

MINUTES

A regular meeting of the Buchanan County Board of Supervisors was held on Monday the 2nd day of October, 2017 starting at 10:00 o'clock a.m. in the boardroom of the Buchanan County Courthouse located in Grundy, Virginia.

PRESENT: J. Carroll Branham, Chairman
Trey Adkins
William P. Harris
Harold H. Fuller
G. Roger Rife
Earl Scott
Craig Stiltner

L. Lee Moise, County Attorney
Robert Craig Horn
County Administrator

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The meeting was called to order with Prayer and Pledge of Allegiance.

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IN RE: CONSIDER APPROVING MINUTES FOR SEPTEMBER 18TH AND 25TH, 2017

After a general discussion by the board upon motion by Trey Adkins seconded by Earl Scott and with a roll call vote of seven (7) yeas, William P. Harris, G. Roger Rife, Harold H. Fuller, Earl Scott, J. Carroll Branham, Craig Stiltner, Trey Adkins and zero (0) nays, this board did hereby approve the minutes for September 18th and 25th, 2017.

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IN RE: TREY ADKINS, KNOX DISTRICT SUPERVISOR

Trey Adkins, Knox District Supervisor and newly appointed CEO of the Buchanan County Public Service Authority (PSA) updated the board on the progress the PSA has made in the two (2) weeks that he's been the CEO.

My first day on the job at the PSA, we received a bid for a belt drive at the sewer plant at Conaway in the amount of \$567,700, stated Mr. Adkins. I contacted Joe Gary Street with West River Machinery to examine the plants problems, including the faulty belt drive unit. Mr. Street's employees went over the machine and putting new rotors and new bearings was what West River Machinery employees suggested at a cost of \$78,222, he stated. That's a savings of approximately \$500,000.

I know everyone has took some heat over me being hired as CEO of the PSA and I apologize for it, stated Mr. Adkins.

We have 900 manholes in the county and in the past two (2) weeks, we've fixed 34 of them, stated Mr. Adkins. This reduced the river water intake at the plant by hundreds of thousands of gallons. We don't need a new sewer plant once the manholes are fixed, he stated. An engineering firm had previously told the PSA the cost to repair the manholes was approximately \$40 million, but if we do the repairs in house it would cost approximately \$1.5 million, he stated.

I've been told that we're shorthanded at the PSA, but I found two (2) employees at the Kennel Gap water treatment plant that were watching the plant, stated Mr. Adkins. There's a computer system that lets them know at the main office if there's a problem at the plant, so I put those two (2) employees out in the field. That was a savings of approximately \$140,000, since we didn't have to hire two (2) employees.

Also, I found trucks that didn't have inspection stickers or had rejected stickers, stated Mr. Adkins.

I've been very very busy in the two (2) weeks that I've been at the PSA, but I feel like this job could be on a part-time basis for a lot less money and save the PSA \$60,000 to \$70,000, stated Mr. Adkins. I apologize for all the criticism this board has took over this and I look forward to working with the PSA board to resolve the issues that is still there. At the next PSA meeting, I'm going to request the PSA to reduce this position to part-time

J. Carroll Branham, Chairman stated it's up to the PSA board to make that decision.

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**IN RE: CONSIDER RESCINDING THE MOTION REGARDING THE
 APPOINTMENT OF THE ROCKLICK DISTRICT BOARD MEMBER
 ON THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY**

After a general discussion by the board upon motion by Craig Stiltner seconded by Earl Scott and with the following roll call vote of six (6) yeas, Craig Stiltner, Earl Scott, Harold H. Fuller, J. Carroll Branham, G. Roger Rife, William P. Harris, zero (0) nays and one (1) abstention, Trey Adkins, this board did hereby rescind the motion to appoint Priscilla Johnson as the Rocklick District board member on the Buchanan County Public Service Authority.

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**IN RE: CONSIDER APPOINTMENT TO THE BUCHANAN COUNTY
PUBLIC SERVICE AUTHORITY FOR THE ROCKLICK DISTRICT**

After a general discussion by the board upon by Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote of six (6) yeas, Craig Stiltner, Earl Scott, Harold H. Fuller, J. Carroll Branham, G. Roger Rife, William P. Harris, zero (0) nays and one (1) abstention, Trey Adkins, this board did hereby appoint Greg Fletcher to the Buchanan County Public Service Authority Board of Directors for the Rocklick Magisterial District to fill the unexpired term of Priscilla Johnson, which is to expire February 28th, 2018.

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**IN RE: CONSIDER APPOINTMENT TO THE BUCHANAN COUNTY
PUBLIC SERVICE AUTHORITY FOR THE PRATER DISTRICT**

After a general discussion by the board upon motion by Earl Scott seconded by Harold H. Fuller and with the following roll call vote of six (6) yeas, Craig Stiltner, Earl Scott, Harold H. Fuller, J. Carroll Branham, G. Roger Rife, William P. Harris, zero (0) nays and one (1) abstention, Trey Adkins, this board did hereby appoint Earl Scott to the Buchanan County Public Service Authority Board of Directors for the Prater Magisterial District to fill the unexpired term of Terry O'Quinn, which is to expire February 28th, 2018.

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**IN RE: JON RIFE, GRUNDY KIWANIS CLUB – REQUEST FUNDING FOR
THE 17TH ANNUAL KIWANIS/BREAKS 5 K RACE**

Karen Hutchinson with Grundy Kiwanis Club was present for the meeting. She requested a contribution to assist with the 17th Annual Kiwanis/Breaks 5K Race.

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, Earl Scott, Harold H. Fuller, J. Carroll Branham, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby approve to a contribution in the amount of \$1,050.00 to Grundy Kiwanis Club/Grundy Kiwanis Foundation for the Annual Kiwanis/Breaks 5 K Race to be divided equally among the seven (7) district accounts.

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IN RE: RICHARD LEE, LITTER CONTROL OFFICER – REQUEST THE PURCHASE OF A TRUCK AND SURVEILLANCE CAMERAS

Richard Lee, Litter Control Officer requested permission to order surveillance cameras for the Buchanan County Litter Control Office from grant funding. These cameras will be installed at illegal dump sites in the county, he stated. I'd like to purchase 20 game cameras at a cost of \$75.00 each.

After a general discussion by the board upon motion by Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, Earl Scott, Harold H. Fuller, J. Carroll Branham, G. Roger Rife, William P. Harris and zero (0) nays, this board did hereby approve to purchase surveillance cameras for the Buchanan County Litter Control Office from grant funding received.

Also, he requested permission to order a 2018 F-150 four-door Ford Truck through state contract for the litter control office. The truck is estimated to cost approximately \$27,000.

Robert C. Horn, County Administrator stated we don't have any funding appropriated for the purchase of a truck for the litter control office.

Harold H. Fuller, Garden District Supervisor stated I'm pushing snow with a truck that cost \$3,500. I have a problem with him riding a \$30,000 truck and I'm using a \$3,500 truck.

I'll say again, I don't know where we're going to get the money to buy a truck, stated Mr. Horn.

This issue was tabled at this time.

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IN RE: PUBLIC HEARING – 10:15 A.M. – TO HEAR PUBLIC COMMENTS REGARDING THE TRANSFER OF PROPERTY FROM BUCHANAN COUNTY TO THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION LOCATED ON RT. 680 IN THE GARDEN DISTRICT

J. Carroll Branham, Chairman opened the public hearing for comments.

With no comments from the public, upon motion by Trey Adkins seconded by Earl Scott and with a roll call vote of seven (7) yeas, Trey Adkins, Earl Scott, G. Roger Rife, Craig Stiltner, William P. Harris, Harold H. Fuller, J. Carroll Branham and zero (0) nays, this board did hereby approve to close the public hearing.

IN RE: CONSIDER ADOPTING THE RESOLUTION TRANSFERRING PROPERTY FROM BUCHANAN COUNTY TO THE COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION LOCATED ON RT. 680 IN THE GARDEN DISTRICT AND AUTHORIZE THE CHAIRMAN AND THE COUNTY ADMINISTRATOR TO EXECUTE THE DEED OF GIFT WITH THE APPROVAL AS TO FORM BY THE COUNTY ATTORNEY

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with a roll call vote of seven (7) yeas, Trey Adkins, Earl Scott, G. Roger Rife, Craig Stiltner, William P. Harris, Harold H. Fuller, J. Carroll Branham and zero (0) nays, this board did hereby approve to adopt the following Resolution transferring a parcel of property from Buchanan County to the Commonwealth of Virginia Department of Transportation to facilitate a VDOT road project on Rt. 680 in the Garden District and authorized the Chairman and the County Administrator to execute the Deed of Gift with the approval as to form by the County Attorney:

RESOLUTION

IN RE: CONVEYANCE OF DEED FROM BUCHANAN COUNTY, VIRGINIA TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION

BE IT RESOLVED, by the Buchanan County Board of Supervisors after conducting a public hearing pursuant to the provisions of Virginia Code section 15.2-1800 approves the conveyance of the property by the County described in that Deed attached hereto between the Virginia Department of Transportation and Buchanan County, Virginia and authorizes the Chairman of the Buchanan County Board of Supervisors and Robert Craig Horn, County Administrator for Buchanan County, Virginia to execute such Deed on behalf of Buchanan County with the approval as to form by the County Attorney.

This Resolution was adopted by the Buchanan County Board of Supervisors on this the 2nd day of October, 2017 by a roll call vote of seven for and zero against.

Chairman of the
Buchanan County Board of Supervisors

ATTEST:

Robert Craig Horn, County Administrator

THIS DEED OF GIFT, made and entered into on this the 2nd day of October, 2017, by and between **BUCHANAN COUNTY, VIRGINIA**, a Political Subdivision of the Commonwealth of Virginia, hereinafter sometimes referred to as “**GRANTOR**”, and, the **COMMONWEALTH OF VIRGINIA**, through the **VIRGINIA DEPARTMENT OF TRANSPORTATION**, an agency of the Commonwealth of Virginia, hereinafter sometimes referred to as “**GRANTEE**”. [Exempt from recordation taxes pursuant to Code §58.1-811 (A) (3).]

WITNESSETH:

THAT WHEREAS, the Grantee and Grantor are pursuing a road improvement on Rt. 680; and

WHEREAS, Grantor acquired a certain .439-acre parcel by deed dated September 18, 2017 and which is recorded as Instrument #170001972 in the Clerk’s Office of the Buchanan Circuit Court; and

WHEREAS, that said .439-acre parcel is needed for the Rt. 680 Road Improvement Project; and

WHEREAS, there is a need to now transfer the .439-acre parcel in question to the Grantee in that Rt. 680 is part of the State Highway System; and

WHEREAS, the Grantor now desires to grant and convey as a gift and the Grantee now desires to acquire such property as set forth in this deed of conveyance for right of way to further advance the Rt. 680 Road Improvement Project in Buchanan County, Virginia; and,

NOW THEREFORE, for and in consideration of the benefit to the citizens of Buchanan County, Virginia and the traveling public at large, and the assistance of the Virginia Department of Transportation rendered in regard to the Route 680 Road Improvement Project, and VDOT’s future maintenance of Rt. 680, the Grantor does hereby give, grant and convey unto the Grantee, **WITH SPECIAL WARRANTY OF TITLE** , all its right, title and interest in and to all of that certain parcel of land situate on Brushy Camp Branch of Contrary Creek, a tributary of the Levisa River, in Buchanan County, Virginia, and being the same property which was acquired by the Grantor as set out in the premises herein, and with metes and bounds as set forth below:

REFERENCE DEED BOOK 348 PAGE 498 and Instrument #170001972

BEGINNING at a point on the West side of Route 680(iron pipe called for not found), said point has an approximate NAD 1983 Virginia State Plane South Zone coordinate value of N=3,617,303.303 and E=10,485,301.083; thence N 71°01'00" W a distance of 43.23' to a point (circle on a rock called for, not found); thence N 04°56'00" E a distance of 199.95' to a point (circle on a rock called for not found); thence N 45°06'00" E a distance of 100.41' to a point on the West side

of Route 680 (iron pipe called for not found); thence with the West side of Route 680 the following, S 11°15'00" E a distance of 57.44' to a point (iron pipe called for not found); thence S 02°49'00" E a distance of 81.92' to a point (iron pipe called for not found); thence S 16°08'00" W a distance of 75.48' to a point (iron pipe called for not found); thence S 29°34'22" W a distance of 84.49'; to the point of beginning, having an area of 19143.640 square feet, and containing 0.439 acres more or less as set forth in a Plat dated August 01, 2017, as prepared by William Ramey, L.S., Virginia license No. 002265, which is attached as Exhibit "A" and made a part of this deed by reference.

The afore-described .439-acre parcel is depicted on a Plat prepared by William M Ramey, L.S. #002265, which said Plat is attached and incorporated by reference into this deed as Exhibit "A".

Said property was acquired by the Grantor as set out in the premises herein, reference to the documents described in the premises herein is made for a more particular description of such land.

AND FURTHER WITNESSETH: That the Grantor, for the consideration state above, also covenants and agrees, upon demand of any public utility company or corporation having its facilities in, over or across the lands herein conveyed, that it, the said Grantor, will give, grant and convey unto such public utility company or corporation an easement in, over and across the lands of the Grantor, if there be any such property of the Grantor lying adjacent to the lands herein conveyed for the relocation, construction, operation and maintenance of said facilities.

The Grantor covenants to and with the Grantee that it will specially warrant the title to the property hereby conveyed; that it has the right to convey same to the Grantee; that the Grantee shall have quiet possession of same, free from encumbrances, that Grantor has done no act to encumber same; and, that Grantor will execute such other and further assurances of title as may be requisite.

There is hereby excepted and reserved from the operation of this conveyance such of the coal, oil, minerals, rights, privileges, etc., as may have been heretofore sold or excepted from said land by prior owners. This conveyance is subject to all prior conveyances, including, without limitation, easements, conditions, restrictions and reservations of record that touch upon or otherwise concern the property conveyed hereby.

That on the 2nd day of October, 2017, the Buchanan County Board of Supervisors, at a duly held meeting of the Board, after conducting a Public Hearing pursuant to section 15.2-1800 of the Va. Code of 1950, as amended, approved the conveyance of the property described herein and the Chairman of the Buchanan County Board of Supervisors and the County Administrator for Buchanan County by their execution of this Deed acknowledge that the Buchanan County Board of Supervisors has authorized this conveyance to the

Commonwealth of Virginia through its agency, namely the Virginia Department of Transportation.

The execution of this Deed by Lawrence L. Moise III, County Attorney for Buchanan County, Virginia indicates his approval of the form of this Deed.

WITNESS the following signatures and seals

BUCHANAN COUNTY, VIRGINIA:

BY: _____ **(SEAL)**
J. CARROLL BRANHAM, Chairman of the
Buchanan County, VA. Board of Supervisors

BY: _____ **(SEAL)**
ROBERT CRAIG HORN, County Administrator
for Buchanan County, VA.

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**IN RE: RAY FOSTER, SHERIFF – REQUEST FOR FUNDING FOR
ADDITIONAL E-911 DISPATCHERS**

Ray Foster, Sheriff stated a few months ago, I came before the board to request funding to hire additional dispatchers (full or part-time). I know it's a hard time now, but you've got to look at what your priorities are, stated Sheriff Foster. There are times that there's only one (1) dispatcher taking E-911 calls. If I have one (1) off sick, it will leave me with only one (1) dispatcher, he commented. This week I had one dispatcher off having surgery and then another one off sick, which left me three (3) days with only one (1) dispatchers, stated Sheriff Foster.

Tim Addington, with the Virginia Information Technologies Agency (VITA) told recommended that we have two (2) dispatchers at all times at the E-911 Office, stated Sheriff Foster.

Sheriff Foster introduced Kimberley Robinson who was present for the meeting to discuss the lack of dispatchers. Ms. Robinson experienced a situation with the E-911 Office, when her child was sick, stated Sheriff Foster.

Kimberley Robinson, resident stated in April I could hear my 20-month-old daughter gurgling from her bedroom. It was 9:30 p.m. Once I got to her, I could see her eyes were rolled back in her head, she's gurgling and completely limp, she stated. I laid her on the living room, scared to death knowing my nearest family member was 15 minutes away and my nearest neighbor three (3) minutes away. Seconds felt like hours, she stated.

Have you ever had to call 911, asked Ms. Robinson? Have you ever had to call 911 for your child or ever had to tell the dispatcher that your child is not breathing and is turning gray?

I called 911 and the dispatcher told me they are on their way, stated Ms. Robinson. The dispatcher had to put me on hold because another call was on the line and my lifeline was gone, she stated. Hearing a voice on the other end was a relief, but another call comes in and lifeline was gone again, she stated.

Even though I knew rescue squads and police were on their way, I really needed the comfort and guidance of the dispatcher, stated Ms. Robinson. Throughout the entire event, the dispatcher was crucial, from talking to me, connecting me to Buchanan General Hospital, sending the police and rescue squad. It all starts with the E-911 dispatcher, she stated. Dispatchers should never be left alone to answer calls.

Sheriff Foster stated this is just one story. Ms. Robinson came to me, asking me to come here and talk today, because she felt it was important enough. Also, I'm sure there are other people out there in our region that has run into the same situation, stated Sheriff Foster.

J. Carroll Branham, Chairman asked if there was funding in his budget to hire additional dispatchers?

Sheriff Foster stated no. There are ten (10) dispatchers that are staffed to work around the clock, seven (7) days a week. This can occasionally result in only one (1) dispatcher manning the emergency lines, he stated.

I appreciate you listening to me and Ms. Robinson today, stated Sheriff Foster. The citizens of Buchanan County shouldn't be penalized.

After a general discussion by the board, no action was taken.

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IN RE: JOE PUCKETT WITH SUNSET DIGITAL COMMUNICATIONS

Joe Puckett with Sunset Digital Communication stated we are in the process of closing the final documents for the purchase of Bristol Virginia Utilities OptiNet. Within the next month or so, we'll be back before the board requesting the board to consider approving to schedule a public hearing to consider a Franchise Agreement with Sunset Digital Communications, he stated.

We are excited to work with Buchanan County and being competition to the area, he stated.

Craig Stiltner, Rocklick District Supervisor stated everyone that has come here from Sunset Digital I've asked for internet in the Conaway area of the Rocklick District to the state

line. There's ten (10) businesses in this area, multiple trucking companies, two (2) coal mines and 50 to 60 homes, he stated. These residents and businesses needs high speed internet. They used to have Cable Plus, but not that's not offered, he stated.

We will expand services in the county, stated Mr. Puckett. Sunset has made a living going into isolated areas.

G. Roger Rife, South Grundy District Supervisor stated nothing can be done until the deal is finalized.

J. Carroll Branham, Chairman asked if Sunset would be opening an office in Buchanan County?

Mr. Puckett stated at this time, he's not sure.

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IN RE: TOBY EDWARDS, EXECUTIVE DIRECTOR OF CUMBERLAND PLATEAU WASTE MANAGEMENT AUTHORITY

Toby Edwards, Executive Director of Cumberland Plateau Waste Management Authority stated according to the county's ordinance all trash generated in the county must go to the transfer station. Currently, there's five (5) trucks hauling out of the county, which hurts the county.

The recent purchase of roll-off containers has increased the amount of tonnage big time, he stated. Based on the tonnage each month collected in the roll-off containers, there will be an additional \$320,000 to \$350,000 collected this year. CONSOL alone is approximately \$21,000 for two (2) months.

The county could use additional roll-off containers, stated Mr. Edwards.

Craig Stiltner, Rocklick District Supervisor stated the 50-yard containers were needed, but we could use some smaller ones. These containers have saved on fuel and time for the sanitation department.

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IN RE: PUBLIC COMMENTS

Bobby May resident stated I want to talk about the Buchanan County Public Service Authority (PSA), since this board appoints members to the PSA. I was at the meeting last night and I think we need five (5) new members on that board. I wish Mr. Rife and Terry O'Quinn would reconsider and not resign from the PSA board, he commented. Mr. Ray

Blankenship spoke at the PSA meeting and said how bad of shape the PSA was in now, stated Mr. May.

Guy Dillow, resident stated I think it's time to take control of the PSA. The situation is out of hand.

Linda Stiltner, resident stated I think it's time the board find the money for the E-911 dispatchers. That's more important than some things you donate money to. That's our lives that we're talking about. We need that, she commented.

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**IN RE: CONSIDER APPROVING THE NOTICE OF BENEFIT
TERMINATION LETTER BASED UPON THE BUCHANAN COUNTY
CONSOLIDATED DEPENDENT ELIGIBILITY AUDIT**

After a general discussion by the board upon motion by Craig Stiltner seconded by William P. Harris and with the following roll call vote of six (6) yeas, Craig Stiltner, William P. Harris, Harold H. Fuller, J. Carroll Branham, G. Roger Rife, Earl Scott, zero (0) nays and one (1) abstention, Trey Adkins, this board did hereby approve the Notice of Benefit Termination letter based upon the Buchanan County Consolidated Dependent Eligibility Audit.

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**IN RE: CONSIDER APPROVING THE DESIGNATED EMERGENCY
RESPONSE AGENCY STANDARD FORM FOR RESCUE 33 AND
AUTHORIZE THE COUNTY ADMINISTRATION TO EXECUTE THE
DOCUMENT**

This issue was tabled, no action taken.

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**IN RE: CONSIDER APPROVING THE LETTER TO TARAH KESTERSON,
DMME RELATIONS MANAGER REGARDING THE POWER PLUS
PILOT PROGRAM GRANT APPLICATION**

After a general discussion by the board upon motion by Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, William P. Harris, Harold H. Fuller, J. Carroll Branham, G. Roger Rife, Earl Scott and zero (0) nays, this board did hereby approve the letter to Tarah Kesterson, DMME Relations Manager regarding the Power Plus Pilot Program grant application.

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**IN RE: CONSIDER APPROVING THE AMENDED ORDINANCE FOR THE
 REGIONAL INDUSTRIAL FACILITIES AUTHORITY**

After a general discussion by the board upon motion by Harold H. Fuller seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Trey Adkins, Craig Stiltner, William P. Harris, Harold H. Fuller, J. Carroll Branham, G. Roger Rife, Earl Scott and zero (0) nays, this board did hereby adopt the following Amended Ordinance for the Regional Industrial Facilities Authority:

VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF BUCHANAN COUNTY, VIRGINIA HELD AT THE COUNTY COURTHOUSE IN THE TOWN OF GRUNDY, VIRGINIA, ON THE 2nd DAY OF OCTOBER, 2017, FOLLOWING A PUBLIC HEARING BEFORE THE BOARD HELD ON THE 18th DAY OF SEPTEMBER, 2017, UPON NOTICE TO THE PUBLIC BY PUBLICATION IN A NEWSPAPER OF GENERAL CIRCULATION IN THE COUNTY OF BUCHANAN, THE FOLLOWING AMENDED ORDINANCE WAS ADOPTED, FOLLOWING PUBLIC HEARING, A MOTION AND SECOND:

Ordinance No. _____

Date: _____

**AN ORDINANCE TO CREATE
A REGIONAL INDUSTRIAL FACILITIES AUTHORITY
PURSUANT TO SECTION 15.2-6400 ET SEQ. OF THE CODE OF VIRGINIA**

WHEREAS, the Board recognizes that economic development of the County is dependent in large measure on the economic development of the Region as a whole;

WHEREAS, the Board finds that economic growth and development of the County and the comfort, convenience, and welfare of its citizens require the development of facilities and that the joint action through a regional industrial facilities authority by the Counties of Buchanan, Russell and Tazewell will facilitate the development of the needed facilities;

WHEREAS, to promote and encourage economic activity, including but not limited to investment and employment of county residents, the Board desires to work in cooperation with neighboring Counties, Tazewell, Russell, and Dickenson, to facilitate the development of Industrial Facilities in the four County Region;

NOW THEREFORE, the Board of Supervisors for Buchanan County, Virginia does hereby Ordain and establish a Regional Industrial Facilities Authority for Tazewell, Dickenson, Russell and Tazewell Counties pursuant to Section 15.2-6400 et seq. of the Code of Virginia and further resolves as follows:

1. The name of the Authority shall be the "Cumberland Industrial Facilities Authority", hereinafter "the Authority".
2. The member localities shall be Buchanan, Tazewell, Russell and Dickenson. Each locality's participation shall become effective as of the date their respective governing body enacts an ordinance substantially similar to this ordinance authorizing creation of the Authority.

3. The Authority shall be governed by an initial Board of Six (6) members. Three (3) members shall be appointed by the Board of Supervisors for Buchanan County and Three (3) members shall be appointed by the Board of Supervisors for Tazewell County.

In the event a third County shall enact an ordinance to join the Authority the number of members of the Board shall remain at Six (6), the most recently joining County's governing body shall be allowed to appoint Two (2) members of the Board to replace the longest serving member from each of the two initial member counties, such that each of the three-member Counties' governing body shall have appointed two members of the Board.

In the event a fourth County shall enact an ordinance to join the Authority the number of members of the Board shall be increased to Eight (8) and the governing body of the fourth locality joining the Board may appoint two new members to the Board.

Each member of the Board shall be a resident of the locality whose governing body appointed the member. The Board members shall serve terms of four years, except that one of the first two members appointed by the governing body of each locality shall be appointed to a term of just two years, such that the terms of the members of the Board from each locality are staggered.

The Board shall have such authority and exercise such powers as are permitted by the Code of Virginia.

4. The Chairmanship of the Board shall be rotated annually among the member localities, such that no chairperson may serve as chairperson for more than one year consecutively and no two members appointed by the same locality may serve consecutive terms as chairperson.

5. No member may serve more than two consecutive terms, except that initial members who may be appointed to an initial two-year term may serve two additional four-year terms.

6. The Authority may adopt such rules and by-laws as are consistent with the Code of Virginia and this ordinance and may exercise all powers granted to such authorities under Virginia Law.

7. The Board authorizes approval, by future resolution of this Board and execution by the Chair or Vice-Chair of the Board, an agreement among the member counties of the Authority establishing the respective rights and obligations of the member counties of the Authority with respect to the Authority, consistent with the provisions of Chapter 64 of Title 15.2 of the Code of Virginia of 1950, as amended, and establishing the mutual terms for participation in projects to fund Authority Facilities. The Board's authorization includes, but is not limited to, authority for the Board to approve, by ordinance, agreements with participating localities to fund Authority projects by committing future tax revenue derived from the Authority project's facilities to the Authority pursuant to section 15.2-6406 of the Code of Virginia of 1950, as amended.

It is so ORDAINED this 2nd day of October, 2017.

RECORDED ROLL CALL VOTE:

MEMBERS PRESENT: Seven

MEMBERS ABSENT: Zero

AYES: Seven

NAYS: Zero

ABSTENTIONS: Zero

ATTEST:

Robert Craig Horn, County Administrator

J. Carroll Branham, Chairman

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IN RE: CONSIDER APPROVING ADDITIONAL APPROPRIATIONS

After a general discussion by the board upon motion by Harold H. Fuller seconded Earl Scott and a roll call vote of seven (7) yeas, Harold H. Fuller, Earl Scott, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham, G. Roger Rife and zero (0) nays, this board did hereby approve following additional appropriations:

- Additional appropriation to Rowe Senior Citizens, account number 753050-5604-02 in the amount of \$125.00;
- Additional appropriation to Garden District Park and Rec., account number 71040-5604-01 in the amount of \$600.00;
- Additional appropriation to Hurricane District Park and Rec., account number 71040-6022-02 in the amount of \$1,995.80;
- Additional appropriation to Garden District Park and Rec., account number 71040-5604-01 in the amount of \$250.00;
- Additional appropriation to Circuit Court Clerk's Office, (books & subscriptions), account number 21010-6012 in the amount of \$242.00.

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IN RE: CONSIDER APPROVING TO ISSUE A CHECK FOR COYOTE CLAIMS IN THE AMOUNT OF \$50.00 FROM FUND 10, LIVESTOCK CLAIMS ACCOUNT NUMBER 35010-8104

After a general discussion by the board upon motion by Harold H. Fuller seconded Craig Stiltner and a roll call vote of seven (7) yeas, Harold H. Fuller, Earl Scott, Trey Adkins, Craig Stiltner, William P. Harris, J. Carroll Branham, G. Roger Rife and zero (0) nays, this board did hereby approve to issue a check in the amount of \$50.00 for the following coyote claims from Fund 10, livestock claims account number 35010-8104:

- Billy Yates
- Arvil Quinley
- Kevin L. Davis

- Chris Wolford (Three Claims)
- Billy Justus

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IN RE: GENERAL DISCUSSION

Trey Adkins, Knox District Supervisor requested the County Attorney to issue a letter to each board member regarding the legality for making a motion and voting for a motion if a family member is employed by another entity that receives funding from the county.

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IN RE: CONSIDER RESOLUTION AUTHORIZING THE STREET LAW FIRM AND THE LAW FIRM OF MICHIE HAMLETT TO REPRESENT THE COUNTY IN REGARD TO CLAIM OF DAMAGES FROM OPIOIDS

This issue was tabled, no action taken.

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IN RE: CONSIDER APPROVING THE COUNTY ATTORNEY TO SEND A LETTER TO SENATOR BEN CHAFIN REQUESTING AN OPINION REGARDING THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY

G. Roger Rife, South Grundy District Supervisor requested the County Attorney to send a letter to Senator Ben Chafin requesting an opinion regarding the Buchanan County Public Service Authority (PSA).

L. Lee Moise, County Attorney stated we've requested Senator Chafin and Delegate Morefield in the past to help us get an opinion from the attorney general's office regarding the legality of the two (2) appointments to the PSA for the Town of Grundy.

After a general discussion by the board upon motion by G. Roger Rife seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, G. Roger Rife, Earl Scott, Trey Adkins, Harold H. Fuller, William P. Harris, J. Carroll Branham, Craig Stiltner and zero (0) nays, this board did hereby approve to the County Attorney to send a letter to Senator Ben Chafin requesting an attorney General Opinion regarding whether a member of the Board of Supervisors having a contract of employment with the Buchanan County Public Service Authority can remain a member of the Board of Supervisors?

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IN RE: GENERAL DISCUSSION

Trey Adkins, Knox District Supervisor requested the County Attorney to provide a copy of the email to him from a representative of the Virginia Conflict of Interest and Ethics Advisory Council. The email was regarding Mr. Adkins employment with the Buchanan County Public Service Authority (PSA) with him remaining on the Board of Supervisors.

G. Roger Rife, South Grundy District Supervisor stated I don't understand why it takes this long to put the Town of Grundy's members on the PSA Board.

L. Lee Moise, County Attorney stated a request was sent to the attorney general's office in 2014 by Senator Puckett requesting the opinion of the Attorney General regarding the composition of the PSA Board in regard to the two appointments for the Town of Grundy. When Senator Puckett resigned from the Senate the Attorney General's office treated the request as mooted and did not take further action. When the County learned that the matter had been dropped by the Attorney General's office, the County resubmitted the request for the opinion from the Attorney General through Senator Chafin's Office. The Attorney General issued an opinion in December 2015 finding that the two appointments to the PSA Board for the Town of Grundy were not legally seated as the Joinder procedure required by Va. Code section 15.2-5112 had not been followed. The County, PSA and the Town attempted negotiations to resolve the matter but were not able to do so at that time. Then the Town of Grundy filed a law suit regarding the matter in approximately March of the 2016. There was a hearing before the Judge in August of 2016 on the motions to dismiss and the demurrers filed by both the County and the PSA. The Judge issued an opinion letter on the which denied the demurrers and motions to dismiss. The parties continued to negotiate the issue off and on and finally reached a settlement of the matter which the both the County and the Town approved in August 2017 and the PSA approved in September 2017. The parties are now working on the next step which is the preparation of a Joinder Agreement.

I want you to understand and this is not to necessarily be critical of what happened 25 plus years ago, but the statute for joinder, 15.2-5112 and its predecessor statute, were almost verbatim the same statute. If the parties had followed that statute back in 1988, we wouldn't be here today, stated Mr. Moise. We need to get the joinder agreement prepared then have the joinder agreement approved by the PSA. Once, approved by the PSA the town and county would need to schedule public hearings at the November meeting for December. If everything goes fine, the joinder agreement could be approved by all entities at the December board meetings, he stated. Then an application can be filed with the Virginia State

Corporation Commission. Hopefully, in January the new joinder agreement could be finalized.

G. Roger Rife, South Grundy District Supervisor stated we've deprived the town board members of not being able to serve on the PSA for three (3) years.

I plan on meeting with Jason Gallagher, Attorney for the Town of Grundy next Friday regarding the joinder agreement, stated Mr. Moise. Hopefully, we'll have it ready for the PSA meeting on Monday, October 16th.

The only real issue that probably has to be resolved by some degree of negotiations is a formula for the future in terms of contributions from the Town to the PSA stated Mr. Moise. Hopefully, when the town has a better financial situation that they would be able to make some contribution to the PSA going forward in the future.

If only one (1) of the three boards doesn't approve it, then it will be delayed again, stated Mr. Moise. I know it's been a long process, but all three parties have agreed to resolve this issue, now we are at the stage of effectuating that settlement agreement.

Mr. Adkins stated some people were misled thinking I was the one to put the two (2) members off on the PSA from the town. This board voted to ask for an attorney general opinion and the attorney general was the one who said they could not serve. Craig Stiltner, Rocklick District Supervisor stated all three (3) entities should work together.

Guy Dillow, resident recommended the PSA get everything in order then move on the things.

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IN RE: CONSIDER APPROVING CONTRIBUTIONS

After a general discussion by the board upon motion by Harold H. Fuller seconded by Earl Scott and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Earl Scott, J. Carroll Branham, G. Roger Rife, Craig Stiltner, William P. Harris and zero (0) nays, this board did hereby approve the following contributions:

Oakwood Fire and Rescue	\$9,412.00
Oakwood Fire and Rescue	\$16,575.00
Jewell Ridge Volunteer Fire Department	\$1,840.56
Whitewood Volunteer Fire Department, Inc.	\$8,273.00
Boy Scout Troop 749	\$100.00
Hurley High School (FBLA)	\$2,200.00

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IN RE: CONSIDER RATIFYING PAYROLL AFTER REVIEW

After a general discussion by the board upon motion by Earl Scott seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Earl Scott, J. Carroll Branham, G. Roger Rife, Craig Stiltner, William P. Harris and zero (0) nays, this board did hereby ratify the payroll after reviewing.

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IN RE: CONSIDER RATIFYING THE PAYMENT OF BILLS BY RESOLUTION ADOPTED ON JANUARY 9TH, 2017. (INCLUDING THE BUCHANAN COUNTY HEAD START RATIFIED BILL LIST AND BILL LIST)

After a general discussion by the board upon motion by Harold H. Fuller seconded by Trey Adkins and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Earl Scott, J. Carroll Branham, G. Roger Rife, Craig Stiltner, William P. Harris and zero (0) nays, this board did hereby ratify the payment of bills by Resolution adopted on January 9th, 2017. (including the Buchanan County Head Start ratified bill list and bill list)

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IN RE: CLOSED SESSION 2.2-3711 1950 CODE OF VIRGINIA

Upon a motion by Earl Scott seconded by Trey Adkins and with a roll call vote of seven (7) yeas, Trey Adkins, Harold H. Fuller, Craig Stiltner, William P. Harris, J. Carroll Branham, G. Roger Rife, Earl Scott and zero (0) nays, this board agreed to convene in closed session as permitted by Virginia Code Section, 2.2-3711 (A)(3), a matter involving the acquisition of property for public purposes; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding legal matters involving the Buchanan County Public Service Authority; Virginia Code Section, 2.2-3711 (A)(3)(7), consultation with legal counsel regarding the Contract with Pest Control; Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding three (3) Resolutions for the support and approval of legislation which would amend Virginia Code by amending Virginia Code Section 46.2-752 (J), Virginia Code Section 15.2-901(A)(3) 15.2—931(B)(ii); Virginia Code Section 15.2-933(ii) and Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding the opioid issue in the county with a law firm; Virginia Code Section, 2.2-3711 (A)(7),

consultation with legal counsel regarding the Miller Richardson Estate Trust and Virginia Code Section, 2.2-3711 (A)(7), consultation with legal counsel regarding an issue with Empire Salvage, Inc. regarding the demolition of the former Judge Williams building.

Motion was made by Harold H. Fuller to return from closed session seconded by Earl Scott and with a roll call vote of seven (7) yeas, Trey Adkins, Harold H. Fuller, Craig Stiltner, William P. Harris, J. Carroll Branham, G. Roger Rife, Earl Scott and zero (0) nays.

This board's meeting resumed in open session after being in executive session for two (1) hour and forty-four (44) minutes.

A motion by Harold H. Fuller seconded by Earl Scott, with J. Carroll Branham, Chairman of the Buchanan County Board of Supervisors announcing during such session the board had also discussed Virginia Code Section, 2.2-3711 (A)(1), a personnel matter involving the Buchanan County E-911 Office; Virginia Code Section, 2.2-3711 (A)(1), a personnel matter involving the making of street signs; Virginia Code Section, 2.2-3711 (A) (7), consultation with legal counsel regarding the asbestos study on the abandoned property in the Knox District and Virginia Code Section, 2.2-3711 (A) (7), consultation with legal counsel regarding the procurement for the purchase of a truck.

The board of supervisors ratified the discussion of the additional matter during closed session and then each of the members of the board certified that they did not discuss any other matters other than the foregoing in such session.

The motion was agreed upon by the following roll call vote of seven (7) yeas, William P. Harris, G. Roger Rife, J. Carroll Branham, Harold H. Fuller, Earl Scott, Craig Stiltner, Trey Adkins and zero (0) nays.

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IN RE: CONSIDER APPROVING TO PURCHASE A 2018 F-150 FOUR-DOOR FORD TRUCK FOR THE BUCHANAN COUNTY LITTER CONTROL OFFICE

After a general discussion by the board upon motion by Craig Stiltner seconded Earl Scott and a roll call vote of six (6) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Trey Adkins and one (1) nay, Harold H. Fuller, this board did hereby approve to purchase a 2018 F-150 four-door Ford Truck in the amount of \$27,267.50 plus towing package for the Buchanan County Litter Control Office from general properties 43020-6009 (vehicle and power equipment supplies).

IN RE: CONSIDER RATIFYING THE VIRGINIA DRUG TREATMENT COURT GRANT PROGRAM APPLICATION FOR THE BUCHANAN COUNTY COMMONWEALTH ATTORNEY’S OFFICE

After a general discussion by the board upon motion by Trey Adkins seconded Craig Stiltner and a roll call vote of seven (7) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Trey Adkins, Harold H. Fuller and zero (0) nays, this board did hereby ratify the Virginia Drug Treatment Court Grant Program application for the Buchanan County Commonwealth Attorney’s Office.

IN RE: CONSIDER ADOPTING THE RESOLUTION TO SUPPORT AND APPROVAL OF LEGISLATION WHICH WOULD AMEND VIRGINIA CODE BY AMENDING SECTION 46.2-752 (J) TO PERMIT BUCHANAN COUNTY TO ENFORCE THE COLLECTION OF UNPAID WATER AND SEWER FEES AND CHARGES THAT HAVE BEEN REDUCED TO A LIEN AGAINST PROPERTY

L. Lee Moise, County Attorney stated amending the Virginia Code Section 46.2-752 (J) would be a potential way of collecting unpaid water and sewer service fees and charges. The Buchanan County Treasurer’s Office already does a hold through the DMV for unpaid personal property taxes, so the resident couldn’t renew the vehicle registration.

After a general discussion by the board upon motion of William P. Harris seconded by Harold H. Fuller and with a roll call vote of six (6) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Harold H. Fuller, zero (0) nays and one (1) abstention, Trey Adkins, this board did hereby adopt the following Resolution for the support and approval of legislation which would amend Virginia Code by amending Section 46.2-752 (J) to permit Buchanan County to enforce the collection of unpaid water and sewer fees and charges that have been reduced to a lien against property:

RESOLUTION

IN RE: SUPPORT AND APPROVAL OF LEGISLATION WHICH WOULD AMEND VA CODE BY AMENDING SECTION 46.2-752(J)

WHEREAS, it has been determined by the Buchanan County, Va. Board of Supervisors, that it would be helpful if Va. Code section 46.2-752(J) be amended to permit Buchanan County to enforce the collection of unpaid water and sewer fees and charges that have been reduced to a lien against property pursuant to 15.2-2119 (E) ; and

WHEREAS, Board of Supervisors continues in its effort to extend water and sewer service to the residents of Buchanan County; and

WHEREAS, it is important to the efforts to extend clean drinking water to county residents and keep water and sewer rates as low as possible it is imperative that the County have every enforcement method possible in the collection of unpaid water and sewer fees and charges; and

WHEREAS, attached to this resolution is a proposed amendment to Va. Code section 46.2-752(J) that would permit localities to utilize an agreement with the Commissioner of Motor Vehicles to participate in the Vehicle Registration Withholding Program as a method of collecting unpaid water and sewer fees and charges that have been reduced to a lien on property pursuant to Va. Code section 15.2-2119 (E); and

NOW THEREFORE, BE IT RESOLVED, by the Buchanan County, Virginia Board of Supervisors that it states and confirms its approval and support for the proposed legislation that would amend the Va. Code by amending section 46.2-752(J) that would permit localities to participate in the Vehicle Registration Withholding Program for the collection of unpaid water and sewer service fees and charges. **FURTHERMORE, BE IT RESOLVED**, that it is requested that the General Assembly consider this matter during the 2018 General Assembly session. The County Administrator is directed to send a copy of this resolution to Senator Ben Chafin and Delegate Will Morefield.

This Resolution was adopted by the Buchanan County Board of Supervisors on the 2nd day of October, 2017.

Recorded vote:

Moved: William P. Harris
Seconded: Harold H. Fuller
Yeas: Six
Nays: Zero
Abstention: One

J. Carroll Branham, Chairman
Buchanan County Board of Supervisors

Attest:

Robert C. Horn, County Administrator

J. The treasurer or director of finance of any county, city, or town may enter into an agreement with the Commissioner whereby the Commissioner will refuse to issue or renew any vehicle registration of any applicant therefor who owes to such county, city or town any local vehicle license fees or delinquent tangible personal property tax, parking citations **and fees and charges for water and sewer service that have become liens arising pursuant to section 15.2-2119 (E)**. Before being issued any vehicle registration or renewal of such license or registration by the Commissioner, the applicant shall first satisfy all such local vehicle license fees and delinquent taxes, parking citations and **liens arising pursuant to section 15.2-2119 (E)** and present evidence satisfactory to the Commissioner that all such local vehicle license fees and delinquent taxes, parking citations **and liens arising pursuant to section 15.2-2119(E)** have been paid in full. The Commissioner shall charge a reasonable fee to cover the costs of such enforcement action, and the treasurer or director of finance may add the cost of this fee to the delinquent tax bill or the amount of the parking citation. The treasurer or director of finance **or Public Service Authority** of any county, city, or town seeking to collect delinquent taxes or parking citations **or liens arising pursuant to section 15.2-2119(E)**

through the withholding of registration or renewal thereof by the Commissioner as provided for in this subsection shall notify the Commissioner in the manner provided for in his agreement with the Commissioner and supply to the Commissioner information necessary to identify the debtor whose registration or renewal is to be denied. Any agreement entered into pursuant to the provisions of this subsection shall provide the debtor notice of the intent to deny renewal of registration at least 30 days prior to the expiration date of a current vehicle registration. For the purposes of this subsection, notice by first -class mail to the registrant's address as maintained in the records of the Department of Motor Vehicles shall be deemed sufficient. In the case of parking violations, the Commissioner shall only refuse to issue or renew the vehicle registration of any applicant therefor pursuant to this subsection for the vehicle that incurred the parking violations. The provisions of this subsection shall not apply to vehicles owned by firms or companies in the business of renting motor vehicles.

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IN RE: CONSIDER ADOPTING THE RESOLUTION TO SUPPORT AND APPROVAL OF LEGISLATION WHICH WOULD AMEND VIRGINIA CODE BY AMENDING SECTION 15.2-901(A)(3) TO PERMIT BUCHANAN COUNTY TO ADOPT AND ENFORCE AN ORDINANCE REQUIRING OWNERS OF ABANDONED OR UNOCCUPIED PROPERTY, WHETHER DEVELOPED OR UNDEVELOPED PROPERTY TO CUT GRASS, WEEDS AND OTHER FOREIGN GROWTH ON SUCH PROPERTY

After a general discussion by the board upon motion of G. Roger Rife seconded by William P. Harris and with a roll call vote of six (6) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Harold H. Fuller, zero (0) nays and one (1) abstention, Trey Adkins, this board did hereby adopt the following Resolution for support and approval of legislation which would amend Virginia Code by amending Section 15.2-901(A)(3) to permit Buchanan County to adopt and enforce an ordinance requiring owners of abandoned or unoccupied property, whether developed or undeveloped property to cut grass, weeds and other foreign growth on such property.:

RESOLUTION

IN RE: SUPPORT AND APPROVAL OF LEGISLATION WHICH WOULD AMEND VA CODE BY AMENDING SECTION 15.2-901(A)(3)

WHEREAS, it has been determined by the Buchanan County, Va. Board of Supervisors, that it would be helpful if Va. Code section 15.2-901(A)(3) be amended to permit Buchanan County to adopt and enforce an ordinance requiring owners of abandoned or unoccupied property, whether developed or undeveloped property, including such property upon which buildings or other improvements are located, to cut grass, weeds and other foreign growth on such property; and

WHEREAS, Board of Supervisors continues in its effort to promote tourism in

Buchanan County; and

WHEREAS, it is important to the efforts to promote tourism and protect the general health and safety of the public to encourage property owners to properly maintain the property they own within the boundaries of Buchanan County, Va. when said property is either abandoned or unoccupied; and

WHEREAS, attached to this resolution is a proposed amendment to Va. Code section 15.2-901(A)(3) that would permit Buchanan County to adopt and enforce an ordinance requiring owners of abandoned or unoccupied, developed or undeveloped property, including such property upon which buildings or other improvements are located, to cut grass, weeds and other foreign growth on such property; and

NOW THEREFORE, BE IT RESOLVED, by the Buchanan County, Virginia Board of Supervisors that it states and confirms its approval and support for the proposed legislation that would amend the Va. Code by amending section 15.2-901(A)(3) that would permit Buchanan County, Va. to adopt and enforce an ordinance requiring owners of abandoned or unoccupied property, whether developed or undeveloped property, including such property upon which buildings or other improvements are located, to cut grass, weeds, and other foreign growth on such property . **FURTHERMORE, BE IT RESOLVED**, that it is requested that the General Assembly consider this matter during the 2018 General Assembly session. The County Administrator is directed to send a copy of this resolution to Senator Ben Chafin and Delegate Will Morefield.

This Resolution was adopted by the Buchanan County Board of Supervisors on t h i s t h e 2nd day of October, 2017.

Recorded vote:

Moved: G. Roger Rife

Seconded: William P. Harris

Yeas: Six

Nays: Zero

Abstention: One

J. Carroll Branham, Chairman

Buchanan County Board of Supervisors

Attest:

Robert C. Horn, County Administrator

3. The owners of occupied or vacant developed or undeveloped property therein, including such property upon which buildings or other improvements are located, shall cut the grass, weeds and other foreign growth, including running bamboo as defined in § 15.2-901.1, on such property or any part thereof at such time or times as the governing body shall prescribe; or may, whenever the governing body deems it necessary, after reasonable notice as determined by the locality, have such grass, weeds or other foreign growth cut by its agents or employees, in which event the cost and expenses thereof shall be chargeable to and paid by the owner of such property and may be collected by the locality as taxes are collected. For purposes of this provision, one written notice per growing season to the owner of record of the subject property shall be considered reasonable notice. No such ordinance adopted by any county shall have any force and effect within the corporate limits of any town. No such ordinance adopted by any county having a density of

population of less than 500 per square mile shall have any force or effect except within the boundaries of platted subdivisions or any other areas zoned for residential, business, commercial or industrial use, **and for abandoned or unoccupied property within the boundaries of localities with populations of less than 25,000 in population.** No such ordinance shall be applicable to land zoned for or in active farming operation.

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IN RE: CONSIDER PEST CONTROL CONTRACT

After a general discussion by the board upon motion by Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Harold H. Fuller, Trey Adkins and zero (0) nays, this board did hereby approve to stop Pest Control Plus, Inc. from spraying the following buildings located in the Rocklick Magisterial District and to advertise for bids to have pest control services for the following buildings:

Big Rock Gym/Restroom
Harman Road Bathrooms
Harman Food Pantry
Maxie Senior Citizens Center
Poplar Creek Mini Park

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IN RE: CONSIDER APPROVAL TO PURCHASE EIGHT (8) 40-YARD ROLL-OFF CONTAINERS FOR THE BUCHANAN COUNTY SANITATION DEPARTMENT

After a general discussion by the board upon motion by William P. Harris seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Harold H. Fuller, Trey Adkins and zero (0) nays, this board did hereby approve to purchase eight (8) 40-yard roll-off containers for the Buchanan County Sanitation Dept. from the E-911 account.

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IN RE: CONSIDER ADOPTING RESOLUTION FOR SUPPORT AND APPROVAL OF LEGISLATION WHICH WOULD AMEND VIRGINIA CODE SECTION BY AMENDING SECTION 15.2—931(B)(II) AND 15.2-933(II)

After a general discussion by the board upon motion of Craig Stiltner seconded by Earl Scott and with a roll call vote of seven (7) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Harold H. Fuller, Trey Adkins and zero (0) nays, this

board did hereby adopt the enclosed Resolution for support and approval of legislation which would amend Virginia Code by amending Section 15.2—931(B)(ii) and 15.2-933(ii).

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**IN RE: CONSIDER ADVERTISING FOR CONTRACTORS TO DO SNOW
REMOVAL ON COUNTY ROADS**

After a general discussion by the board upon motion by G. Roger Rife seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Harold H. Fuller, Trey Adkins and zero (0) nays, this board did hereby approve to advertise for contractors to do snow removal on county roads.

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**IN RE: CONSIDER APPROVING TO PROCURE AN ENGINEERING FIRM
TO REVIEW THE ASBESTOS STUDY PERFORMED BY CARDNO,
INC. REGARDING THE PROPERTY OWNED BY EARL HAROLD
MCCOY LOCATED IN THE KNOX MAGISTERIAL DISTRICT.**

After a general discussion by the board upon motion by Trey Adkins seconded by William P. Harris and with the following roll call vote of seven (7) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Harold H. Fuller, Trey Adkins and zero (0) nays, this board did hereby approve to procure an engineering firm to review the asbestos study performed by Cardno, Inc. regarding the property owned by Earl Harold McCoy located in the Knox Magisterial District.

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**IN RE: CONSIDER APPROVING THE APPLICATION AND CERTIFICATE
FOR PAYMENT IN THE AMOUNT OF \$66,369.85 TO EMPIRE
SALVAGE & RECYCLING, INC. REGARDING THE DEMOLITION
OF THE OLD JUDGE WILLIAMS BUILDING LESS AN OFFSET OF
\$9,630.00 FOR TIPPING FEES FOR DEBRIS IMPROPERLY
REMOVED FROM THE COUNTY AND NOT DISPOSED OF AT THE
COUNTY TRANSFER STATION AS REQUIRED BY LOCAL
ORDINANCE**

After a general discussion by the board upon motion by William P. Harris seconded by Craig Stiltner and with the following roll call vote of seven (7) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Harold H. Fuller, Trey Adkins and zero (0) nays, this board did hereby approve the application and certificate for payment in the amount of \$66,369.85 to Empire Salvage & Recycling, Inc. regarding the demolition of

the Old Judge Williams Building less an offset of \$9,630.00 for tipping fees for debris improperly removed from the County and not disposed of at the County Transfer Station as required by local ordinance.

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IN RE: CONSIDER APPROVAL TO ACCEPT THE DEED OF GIFT FROM THE TOWN OF GRUNDY TO BUCHANAN COUNTY FOR THE PROPERTY LOCATED AT WATKINS BRANCH

Robert C. Horn, County Administrator stated bids were received in July for the site development at the Watkins Branch Government Building site.

Billie Campbell with Terra Tech Engineering Services stated two (2) bids were received and the low bid is good for 65 to 70 days. The low bid was in the amount of \$587,638 from Cleco Corporation.

The estimated cost for the construction of a new government center at Watkins Branch is estimated at \$8 million, stated Mr. Campbell. This would be for 39,000 square foot building, which would allow the county to consolidate the mapping office, section 8 housing, the Buchanan County Public Service Authority.

After a general discussion by the board upon motion by Trey Adkins and with no second to his motion and with the following roll call vote of seven (7) yeas, Craig Stiltner, Earl Scott, G. Roger Rife, William P. Harris, J. Carroll Branham, Harold H. Fuller, Trey Adkins and zero (0) nays, this board did hereby approve to accept the Deed of Gift from the Town of Grundy to Buchanan County for the property located at Watkins Branch and authorized the Chairman and the County Administrator to execute the Deed of Gift with the approval as to form by the County Attorney.

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IN RE: CONSIDER APPROVING THE BID FROM CLECO CORPORATION FOR SITE DEVELOPMENT AT THE WATKINS BRANCH

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller to approve the bid in the amount of \$587,638.00 from Cleco Corporation for site development at the Watkins Branch Government Site contingent upon the County receiving a deed to the property from the Town of Grundy upon which the Government Center is proposed to be constructed across from Watkins Branch.

Craig Stiltner, Rocklick District Supervisor asked how much was the renovation and construction estimated at for the courthouse?

Billie Campbell, with Terra Tech Engineering Services stated it's estimated at \$12.3

million.

Trey Adkins, Knox District Supervisor asked where's the constitutional officers going to move to if this board doesn't vote to construct a government center at Watkins Branch? The court systems will be back here, but the constitutional offices can't stay up Slate Creek. What's our options?

Robert C. Horn, County Administrator stated it's not for me to tell the board what to do.

I would love to see one building with every entity in it, but the amounts for this project scares me to death, stated Mr. Stiltner.

If the renovations to the courthouse could stay around \$8 million, I would support a new government center, stated G. Roger Rife, South Grundy District Supervisor.

I'm really afraid the cost is going to run to up to \$30 million for the renovations and new government center, stated Mr. Rife. I'll only vote for \$16 million for the two projects.

After a general discussion by the board upon motion by Trey Adkins seconded by Harold H. Fuller and with the following roll call vote of six (6) yeas, Craig Stiltner, Earl Scott, William P. Harris, J. Carroll Branham, Harold H. Fuller, Trey Adkins and one (1) nay, G. Roger Rife, this board did hereby approve the bid in the amount of \$587,638.00 from Cleco Corporation for site development at the Watkins Branch Government Site contingent upon a deed to the county from the Town of Grundy for the property.

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IN RE: CONSIDER APPROVING THE TRANSFER OF CASH IN THE AMOUNT OF \$8.3 MILLION FROM THE CNX GAS SPECIAL ACCOUNT TO THE COURTHOUSE RENOVATION PROJECT

After a general discussion by the board upon motion by Craig Stiltner seconded by Harold H. Fuller and with the following roll call vote of seven (7) yeas, Craig Stiltner, Harold H. Fuller, Trey Adkins, G. Roger Rife, Earl Scott, William P. Harris, J. Carroll Branham and zero (0) nays, this board did hereby approve the transfer of cash in the amount of \$8.3 million from the CNX Gas Special Account to the courthouse renovation project account number 94100-7010.

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IN RE: ADJOURNMENT

Upon motion by Harold H. Fuller seconded by Earl Scott and with the following roll call vote of seven (7) yeas, Harold H. Fuller, Trey Adkins, Craig Stiltner, William P.

Harris, G. Roger Rife, Earl Scott, J. Carroll Branham and zero (0) nays, this board did hereby approve to adjourn the meeting.

J. Carroll Branham, Chairman of the
Buchanan County Board of Supervisors

Robert Craig Horn, County Administrator

MINUTES

A special called meeting of the Buchanan County Board of Supervisors was held on the 20th day of October, 2017 starting at 10:00 a.m. in the boardroom of the Buchanan County Courthouse located in Grundy, Virginia:

PRESENT: J. Carroll Branham, Chairman
G. Roger Rife
Earl Scott
Harold H. Fuller
Trey Adkins

Robert Craig Horn, County Administrator
L. Lee Moise, County Attorney

ABSENT: Craig Stiltner
William P. Harris

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The meeting was called to order with Prayer and Pledge of Allegiance.

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REQUEST FOR A SPECIAL MEETING OF THE BUCHANAN COUNTY BOARD OF SUPERVISORS

J. Carroll Branham, Chairman of the Buchanan County Board of Supervisors hereby requested pursuant to Section 15.2-1418 and 2.2-3707(D) of the Code of Virginia that a special meeting of the Buchanan County Board of Supervisors be held on the date, at the time, and place stated below, and for the purpose stated herein, as amended.

DATE OF MEETING: FRIDAY, OCTOBER 20th, 2017

TIME OF MEETING: 10:00 O'CLOCK A.M.

PLACE OF MEETING: BOARDROOM OF THE BUCHANAN COUNTY
COURTHOUSE, ON WALNUT STREET IN GRUNDY,
VIRGINIA

PURPOSE

1. Call to order.
2. Prayer and Pledge of Allegiance.
3. Consider approving to schedule a public hearing on Monday, November 27th, 2017 at 10:00 a.m. to hear public comments regarding the proposed Joinder Agreement

by which terms the Town of Grundy would join and become a member of the Buchanan County Public Service Authority.

4. Adjournment.

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IN RE: CONSIDER APPROVING TO SCHEDULE A PUBLIC HEARING ON MONDAY, NOVEMBER 27TH, 2017 AT 10:00 A.M. TO HEAR PUBLIC COMMENTS REGARDING THE PROPOSED JOINDER AGREEMENT BY WHICH TERMS THE TOWN OF GRUNDY WOULD JOIN AND BECOME A MEMBER OF THE BUCHANAN COUNTY PUBLIC SERVICE AUTHORITY

J. Carroll Branham, Chairman stated Mr. Adkins will not be able to participate in today’s meeting, due to being employed by the Buchanan County Public Service Authority (PSA).

Trey Adkins, Knox District Supervisor stated I will not participate due to having an interest in an employment contract with the PSA in an amount over \$5,000.00.

After a general discussion by the board upon motion by Harold H. Fuller seconded by Earl Scott and with a roll call vote of four (4) yeas, G. Roger Rife, Earl Scott, J. Carroll Branham, Harold H. Fuller zero (0) nays, two (2) absent, Craig Stiltner and William P. Harris and one (1) abstention, Trey Adkins, this board did hereby approve to schedule a public hearing on Monday, November 27th, 2017 at 10:00 a.m. to hear public comments regarding the proposed Joinder Agreement by which terms the Town of Grundy would join and become a member of the Buchanan County Public Service Authority.

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IN RE: ADJOURNMENT

After a general discussion by the board upon motion by Craig Stiltner seconded by Trey Adkins and with a roll call vote of five (5) yeas, Trey Adkins, G. Roger Rife, Earl Scott, J. Carroll Branham, zero (0) nays and two (2) absent, Craig Stiltner and William P. Harris, this board did hereby approve to adjourn.

J. Carroll Branham, Chairman of the Buchanan County Board of Supervisors

Robert Craig Horn, County Administrator

