

# Don't mess with the landowners of Tazewell county

NOTE: For the last 10 years NARLO has been trying to get across to rural landowners that they can't fight city hall alone. Finally, we found an example of where the people of a county decided to fight back against big money and crony capitalism to preserve their rural lifestyle. Their efforts paid off big time. These brave people slew the government-developer dragon. Linda Sheets of Tazewell County, VA provided most of the information for this article. We have added some background material to the article to fill in the story.

Whenever government and business get together and make deals, the public suffers. It's what they call crony capitalism. Business is looking for profit and the government is looking for tax revenue. Such is the case in little Tazewell County, located in Southwestern Virginia, straddling the West Virginia state line. But crony capitalism and corruption are not isolated to a small county in Virginia. They are everywhere, throughout the political process, local, state and federal. Control this crony capitalism and corruption or it will control you. Right now, they do.

It seems that someone came up with the idea of building a giant industrial park (680 acres) along Virginia State Highway 460. The Park was named the Bluestone Regional Business and Technology Center ("Bluestone"). We haven't been able to determine whom the individual or individuals are who came up with the plan, but what we have found is that the plan appears to have been the brainchild of Tazewell County Supervisors, the Virginia Economic Development Partnership and the Virginia Coalfield Economic Development Authority. But you can bet that there is a developer in there somewhere.

According to the County Supervisor of the Eastern District of

Tazewell County, one Charlie Stacy, "The concept of Bluestone is live, work and play," he said, adding that, "the center will include upscale companies as well as restaurants, a hotel-conference center, a residential area, recreation facilities, hiking trails, and rental cabins and a lodge higher up on the mountain."

According to Stacy, the county and the other two agencies used a \$10,000,000 grant from the Tobacco Commission to build Bluestone. When we say build, it means that all of the infrastructure was installed (roads and utilities) and building pads were graded. That's it. The park is just bare land with roads water and sewer. Nothing else.

Stacy said that Bluestone was a "wonderful vision for the board" and the grant was the county's to lose. "You lose that opportunity for the funding if you don't act," he said. "Everybody is competing for it. That money would have been allocated somewhere else if Tazewell County had not worked for it."

Grant funding was also used for much of the remaining \$3 million, costing taxpayers relatively little, Stacy added, and the investment will eventually pay off as the economy changes and improves. The word "eventually" is a relative term and could mean anywhere from one year to 100 years.

Unfortunately, this "great vision" of the County Board of Tazewell County Supervisors has sat empty for six years with no takers. It appears that the county threw a party and no one came. This is what happens when government comes up with a commercial idea to raise its tax base. Consequently, county and state government have a costly red herring on their hands and they are working feverishly to cover their collective tails with ordinances to protect that red herring, to the detriment of the local landowners.

To add to the County's "great vision", Supervisor Stacy pushed

for zoning in the county to allow Dominion Power to build an electricity generator Wind Farm on the ridgeline of East River Mountain, directly behind Bluestone. (Remember: Government is always looking for tax money to pay for their expensive promises in exchange for votes.)

However, the other supervisors on the Board objected to the Wind Farm and passed an ordinance to stop Dominion. Then the Board went farther with another ordinance to protect the "great vision" of their red herring.

The farmers of Tazewell County got wind of the Wind Farm (no pun intended) and started digging into the provisions of the two proposed ordinances. They were aghast at what they found in the second ordinance. Which brings us to what the county farmers did about the proposed ordinances, relayed to us by Linda Sheets, a Tazewell County farmer, in her own words.

Tazewell County is located in the southwestern part of Virginia in the Appalachian Mountains. Most of the mountains are so steep that they are inhabited only by deer, turkey .... and snakes.

In the valleys, beautiful farmland abounds. Some of the farm owners can trace their heritage to a time before Tazewell County existed.

Farming and coal mining had been the backbone of the county until the EPA regulations closed the coalmines. Since most businesses were coal related, there has been a major increase in unemployment rates in the area.

The farms are a major source of income to Tazewell County, and most farmers take great pride in their land. Since there is little employment opportunity, many people have started in-home businesses and several have been quite successful. Citizens are hardworking and resourceful.

Located between the towns of Bluefield and Tazewell on SR 460

is the 680 acres, \$13,000,000 Bluestone Industrial Park that has been vacant for the six years since it was built. One business that showed interest in the Park was a dental school that could not procure funding.

Statements made by the purveyors of Bluestone inferred that only high-end companies would be accepted in the park. (Ladies and gentlemen, high-end companies are moving offshore due to lousy trade agreements that eliminate American jobs.) A housing development, recreation area, lodging and, cabins, an upscale restaurant and meeting center are also planned in part of the park. Obviously, if the County Supervisor's (Charley Stacey) plans materialize, this park will be for the elite. It will have draw on an employment base that is mostly outside of Tazewell County.

Other businesses such as B.P. and Dominion Resources wanted to build a wind electric generation farm on the East River Mountain, but members of the Board of Supervisors led the charge to protect the beauty of the mountain and the home of the snake. The County turned down the \$23 -25 million dollars offered by Dominion and passed a tall-structure ordinance to rid the county of an "undesirable" development.

A few months ago Board members announced that another ordinance was needed to protect the park from "undesirable" business, especially from the Wind Farm.

We thought that the tall-structure ordinance was all that was needed. Being skeptical however, some of us attended a planning committee meeting and were shocked to see that the zoning was on farms and that the plans for the farms were to phase some of them out and replace them with residential use.

In-home businesses were to limit the number of their customers. The farmers were told the hours that they could operate their business. UPS and FedEx would be limited to the number of packages delivered to homes. The number of cars

parked in a driveway was limited, restricting large family gatherings. The size of trees and shrubbery was specified. Even restrictions were placed on churches. Owners of older homes that could not meet the code would be fined.

Thank goodness Bill Osborne, the president of the Farm Bureau Federation, and some of the Farm Bureau members were also present at the meeting. As word spread from farmer to farmer, people began to question the motives of the Supervisors and the need for the new zoning called for in the proposed ordinance. They began to feel betrayed and angry. Some called the action akin to communism.

As the time for the meeting approached, so did a blizzard. Many people had to remove snowdrifts before they could attend the meeting. They were determined as many of the farmers felt that they were going to lose everything that had been in the family for generations if they did not stand up.

It was estimated that six hundred people attended the meeting. Seventy spoke with only four or five in favor of the new zoning. Emotions were high. Although people acted with restraint they made their feelings clear. They were not going to give up their rights to use their land as they saw fit. They pointed out that the members of the Board and members of the Planning Commission would not be in office after the next election. It was democracy in the purest form. Informed people stood together, united in a common cause to fight for their freedom. The next day the headline in the newspaper read "Ordinance Scrapped."

Is it over, I would like to think so, but I have my doubts. Farmland is being transformed into residential and commercial uses at an alarming rate all across America. When outside developers are involved, farmers suffer. We have learned from our ordeal that we must always be vigilant. We will make an effort to be informed; we will attend meetings to see for ourselves the topics of discussion. We have learned that there

is power in numbers and that we must stand together to protect our freedom.

The landowners of Tazewell County found the formula to protect their interests and that formula was to find out what their government was doing and then stand up in large numbers in opposition to what government was doing when it conflicted with the people's rights.

The landowners of Tazewell County did something. They acted. They didn't just sit on their hands or pretend the enemy wasn't there like most Americans do. And they even had to travel through a blizzard to punctuate their displeasure with government. What they did was to beat government at the local level and that is no small task. Because you see ladies and gentlemen the simple fact is, "life is a continual struggle against competing interests. Either protect your interests, or the other side wins."

Do you have a story to tell where you and other landowners beat government, or where government is hurting landowners? Let us bring your story to our national audience. Contact us [HERE](#) with the details. OR, if you are having land use problems with local government, it is quite likely we can help. Click [HERE](#). OR, if you have received a notice of a code violation, we can help as well. Click [HERE](#). If you do receive a notice of a code violation from government, contact us immediately. Don't delay. You may lose your appeal rights if you do.

#### THE LANDOWNER'S FIRST LINE OF DEFENSE:

Ladies and gentlemen, the actions taken by the Tazewell County farmers are what all landowners in America need to do if they have any hope of protecting their Constitutional property rights. But rural landowners must also realize that their property line is their first line of defense. Government agents and law enforcement, at every level, believe they have the right to come on your property anytime they wish, for any

pretense. They are wrong in that belief. The truth is, each landowner has the constitutional right to exclude anyone from their property, including government agents and law enforcement and that right is fully supported by law precedent. The language from that law precedent appears on NARLO's new RIGHT-TO-EXCLUDE No Trespass sign. This new sign is a companion to our powerful, legally intimidating, constitutional 18" x 24" No Trespassing sign. Thousands of our signs have been installed on rural lands throughout America. The fact is, land that is not posted with No Trespassing signs is essentially open to all intruders, including government agents and law enforcement. There has to be constructive notice of the right to exclude and our signs provide that notice. To learn more about your first line of defense and NARLO's valuable No Trespassing signs, click on the links in this paragraph.

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