheduled for September 9th, 2025.

Vice Mayor Beasley motioned to waive the reading. Councilmember Cline seconded the motion. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

Vice Mayor Beasley motioned as written, Councilmember Cline Seconded. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

Amendment to Existing Ordinance

**Chapter 24
Subdivisions**

Article I. In General

Sec. 24-1. Definitions

Article III. Platting

Sec. 24-56. Generally.

Sec. 24-57. Platting required; approval by manager before recording and sale.

Sec. 24-58. Preliminary sketch.

Sec. 24-59. Preliminary plat—Required information.

Sec. 24-60. - Same—Procedure for approval.

Sec. 24-61. - Same—Time limitation on approval.

Sec. 24-62. - Same—Approval no guarantee.

Sec. 24-63. Final plat—Required information.

Sec. 24-64. - Same—Prepared by surveyor.

Sec. 24-65. - Same—Owner's statement.

Sec. 24-66. - Same—Conditions of approval; limitation on recording.

Sec. 24-67. Changes on plats or data sheets.

Sec. 24-68. Fees.

Sec. 24-69. Procedure for appeal if disapproved.

BE IT ORDAINED by the Council of the Town of Tazewell, Virginia, pursuant to Secs. 3-8 and 6-3 of the Town Charter, Sec. 24-6 of the Code of the Town of Tazewell, and Virginia Code §§15.2-2258 and 15.2-2262, that it hereby AMENDS the Code of the Tazewell to enact the following revisions to Chapter 24, "Subdivisions," Articles I and III, regarding definitions applicable to subdivisions and platting, and regarding the platting criteria and procedural requirements for survey plat submission and approval.

Article I. In General

Sec. 24-1. Definitions

Plat. Includes the terms: map, plan, plot, replat, or replot; a map or plan of a tract or parcel of land which is to be or which has been *identified by a metes and bounds description as one individual tract or subdivided into multiple tracts*. When used as a verb, plat is synonymous with subdivide.

Subdivide. To divide any tract, parcel or lot of land into two (2) or more parts with the following exceptions:

- (1) The term "to subdivide" shall not include a bona fide division or partition of agricultural land for agricultural purposes or for the building site for members of the family owning any such agricultural lands.
- (2) The town manager, or his/her designee, may permit the separation of a parcel from a tract and/or the platting of such a tract, *either as an individual parcel or as a division of one parcel into multiple parcels* of land, without complying with all requirements of this chapter if: (1) *the separation or platting is not in conflict with the general meaning and purpose of the chapter*, (2) *no new streets are required to serve the parcel*, and (3) *the separation or platting involves a boundary adjustment between two adjacent parcels or involves a boundary location for one or more parcels*.
- (3) The word "subdivide", and any derivative thereof shall have reference to the term "subdivider" as defined herein.
- (4) *"Simple subdivision" shall be in reference to the division of land into two (2) parts only.*
- (5) *"Boundary adjustment" plat shall be in reference to any plat that involves an agreed upon adjustment of the boundary between two or more adjacent and contiguous parcels.*
- (6) *"Boundary location" plat shall be in reference to any plat prepared for identification and location of the boundary lines of a particular property and the improvements thereon.*

Subdivision Development. A comprehensive division of one or more contiguous tract(s) of land into multiple smaller designated lots for the purpose of residential or commercial growth or expansion; when platted, such a division should depict relevant engineering course, bearing and distance data which includes, among other things, the location of and names for proposed streets, existing utilities or other easements, watercourses, culverts and drainage, public areas, parking spaces, permanent monuments, and other pertinent information for the identification and location of the land proposed for development.

(All other definitions contained within this Section shall remain unchanged.)

Article III. Platting

Sec. 24-56. Generally.

Any owner or developer of any tract of land situated within the town, who subdivides the same, shall cause a plat of such subdivision, with references to known or permanent monuments, to be made and recorded in the office of the clerk of the circuit court of the county. No such plat of subdivision shall be recorded unless and until it shall have been submitted to and approved and certified by the manager, or his/her designee in accordance with the regulations set forth in this chapter. No lot shall be sold in any such subdivision before the plat shall have been recorded.

Sec. 24-57. Platting required; approval by manager before recording and sale.

Whenever any subdivision of land *for residential or commercial development* is proposed, and before any permit for the erection of a structure *within the development* shall be granted, the subdivider or his agent shall *submit* to the manager or his/her designee for approval *a preliminary plat of the proposed development* including the lot, street and utilities layout. No lot *within the proposed development* shall be sold until a final plat for the subdivision shall have been approved and recorded.

Sec. 24-58. Preliminary sketch.

The subdivider of a proposed development may submit to the manager a preliminary sketch of the proposed subdivision development prior to his preparing engineered preliminary and final plats. The purpose of the preliminary sketch is to permit the manager, or his/her designee, to advise the subdivider whether his development plans in general are in accordance with the requirements of this chapter. The manager, or his/her designee, upon submission of any preliminary sketch shall study it and advise the subdivider wherein it appears that changes would be necessary. The manager, or his/her designee, may mark the preliminary sketch indicating necessary changes, and any such marked sketch shall be returned to the subdivider.

The preliminary sketch of the proposed development shall be drawn to a scale of at least one hundred (100) feet to the inch. It shall show the name, location and dimensions of all streets entering the property, adjacent to the property, or terminating at the boundary of the property to be subdivided. It shall show the location of all proposed streets, lots, parks, playgrounds and other proposed uses of the land to be subdivided and shall include the approximate dimensions.

Sec. 24-59. Preliminary plat—Required information.

The subdivider of a proposed development, or the owner of property seeking a simple subdivision, a boundary adjustment or boundary location, shall present to the manager or his/her designee at least two (2) prints of a preliminary layout at a scale of at least one hundred (100) feet to the inch as a preliminary plat. The preliminary plat shall include the following information, unless waived by the manager due to applicable exceptions as defined and set forth in Article I of this Chapter:

- (1) Name of subdivision development, owner, subdivider, surveyor or engineer, date of drawing, number of sheets, north point and scale. If true north is used, the method of determination shall be shown.
- (2) The total acreage, acreage of subdivided area, number and approximate area and frontage of all building sites; existing buildings within the boundaries of the tract, names of owners and their property lines within the boundaries of the tract and adjoining such boundaries.
- (3) All existing, platted and proposed streets, their names, numbers and widths; existing utility or other easements, public areas and parking spaces; culverts, drains and watercourses, their names and other pertinent data.
- (4) The complete drainage layout, including all pipe sizes, types, drainage easement and means of transporting the drainage to a well-defined open stream, which is considered natural drainage.
- (5) A location map tying the subdivision into the present road system.
- (6) Proposed connections with existing sanitary sewers and existing water supply or alternate means of sewage disposal and water supply.
- (7) All parcels of land to be dedicated for public use and the conditions of such dedication.

Sec. 24-60. - Same—Procedure for approval.

The manager, or his/her designee, shall discuss the preliminary plat with the subdivider in order to determine whether or not his preliminary plat generally conforms to the requirements of the subdivision ordinance and of the zoning ordinance. The subdivider may be advised by legible markings on his copy of the preliminary plat, concerning any additional data that may be required, the character and extent of public improvements that shall have to be made. The manager, or his/her designee, may provide an estimate of the cost of a performance bond which may be required as a prerequisite to approval of the final subdivision plat. In determining the cost of required improvements and the amount of the performance bond, the manager, or his/her designee, may consult with a duly licensed engineer who, at the expense of the subdivider, shall prepare this data for the manager or, preferably, may require a bona fide estimate of the cost of improvements to be furnished by the subdivider.

Sec. 24-61. - Same—Time limitation on approval.

The subdivider shall have not more than six (6) months after receiving official notification concerning the preliminary plat to file with the ~~agent~~ manager a final subdivision plat in accordance with this chapter. Failure to

do so shall make preliminary approval null and void. The manager may, on written request by the subdivider, grant an extension of this time limit.

Sec. 24-62. - Same—Approval no guarantee.

Approval by the manager of the preliminary plat does not constitute a guarantee of approval of the final plat.

Sec. 24-63. Final plat—Required information.

All plats submitted for final approval by the manager and subsequent recording, shall be clearly and legibly drawn in ink ~~upon tracing cloth~~ at a scale of *at least* one hundred (100) feet to the inch. In addition to the requirements of the preliminary plat, the final plat shall include the following, *unless waived by the manager due to applicable exceptions as set forth and defined in Article I of this Chapter*:

- (1) A blank space shall be *clearly designated and reserved* for the use of the manager to indicate approval of the plat.
- (2) A Certificate signed by an attorney setting forth the source of title of the owners of the land subdivided and the place of record of the last instrument in the chain of title.
- (3) A statement to the effect *as follows*: "The subdivision as it appears on this plat is with the free consent and in accordance with the desires of the owners, proprietors and trustees, if any." *This statement* shall be signed by the owners, proprietors and trustees, if any, and shall be duly acknowledged before some officer authorized to take acknowledgments of deeds.
- (4) When the subdivision consists of land acquired from more than one (1) source of title, the outlines of the various tracts shall be indicated by dash lines and identification of the respective tracts shall be placed on the plat.
- (5) The accurate location and dimensions by bearings and distances with all curve data on all lots and street lines and center lines of streets; boundaries of all proposed or existing easements; parks, school sites or other public areas; the number and area of all building sites; all existing public and private streets, their names, numbers and widths; existing utilities and those to be provided, such as sanitary sewers, storm drains, water mains, manholes and underground conduits including their size and type; watercourses and their names, names of owners and their property lines, both within the boundary of the subdivision and adjoining the boundaries.
- (6) Distances and bearings must balance and close with an accuracy of not less than one (1) in ten thousand (10,000).
- (7) The data of all curves along the street frontage shall be shown in detail at the curve or in a curve data table containing the following: delta, radius, arc, tangent, chord and chord bearings.

Sec. 24-64. - Same—Prepared by surveyor.

Every such plat shall be prepared by a surveyor or engineer duly licensed by the state or by the county surveyor.

Sec. 24-65. - Same—Owner's statement.

With the final plat *in the case of a subdivision development*, the owner shall file a certificate which shall contain the following:

- (1) A statement of the source of the title of the owner of the tract.
- (2) A metes and bounds description of the land subdivided.
- (3) A statement to the effect that "The above and foregoing subdivision as appears in this plat is with the free consent and in accordance with the desire" of the undersigned owners, proprietors, and trustees, if any, and which statement shall be duly filed by the owners, acknowledged, and placed of record.

Sec. 24-66. - Same—Conditions of approval; limitation on recording.

In the case of a subdivision development, the plat shall not be approved until the subdivider has complied with the general requirements and minimum standards of design in accordance with this chapter, and has made satisfactory arrangements for performance bond, cash or cash bond to cover the cost of necessary improvements, in lieu of

construction, to the satisfaction of the manager. Approval of final plat shall be written on the face of the plat by the manager. The subdivider shall record the plat within sixty (60) days after final approval; otherwise, the plat shall become null and void unless the time is extended by the manager.

Sec. 24-67. Changes on plats or data sheets.

No change, erasure or revision shall be made on any preliminary or final plat or on accompanying data sheets after approval of the manager has been endorsed in writing on the plat or sheets; unless authorization for such changes has been granted in writing by the manager.

Sec. 24-68. Fees.

There shall be a charge for examination and approval of every plat reviewed by the manager. A fee payable to the town treasurer in the amount as designated in ~~§23-116~~ §23-120 shall be required for each plat requested for review by the applicant.

State Law reference— Authorizing town to impose a fee for reviewing plats, Code of Virginia, §15.2-2241(9), *as amended*

Sec. 24-69. Procedure for appeal if disapproved.

If a plat is submitted to the manager for *his/her* approval and the manager disapproves the plat for subdivision after the plat is submitted to *him/her*, the subdivider may file a written notice with the mayor of his desire to appeal the decision of the manager to the town council, which notice must be filed within thirty (30) days of an adverse decision by the manager. Upon receipt of such notice, the council shall set a date for a hearing with the subdivider. After such hearing, the council may override the recommendation of the manager and approve the plat. If the council, after a proper hearing, disapproves the plat of the subdivider, the subdivider may then appeal the decision of the council to the circuit court of the county.

(Ord. of 08-12-2025)

First Reading:

Second Reading:

VOTE:	Beasley	<u>Aye</u>
	Cline	<u>Aye</u>
	Fox	<u>Aye</u>
	Hankins	<u>Aye</u>
	Willis	<u>Aye</u>



Mayor



Clerk

This Ordinance shall be in effect from and after thirty (30) days from the date of its passage

Effective Date: October 10, 2025

B. 1st Reading of the Land Use Assessment Ordinance.

Attorney Pyott read the Land Use Preservation Ordinance.

ORDINANCE

Chapter 10 TAXATION

ARTICLE VIII. Special Assessment for Land Preservation

BE IT ORDAINED by the Council of the Town of Tazewell, Virginia, pursuant to Virginia Code §58.1-3230, et seq. (Cum. Supp. 2025), and Charter Sec. 3-8, that it hereby enacts the following Ordinance regarding the taxation of real estate devoted to agricultural, horticultural, forest and open space uses within the corporate limits of the Town:

ARTICLE VIII. Special Assessment for Land Use Preservation

Sec. 10-121. Applicability

The Town finds that the preservation of real estate devoted to agricultural, horticultural, forest and open space uses within its boundaries is in the public interest and has adopted a **land use plan**. Such real estate shall be taxed in accordance with the provisions of Code of Virginia, tit. 58.1, ch. 32, art. 4 (§ 58.1-3230 et seq.) and of this article

Sec. 10-122. Application for special assessment

- a) The owner of any real estate meeting the criteria set forth in Code of Virginia, §§58.1-3230 and 58.1-3233(2) may, within the time specified by Code of Virginia, §58.1-3234, subject to the exception set forth in part (c), apply to the commissioner of the revenue **(and the Town Clerk)** for the classification, assessment and taxation of such property for the next succeeding tax year on the basis of its use, under the procedures set forth in Code of Virginia, §58.1-3236. Such applications shall be on forms provided by the Town and shall be supplied by the commissioner of the revenue **(and the Town Clerk)** and shall include such additional schedules, photographs and drawings as may be required by the commissioner of the revenue **(and the Town Clerk)**. An individual who is the owner of an undivided interest in a parcel may apply on behalf of himself and the other owners of such parcel upon submitting an affidavit that such other owners are minors or cannot be located. An application shall be submitted whenever the use or acreage of such land previously approved changes; however, no application fee may be required when a change in acreage occurs solely as a result of a conveyance necessitated by governmental action or condemnation of a portion of any land previously approved for taxation on the basis of use assessment. Further, the commissioner of the revenue **(and the Town Clerk)** shall review all applications previously approved by him/her. **An application fee of ten dollars (\$10.00), plus fifty cents (\$0.50) per tract shown on individual lines of the tax book, shall accompany each application.**
- b) A separate application shall be filed for each parcel on the land book.
- c) An application may be filed after the specified annual filing deadline of November 1, but not later than December 5, upon payment of the application fee set forth and a late filing fee of no more than one hundred dollars (\$100.00) per parcel sought to be classified, assessed and taxed under this Chapter. Said late filing fee shall be set by resolution of the Town Council.

State Law reference— Similar provisions, Code of Virginia, § 58.1-3234.

Sec. 10-123. Determination of eligibility.

- (a) Promptly upon receipt of any application under this article, the commissioner of the revenue (and the Town Clerk) shall determine whether the subject property meets the criteria for taxation under this article. If the commissioner of the revenue (and the Town Clerk) determines that the subject property does meet such criteria, he shall determine the value of such property for its qualifying use, as well as its fair market value.
- (b) In determining whether the subject property meets the criteria set forth in Code of Virginia, §58.1-3230, the commissioner of the revenue (and the Town Clerk) may request an opinion from the director of the state department of conservation and recreation, the state forester or the state commissioner of agriculture and consumer services. Upon the refusal of any of such person to issue an opinion, or in the event of an unfavorable opinion which does not comport with standards set forth by him, the party aggrieved may seek relief from any court of record wherein the real estate in question is located. If the court finds in his favor, it may issue an order which shall serve in lieu of an opinion for the purposes of this Article.

Sec. 10-124. Filing of applications and indexing of qualifying properties.

The commissioner of the revenue (and the Town Clerk) shall prepare a list of all applications filed and approved under this article and shall transmit such list and the original copy of such application to the clerk of the circuit court of the county. The clerk shall index the names in a book entitled "Land Use Tax Assessment Book" and file the application in his office. The Council shall compensate the clerk at the rate of one dollar (\$1.00) for filing and indexing each application or revalidation for which a fee is payable, notwithstanding any limitation provided in Code of Virginia, §14.1-143.2 or any other section of the Code of Virginia.

Sec. 10-125. Computation of tax.

The use value and fair market value of any qualifying property under this Article shall be placed on the land book before delivery to the Town treasurer, and the tax for the next succeeding tax year shall be extended from the use value.

Sec 10-126. Rollback tax – imposed.

There is hereby imposed a rollback tax, and interest thereon, in such amounts as may be determined under Code of Virginia, §58.1-3237, upon any property as to which the use changes to a nonqualifying use under this Article.

Sec. 10-127. - Same. – Report of change in status; payment.

The owner of any real estate rezoned as provided in Code of Virginia, §58.1-3237(D), or liable for rollback taxes under this Article, shall, within sixty (60) days following such change in use or zoning, report such change to the commissioner of the revenue or other assessing officer (and the Town Clerk) on such forms as may be prescribed. The commissioner (and the Town Clerk) shall forthwith determine and assess the rollback tax, which shall be assessed against and paid by the owner of the property at the time the

change in use which no longer qualifies occurs and shall be paid to the **Town** treasurer within thirty (30) days of the assessment. On failure to report within sixty (60) days following such change in use or failure to pay within thirty (30) days of assessment, such owner shall be liable for an additional penalty equal to ten (10) percent of the amount of the rollback tax and interest, which penalty shall be collected as a part of the tax. In addition to such penalty, there is hereby imposed interest of two-thirds percent of the amount of the rollback tax, interest and penalty, for each month or fraction thereof during which the failure continues.

Sec. 10-128. Making false application.

Any person making a material misstatement of fact in any application filed pursuant to this Article shall be liable for all taxes, in such amounts and at such times as if such property had been assessed on the basis of fair market value as applied to other real estate in the taxing jurisdiction, together with interest and penalties thereon. If such material misstatement was made with the intent to defraud the Town, he shall be further assessed with an additional penalty of one hundred (100) percent of such unpaid taxes.

Sec. 10-129. Applicability of state law.

The provisions of Code of Virginia, Title 58.1 applicable to local levies and real estate assessment and taxation, shall be applicable to assessments and taxation under this Article *mutatis mutandis*, including, without limitation, provisions relating to tax liens, boards of equalization and the correction of erroneous assessments, and for such purposes the rollback taxes shall be considered to be deferred real estate taxes.

Secs. 10-130 through 10-140. – Reserved.

(Ord. of ____ - ____-25)

First Reading:

Second Reading:

VOTE: Beasley ____
Cline ____
Fox ____
Hankins ____
Willis ____

Mayor

Clerk

This Ordinance shall be in effect from and after thirty (30) days from the date of its passage.

Effective Date: _____, 2025.

C. 1st reading of the Charter Amendment for the Town Manager Residency Mileage Extension.

Motion of Councilmember Beasley

I hereby move that the Town of Tazewell amend its Charter of 1958 to reflect a request of the Council to revise the residency parameters for the appointee of Town Manager during his/her tenure in that appointment, and further request that the following suggested Charter amendment (set forth hereinbelow) be submitted to the General Assembly for consideration at its upcoming legislative session in January 2026.

Specifically, I hereby request the following amendment (*italicized and ~~striketrough~~*) to Article III, "The Council," at subsection 3-91 of Section 3-9 "Appointees":

Sec. 3-9. Appointees.

At the first meeting in January following each councilmanic election, or as soon thereafter as practicable, the council shall appoint:

3-91.

Revise lines 2-7 of this subsection to read:

.....A town manager who shall be the administrative and executive head of the municipal government. *He/she* shall be chosen by the council without regard to political beliefs and solely upon the basis of *his/her* executive and administrative qualifications. At the time of *his/her* appointment *he/she* need not be a resident of the town or the commonwealth, but during *his/her* tenure of office ~~shall reside within the town~~ *is encouraged to reside within the town limits and may reside within a reasonable distance outside the town limits upon a majority approval of the appointing council.* *He/she* shall receive such compensation as shall be provided by the council by ordinance or resolution. *He/she* may be bonded as the council may deem necessary.

Revise lines 9-11 of this subsection to read:

....No councilman shall receive such appointment during the term for which *he/she* shall have been elected, nor within one year after the expiration of *his/her* term.

Revise lines 11-13 of this subsection to read:

....Neither the council nor any of the members shall direct or request the appointment, as hereinafter provided, of any person to office by the town manager or any of *his/her* subordinates.

Revise lines 16-17 of this subsection to read:

.... The town manager shall have the authority and it shall be *his/her* duty: . . .

(All other text within this Section and within this Article shall remain unchanged.)

seconded by Councilmember <u>Cline</u>	Vote:	Beasley	<u>Aye</u>
		Cline	<u>Aye</u>
		Fox	<u>NAY</u>
		Hankins	<u>Aye</u>
		Willis	<u>Aye</u>

Date: August 12, 2025

Motion of Councilmember Cline

I hereby move for the above requested Town of Tazewell Charter amendment to the 2026 General Assembly be advertised for a Public Hearing to be held on September 9, 2025, at _____ p.m. in the Council Chambers for the Town of Tazewell, pursuant to Virginia Code §15.2-202, with the full text of the requested Charter change being available on request for public inspection and review in the Town Clerk's Office at least ten (10) days prior to September 9, 2025.

seconded by Councilmember Beasley Vote: Beasley Aye
Cline Aye
Fox Aye
Hankins Absent
Willis Aye

Date: August 12, 2025

Clerk's Certification:

I, Jessica Hayes, Clerk of the Tazewell Town Council, do hereby certify this document to be a true and accurate excerpt from the full Minutes of the regular meeting of the Council for the Town of Tazewell, duly held on August 12, 2025.

Jessica Hayes
Jessica Hayes, Clerk
9/9/2025
Date

Vice Mayor Beasley made a motion and Councilmember Cline seconded. Vice Mayor Beasley and Mayor Hoops read the Charter Amendment for the Town Manager Residency Mileage Extension to be presented to the general assembly.

On Roll call vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, nay; Vice Mayor Beasley, aye.

YMCA Councilmember Representative

Councilmember Hankins moved that Vice Mayor Beasley serve as the YMCA Councilmember Representative. The motion was seconded by Councilmember Cline. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

Items for Auction

Manager Regon presented several items for auction approval, including an orange dump truck, a service truck, a mower, and a tractor from the recreation department. The auction is scheduled for October. Councilmember Cline moved to approve; Councilmember Fox seconded. Councilmember Cline inquired about the dump truck's status, and Public Works Director Mitchell explained that a recent replacement keeps the fleet at capacity. Councilmember Hankins asked about the John Deere tractor, which doesn't stay in four-wheel drive and has a cracked deck,

making it unsafe. The mower has already been replaced. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

Cumberland Plateau Regional Opportunity Program CPROP grant Application Resolution of Support

Cara Spivey discussed the IEDA property at 1616 Riverside Dr., highlighting its potential in the current market. The goal is to collaborate with Tazewell County and Cumberland Plateau Planning to establish business initiatives with an agricultural focus, such as a cannery and food science laboratories, as well as a fabrication laboratory. This facility could serve hobbyists, crafters, educators, students, and small business owners. Ms. Spivey presented a video showcasing a successful fabrication lab in Kansas to demonstrate possible community benefits, noting that similar labs exist nearby in Roanoke and tend to thrive in rural settings.

She emphasized ongoing discussions with various stakeholders about project possibilities and suggested continued outreach to both the Career and Technical Center and community members for input. The proposed cannery and commercial kitchen would enable food preparation and sales, providing additional opportunities for local residents.

The IEDA is advocating for this redevelopment pathway for an abandoned building, recognizing it as a multi-year endeavor. Efforts will focus on learning from comparable projects and securing necessary funding. To that end, they are seeking a resolution of support for CPROP funds through ARC Power and intend to submit a letter of intent upon preliminary approval.

At a recent meeting, members voted to explore the feasibility of a fabrication laboratory. When questioned about renovation costs, Ms. Spivey acknowledged that while exact figures are unavailable, the project is expected to be expensive. Concerns were raised about engineering costs and facility management. Councilmember Cline compared the situation to Southwest Advanced Manufacturing at Highlands Community College, noting inconsistent use of space there.

Ownership matters were clarified regarding the buildings in consideration for this project: Mr. Horn owns the adjacent unit and Mr. Keen owns the end unit, presenting opportunities for asset acquisition. Discussion also covered leveraging funds for this venture amid commitments to other ongoing projects. Councilmember Cline asked if these funds could be used for separate venture. Manager Regon conveyed that Mrs. Dillon views this initiative as a strategic approach to pursue CPROP funding. Efforts to secure easements for the Mountain Biking Project are ongoing, and maintaining strong partnerships with the county continues to be a priority. He has expressed concern that pursuing too many projects simultaneously may dilute our resources and recommends prioritizing one project until completion before proceeding to others. While not opposed to the current approach, he advises engaging with the county for support, given their shared interest in the cannery. However, it may not be an optimal time for them to allocate funds for this initiative.

It is suggested to postpone further action on this idea until additional information is obtained, and to continue focusing on active projects at present.

Councilmember Cline requested that the county provide research and specifications regarding the cannery and equipment to support informed decision-making. The deadline for CPROP grant applications is at the end of the month, and Manager Regon asked for a response by the 24th concerning endorsement of the proposal. Vice Mayor Beasley sought clarification on current eligible projects, and Manager Regon confirmed that funds may be allocated to the Clinch River Pavilion, Mountain Biking, and North Tazewell Revitalization initiatives. There was general agreement to prioritize the completion of one project before commencing another, with recommendations to pursue funding for the Pavilion at this time and to consider submitting a Fab Lab proposal during the next grant cycle. Vice Mayor Beasley Motioned to apply for \$50,000 of CPROP funds to go towards the Clinch River Pavilion project. Councilmember Hankins seconded the motion. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

Mayor Hoops read the resolution of Town of Tazewell Adopting the Cumberland plateau Planning District Commission 2025 Hazard Mitigation Plan Update.

On Roll call vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

E. Miscellaneous

Councilmember Willis inquired about the possibility of contracting out labor for the Ramey Lot debris removal. Manager Regon responded that this was feasible.

Public

Emily Davis (116 Main St.) will address the council today about Tazewell Today's involvement with Virginia Main Street. Tazewell was chosen for "rev up training" on September 17th, followed by a meeting on September 18th at 6:00pm focused on advancing and mobilizing Main Street initiatives. The community has also received an additional grant for a walking visual tour starting at the library, where residents and leaders will discuss improvements and ideas for Main Street, including green spaces. Properties have been selected for review and potential recommendations to owners. The public is encouraged to participate in all events.

Council Comments

Councilmember Hankins expressed appreciation to Public Works for their efforts on the water line project.

Adjournment

Councilmember Cline motioned to adjourn, Councilmember Fox seconded the motion. On vote, Councilmember Willis, aye; Councilmember Hankins, aye; Councilmember Cline, aye; Councilmember Fox, aye; Vice Mayor Beasley, aye.

Meeting adjourned at 9:15pm.