

Council Meeting Minutes

December 13, 2022

The Tazewell Town Council in a work session at 6:45 p.m. in the Town Hall Council Chambers.

Present:

Absent:

Mayor Michael Hoops

Vice Mayor Terry Mullins

Councilmember Joe Beasley

Councilmember Glenn Catron

Councilmember Chris Brown

Councilmember Emily Davis

Councilmember David Fox

Staff present were: Town Manager, Todd Day; Executive Assistant, Robin Brewster; Town Attorney, Brad Pyott; Clerk/Treasurer, LeeAnne Regon; Zoning & Property Maintenance Official, Chris Hurley.

ANNEXATION

Mayor Hoops stated that we have Supervisor Aaron Gillespie and County Administrator Eric Young with us to discuss possible annexation. Manager Day stated that this discussion began about seven years ago. Supervisor Gillespie thanked the members for allowing him time to speak. He stated that he received a map earlier in the year and has studied it. He said it could be good. He has seen that the Town of Tazewell has become a shining star for how a locality is governed. Main Street is proof of that. In town residents are accustomed to receiving town services. Out of town customers would pick up in town services such as water, sewer, and garbage.

He has potential areas of concern in the North Tazewell area. He is concerned about redistricting and he would like Brian Earls, Voter Registrars, opinion. It must be within five percent increase or decrease when redistricting. He also has time concerns for getting this done with voter registration. We have two big election years coming up in Tazewell County. He would like to see a joint effort between the town and county for some type of notice to the public about this. He would like us to show the pros and cons to them. He would also like to look at trash pickup. He would like to see more offered with this service. This is a pro impact. He does not want to be a brick wall. He wants to work together and hope that we can all be on the same page. There is interest in the northern side of 460. He just wants to make sure that people receive notice and know what's going on. He wants citizens informed as they should be.

County Attorney Eric Young stated under the code if we agree to it, it can be a boundary adjustment and not an annexation. He also does have a concern for the northern district about redistricting for voting purposes. This is Supervisor Maggie Asbury's district and if she receives a lot of complaints against it, she could vote against it.

It was discussed what information to include when notifying citizens of this possible change. We need a notice to the citizens and in that notice, it needs to discuss how their water bill will be affected, how their taxes would be affected. It needs to discuss what services they will receive. Invite them to come in and speak with Manager Day. Hold two public hearings (one is required). Supervisor Gillespie would like the county to hold one. Manager Day stated that the Planning Commission had put in a lot of time on this. County Administrator Eric Young stated that he would like to be proactive on this. Councilmember Brown asked who maintains the areas in question now. Manager Day stated that we do, we have agreements with VDOT.

Manager Day stated that he understands the area of concern with Supervisor Asbury's district and he would like to have a level of communication on that. He requested a map of the boundaries and supervisor districts.

County Administrator Eric Young stated that the population of the county had dropped 1,100 people. He doesn't want to hurt any district.

JOINT PUBLIC HEARING (TOWN COUNCIL AND PLANNING COMMISSION) - AMENDMENT TO EXISTING ORDINANCE CHAPTER 23-SECTION 23.1-DEFINITIONS AND SECTION 23-26. USE TO ADD CHILDREN'S RESIDENTIAL FACILITY TO R-2

Manager Day stated that this public hearing is only to add a use to the R2 definition. It is not changing the use of that zone. He then read the notice of public hearing. This public hearing is not about any particular location, this is for the whole zone. He read the definitions and again said this is just a definition change. We had the definition for an adult facility but not a children's facility.

Tom Lester of 194 Hillcrest Drive Cedar Bluff, Virginia spoke and said that he is on the Board of Trustees for The Care Center and he has a letter of support he would like to read. He then read the letter from Delegate Morefield and Senator Hackworth stating their support for Harpers Home. The letter discussed a situation that they had in Buchanan County where a child with cerebral palsy had to stay in the DSS office because there was no where to place this child. There have been 40 other children that have been in the same situation. Children are blessings and we need to help them.

Danny Willis of Riverside Drive North Tazewell, Virginia asked if this was going to be a permanent home. Attorney Pyott answered that this public hearing isn't for that. This public hearing is only for changing the definition.

Karel Ryan of 750 Fincastle Turnpike Tazewell, Virginia stated that she is against the addition and change. She does not believe that there was enough notice. She lives in R1 and it would affect her because it is in her neighborhood. She also asked where was the analysis data on this. Where are the impact studies? She thinks there was only seven days' notice for this public hearing.

David Taylor of 102 North Lane Bluefield, Virginia stated that he is the director of the Department of Social Services. He wants to thank council for entertaining the idea. This will greatly help the children. At times there are situations that arise where they do have no place to put the children. This would give an option that we don't have in Tazewell County right now.

CALL TO ORDER

Mayor Hoops called the meeting to order with the pledge of allegiance. Invocation by Manager Day.

NEW BUSINESS RECOGNITION

THE HAPPY GOAT AT 216 MAIN STREET

Vince D'Amato stated that they are having a good flow from Main Street businesses. He appreciates everyone that has come in and checked out their business. They have had three other employees join them. He said they do have a limited space so its more of a sandwich shop, soup and chili, and they do have local products. Mayor Hoops told them that we appreciate them bringing their business to Tazewell. He thanked them and presented them with a couple small gifts. He encouraged everyone to stop by and check them out.

DRAGONS DEN COFFEE & MORE AT 104 CARLINE AVENUE

Mayor Hoops introduced Ronald Spain, owner of Dragon's Den Coffee & More. He stated that he works in radio, he has five sons and two daughters. He was a Bland resident growing up and he has traveled the country. He said that we have a great community here and he is so glad to be here. He has just purchased a home here as well. He also has a plan for some of the funds from his business to go toward those in need. He is not looking to take advantage of anyone with prices, he just wants to offer products and serve people here. He hopes to be open soon. Mayor Hoops presented him with a couple small gifts and welcomed him to our town.

APPROVAL OF MINUTES

Motion was made by Councilmember Catron, seconded by Vice Mayor Mullins to approve the minutes of November 9, 2022. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

APPROVAL OF FINANCIAL STATEMENTS

Motion was made by Councilmember Beasley and seconded by Councilmember Brown to approve the financial statements for November 2022. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

PLANNING COMMISSION COMMITTEE

Councilmember Davis stated that the Planning Commission met and reviewed an application to amend zoning on a piece of property. They voted to forward it on to council for their approval.

AUDIT PRESENTATION

Corbin Stone with Robinson, Farmer Cox came before council to give his presentation of the FY 22 audit. He stated that the Town has received an unmodified opinion. He stated that the staff was doing a great job and he has noticed improvement and he is very happy about that. The general fund has a balance of \$1.3 million and the ARPA funds are not recognized as revenue. It is deferred revenue and will come in as revenue in the future. Manger Day asked what the fund balance right now if we take out the ARPA funds. It was answered about \$700,000. Mr. Stone also stated that the enterprise fund has improved also over the last couple of years. He stated the debt per capita is \$873,000 which is lower than what they usually see. He stated that interest rates are going up and we should earn a little bit on our money. He also stated that real estate assessments are up one percent and personal property assessments are up five percent. We will start seeing this go down because the price of used vehicles are starting to decrease. He discussed an area of the audit they perform, VRS retirement, and said that all areas tested were correct. They are very pleased with our audit. There will be different accounting standards to be implemented in the next few years and those can be found in the packet he handed out.

RESOLUTION OF HONOR FOR ROBERT BROOKS “BOBBY” ALTIZER

Mayor Hoops read the resolution of honor for Robert Brooks “Bobby” Altizer and presented it to the family.

SPECIAL PRESENTATION TO VICE-MAYOR MULLINS & COUNCILMEMBER BROWN BY MAYOR HOOPS

Mayor Hoops presented a plaque to Vice Mayor Mullins and a watch for his years of service on Town Council. Vice Mayor Mullins thanked the citizens for the opportunity to serve the community.

Mayor Hoops presented a plaque to Councilmember Brown and a watch for his years of service on Town Council. Councilmember Brown stated that he has been honored to serve and he really appreciates those he has served with. He stated that we have the best manager and staff and the best public works, and everyone in this Town is amazing.

SWEARING IN OF MAYOR HOOPS, COUNCILMEMBER DAVIS, COUNCILMEMBER HANKINS AND COUNCILMEMBER CLINE BY TAMMY ALLISON

Clerk of Circuit Court, Tammy Allison came before council to swear in the most recent elected members. She swore in incumbents, Mayor Hoops and Councilmember Davis, and newly elected members, Councilmember Hankins and Councilmember Cline. Manager Day stated that Mrs. Allison has been with the County for numerous years and she has just announced her retirement. He stated that it had been great working with her and he congratulates her on her retirement.

SPECIAL APPRECIATION PRESENTATION BY ADRENALINE OFF ROAD

President Rick Rose and Vice President Johnny Ratliff of Adrenaline Off Road came before council to make a special presentation. Mr. Rose stated that their group tries to support organizations and charities such as Toys For Tots, the T J Rasnick Foundation, etc. They wanted to present Chief Mills with a plaque of appreciation for always providing traffic control and supporting their organization. They also presented Mayor Hoops with a plaque of appreciation as well. They stated that he is a member of Adrenaline Off Road as well and he participates in the Jeep rides and events that they do. One ride they had, there was someone from Richmond come here to ride with them and they were very impressed that the mayor was participating in the event as well. They also presented a plaque to Manager Day for all of his support and for his support of the events the Town makes happen each year.

FIRE DEPARTMENT PURCHASE REQUEST

Fire Chief Thomas thanked the council for the purchase of the ladder truck. Fire Fighter TJ Johnson also thanked them for the ladder truck and said it was a pretty good truck. He then began discussing the 1990 model pumper that they have. He stated that it is currently not in use. He has found a 2001 truck in Stockton, New York that is a 1,500 gallon pumper/tanker truck. They would like to be able to replace the 1990 model truck. They also have another truck at the station that is going to have to have major work to it and it will be out of service for a while. He would like to have another truck in place before this one goes out of service for repairs. The cost of the truck he found in New York is \$52,500. He has pictures of the truck that he can show them. Manager Day stated that this truck would replace unit 684. Manager Day stated that there is \$133,000 of unallocated funds from revenue replacement if they choose to approve. Motion to approve purchase was made by Councilmember Fox. Motion was seconded by Councilmember Davis. Councilmember Davis stated that Chief Hodge had told them a couple years ago that they needed to replace trucks and it is still a need for the fire station. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Chief Thomas and Fire Fighter Johnson both thanked the council.

REZONING REQUEST

April Morefield the executive director of The Care Center of Southwest Virginia came before the Council to discuss a children's residential facility. She stated that The Care Center is a child advocacy center in Southwest Virginia. They serve Russell, Buchanan and Tazewell Counties. She stated that it is for children who have been abused, been around drug use, or sexual abuse. They have seen 400 plus children since 2019. She said the children were not getting the same medical care as children in other areas in Virginia. They have found a nurse from Roanoke that comes down twice a week to see children that has been physically or sexually abused. They partner with a doctor at VCU to review their cases. Their organization is publicly and privately funded. They have a location in Richlands. She serves on the Safe and Sound Task Force. It is for emergency placement of children. Children that are in or will be in the foster care system.

She stated that someone during the Public Hearing asked where are the studies and the data on this. They have captured and studied these cases and these demographics to try and find ways to

improve for the children. The stories from these children are heart breaking and they are trying to make good memories for them and show them love and comfort. This is things they may not have experienced before. The Care Center is to make the child comfortable. They let the children know that abuse is not normal. Harpers Home would be a place for the child to be comforted and loved and they would receive a comfort bag. They are given to kids when they have to be placed in care like that. She said these bags mean the world to those kids. Harpers Home would help them not have to stay in a DSS cubicle. She thanked council for allowing her to speak.

FIRST READING, WAIVE SECOND READING-AMENDMENT TO EXISTING ORDINANCE TO ADD CHILDREN'S RESIDENTIAL FACILITY TO SEC 23-1 DEFINITIONS

Attorney Pyott read the definition change request. Councilmember Davis made a motion to waive the second reading. Councilmember Fox seconded the motion. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Councilmember Catron made a motion to approve. Councilmember Fox seconded the motion. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Councilmember Fox made a motion to pass as an emergency ordinance change. Councilmember Beasley seconded the motion. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

FIRST READING, WAIVE SECOND READING-AMENDMENT TO EXISTING ORDINANCE TO REMOVE REST HOMES AND ADD CHILDREN'S RESIDENTIAL FACILITY, FOSTER HOME, GROUP HOME TO SEC. 23-26 USE IN A RESIDENTIAL, GENERAL R-2 ZONE

Attorney Pyott read the change request. Councilmember Brown made a motion to waive the second reading. Councilmember Catron seconded the motion. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Councilmember Fox made a motion to approve requested changes. Councilmember Davis seconded the motion. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Councilmember Fox made a motion to pass as an emergency ordinance change. Councilmember Beasley seconded the motion. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

REVIEW PLANNING COMMISSION RECOMMENDATION TO SET PUBLIC HEARING FOR A REZONING REQUEST FOR PROPERTY AT 751 FINCASTLE TURNPIKE TO BE REZONED FROM R-1 TO R-2

Planning Commission has recommended that a public hearing be set for the rezoning request at 751 Fincastle Turnpike. Motion was made by Councilmember Brown to set a public hearing on January 10th prior to the council meeting at 7:15pm. Motion was seconded by Vice Mayor Mullins. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

Zoning & Property Maintenance Official, Chris Hurley stated that he would send the adjoining property owner's notice. He thought it would be eight land owners.

REAPPOINT TOWN MANAGER TODD DAY

Motion to reappoint was made by Councilmember Brown. Motion was seconded by Vice Mayor Mullins. Councilmember Fox stated that he had a question about the length of the contract. Mayor Hoops stated that the contract had already been agreed upon and signed. Councilmember Fox stated he would rather see it be a one-year contract. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, no; Councilmember Beasley, aye.

REAPPOINT CLERK LEEANNE REGON

Motion to reappoint was made by Councilmember Brown. Motion was seconded by Councilmember Beasley. Councilmember Brown said good job and thank you to her. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

REAPPOINT FIRE CHIEF JOHN THOMAS

Motion to reappoint was made by Councilmember Fox. Motion was seconded by Councilmember Brown. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

REAPPOINT TOWN ATTORNEY BRAD PYOTT

Motion to reappoint was made by Councilmember Catron. Motion was seconded by Councilmember Brown. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

DISCUSS VACANCY, DISCUSS & APPROVE IEDA REAPPOINTMENTS

Manager Day stated that there will be two position to fill. Zack Cline will be moving off IEDA going to the Town Council. Derik Pridgen has asked to not be reappointed. Chris Wearmouth agreed to serve another term.

Motion to reappoint was made by Councilmember Brown. Motion was seconded by Councilmember Catron. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

DISCUSS & APPROVE PLANNING COMMISSION REAPPOINTMENTS

Councilmember Davis, Jerry Cromer, and Pete Davis have all agreed to serve another term.

Motion to reappoint was made by Councilmember Fox. Motion was seconded by Councilmember Beasley. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

DISCUSS VACANCY, DISCUSS & APPROVE BOARD OF ZONING APPEALS REAPPOINTMENTS

Anthony Brewster has asked to not be reappointed. All other members have agreed to serve another term.

Motion to reappoint was made by Councilmember Fox. Motion was seconded by Councilmember Beasley. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

DISCUSS VACANCY, DISCUSS & APPROVE HISTORIC REVIEW BOARD REAPPOINTMENTS

Zach Hash has resigned from the Historic Review Board. We will need to fill this vacancy.

Motion to reappoint Erica Galloway and Terry Mullins was made by Councilmember Catron. Motion was seconded by Councilmember Beasley. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Davis, aye; Councilmember Fox, aye; Councilmember Beasley, aye.

PUBLIC COMMENT

None.

COUNCIL COMMENTS

Councilmember Beasley thanked Vice Mayor Mullins and Councilmember Brown for serving as they were influential to him being here today.

Councilmember Catron thanked the public works department for their quick and efficient response. Also, he has enjoyed serving with Councilmember Brown and Vice Mayor Mullins.

Mayor Hoops stated that it has been great working with both Councilmember Brown and Vice Mayor Mullins and he looks forward to working with our new members.

Councilmember Brown stated that he wished the best of luck to the new members and looks forward to the future.

Vice Mayor Mullins thanked all the council. He thanked the town employees and said that the town couldn't do what it does without our employees. He wishes the new members the best and encouraged them to jump on board and congratulated them again.

Councilmember Fox stated that it has been great serving with Councilmember Brown and Vice Mayor Mullins. He looks forward to the new Councilmembers and he's sure they will have fun. He thanked the public works and appreciates everything they do.

Manager Day stated that Legislative Days is in January if anyone wants to go. Mayor Hoops said he would like to go. Councilmember Fox stated that he might go on that trip. Manager Day stated he could ride up with him.

ADJOURNMENT

Motion to adjourn was made by Councilmember Catron and seconded by Councilmember Beasley. On vote, Councilmember Catron, aye; Councilmember Brown, aye; Vice Mayor Mullins, aye; Councilmember Fox, aye; Councilmember Davis, aye; Councilmember Beasley, aye.

Meeting adjourned at 8:52pm.